



PROTECTING CHILDREN IN ARMED CONFLICT: BLUEPRINTS FOR COMPLIANCE

January 2004

EXECUTIVE SUMMARY

This paper is a call to action urging the UN Security Council members, the UN system, regional bodies, civil society, and national governments to respond with the resources and remedies proportionate to the grave state of affairs for children in armed conflicts around the globe. It outlines three essential **Action Areas** where progress must be made to begin to close the gap between international commitments to protect children and the harsh reality that children experience: gross violations of their rights---with impunity.

Action Area 1: Monitoring and Reporting

Recommendations

- * Identify a Security Council Member as a focal point for the protection of children in armed conflict. (Details on p. 5)
- * Appoint a small independent and representative group of experts, drawn from UN agencies and qualified NGOs, to outline concretely the mandates and coordination needed within the UN system to achieve a comprehensive and effective monitoring and reporting structure. (Details on p. 5)
- * Establish a child protection “inspection” initiative, such that the Council is quickly and efficiently able to verify reports of egregious violations when warranted by reports. (Details on p. 5)
- * Call on the full membership of the United Nations to support monitoring and reporting initiatives to build capacity on the local level and solidify the building blocks of a comprehensive system. (Details on p. 5)

Action Area 2: Addressing the Spectrum of Violations against children

Recommendations

- * Request the Secretary-General to prepare a regular annual list of all parties to armed conflict that recruit or use child soldiers in violation of international obligations applicable to them and to expand this list to include all situations, as recommended by the Secretary-General (Fourth Report of the Secretary-General on Children and Armed Conflict A/58/546-S/2003/1053 para.105(h)). (Details on p. 7)
- * Request the Secretary-General to present a new list including parties in all situations involved in especially egregious violations. (Details on p. 7)

* State intention to merge these two “interim” lists into one consolidated list by 2006.
(Details on p. 7)

Action Area 3: Graduated Measures to Achieve Compliance.

Recommendations

* Strengthen, with specific time-bound actions, the steps already established in resolution 1460 to address the recruitment and use of child soldiers by parties listed in the annexes to the Secretary-General’s report, and ensure they are carried out on a systematic basis.
(Details on p. 9)

* Adapt the graduated measures for addressing the recruitment and use of child soldiers to ensure their applicability to other egregious violations against children. (Details on p. 10)

This paper also contains 5 related annexes related to:

ANNEX I: Attention to children in Security Council resolutions

ANNEX II: Attention to children in Secretary-General’s country reports

ANNEX III: Excerpts of country-specific documentation of violations against children

ANNEX IV: Legal standards for Secretary-General’s list to include egregious violations

ANNEX V: Further Resources related to positive incentives for achieving compliance



PROTECTING CHILDREN IN ARMED CONFLICT: BLUEPRINTS FOR COMPLIANCE

January 2004

TABLE OF CONTENTS	Page
Introduction: Urgent Action Needed	1
Action Area 1: Monitoring and Reporting and Recommendations	3
Action Area 2: Addressing the Spectrum of Violations against Children and Recommendations	5
Action Area 3: Graduated Measures to Achieve Compliance and Recommendations	7
<u>ANNEX I:</u> Attention to Children in Security Council Resolutions	11
<u>ANNEX II:</u> Attention to Children in Secretary-General's Country Reports	18
<u>ANNEX III:</u> Excerpts of Country-Specific Documentation of Violations against Children	30
<u>ANNEX IV:</u> Legal Standards for Secretary-General's List to include Egregious Violations	38
<u>ANNEX V:</u> Further Resources related to Positive Incentives for Achieving Compliance	42

**PROTECTING CHILDREN IN ARMED CONFLICT:
BLUEPRINTS FOR COMPLIANCE**
January 2004

Introduction: Urgent Action Needed

“No more impunity for violators of the rights of children during armed conflict.”
- UN Secretary-General Kofi Annan

As the Security Council is well aware, the international community is coping with the impact of war on children in ways never realized before. From Congo and Liberia to Iraq, Myanmar and Colombia, girls and boys are subject to appalling violence and deprivation of their fundamental rights. In many countries, there is a general crisis of child protection, which is further exacerbated by the impeded access of civilian populations to much-needed humanitarian assistance. More children die from malnutrition, diarrhea, and other preventable diseases in conflict situations than die as a direct result of fighting.

Within this web of crisis, an estimated 300,000 children under the age of 18 are directly involved in armed conflict, with the alarming fact that girls are being recruited for front line combat and to carry guns and work as cooks, spies or “wives” for adult soldiers. Much more attention to the use of girls as soldiers is needed. In a dramatic encounter with the stark reality in eastern Congo earlier this year, the Security Council ambassadors were horrified to witness the systematic nature of rape and sexual mutilation of girls and women that goes unpunished in today’s wars. As the ambassadors said upon their return, *This really must stop.*

Thanks to the work of the Security Council and the entire UN system, as well as non-governmental organizations (NGOs), this problem is now far more widely recognized than it was at the time of the first international study on the impact of conflict on children by Graça Machel (1996). However, Security Council resolutions on Children and Armed Conflict (Resolutions 1261, 1314, 1379 and 1460) and other international standards for protecting children are not systematically enforced, thereby permitting the perpetrators of the violations to continue flouting these laws with impunity. Alarming, the substantial international legal framework to protect these children is failing in the most fundamental ways. The time has come for follow-up action to ensure that the mandated mechanisms for child protection actually function on the ground for all children in conflict settings, and especially those who must be monitored throughout the process of disarmament, demobilization, rehabilitation, and reintegration (DDR).

In its upcoming annual review of the status of children in armed conflict, the Security Council must draft a new resolution, which will build on the important benchmarks achieved in its previous resolutions on children and armed conflict, and particularly will hone the existing efforts to achieve compliance. This is imperative if Security Council members, and all nations, are to prevent a devastating rollback on the protection of girls and boys caught in armed conflicts worldwide.

It is widely known that a robust, comprehensive system to ensure protection of children affected by armed conflict must include a reliable monitoring and reporting system accompanied by systematic actions for compliance at the field level. The entire system must be based on the principles of rule of law; accountability to the people, including children; and transparency. Such a system must contain provisions to detect early warning signals, to react with early actions, and to deny impunity for those who commit crimes against children. States and other parties that fail to take early action to avert well-identified risks of major violations should be held accountable for their *inaction*.

The following is a brief list of the overarching components that must ultimately be developed to achieve an effective, comprehensive system to ensure protection of children affected by armed conflict:

- A clear strategy for monitoring the situation of children by both governmental and non-governmental organizations in conflict-prone situations, which would include increasing the capacity of front line organizations, individuals, and national child protection networks to document and disseminate reliable information about violations against children;
- Specifically defined mandates and mechanisms for taking appropriate and preventative steps to protect the security of children, before a conflict comes to the attention of the Security Council;
- A coherent process for receiving information about serious violations of the security of children from various sources, including civil society organizations, and directing that information to bodies that can and will act upon it;
- Timely investigation of reports of violations and appropriate responses for follow-up under Security Council direction;
- An agreed-upon range of specific measures to halt violations, ensure protection, and uphold international humanitarian law and human rights;
- Frequent reporting on compliance with commitments and consistent follow-up;
- An appeal mechanism for use in situations where violations continue and commitments continue to be broken.

With these components in mind, this paper sets out some first steps for United Nations, particularly the UN Security Council, towards such an effective system embracing monitoring, reporting, and compliance, while being mindful of today's financial, time, and logistical constraints.

The following is a blueprint for action by the UN Security Council, with specific recommendations to be taken in stages, to achieve the ultimate goal of ending

violations and crimes against children in conflict settings, and the impunity enjoyed by those who commit them. This action is needed not only to halt unconscionable violence against girls and boys, but also to stabilize their societies and prevent the relapse into unending conflict.

Action Area 1: Coordinated Monitoring and Reporting

The 4th Report of the Secretary-General on Children and Armed Conflict (S/2003/1053) recognizes that the current system for monitoring and reporting on violations against children in armed conflict is inadequate and recommends significant improvement. Such improvement would have broad-based public support around the world, since the protection of children is a common value across cultures. The urgency of the predicament of children in current conflicts raises this to a high priority for immediate action.

Experience has shown that a comprehensive monitoring and reporting system must consist of two interrelated components. First, there must be the collection of primary, reliable information on **basic violations** against children in armed conflict. Without adequate and reliable information it is impossible for the Security Council, national governments, or others to take the first steps toward achieving compliance. Second, there must be a collection of reliable information to assess the **level of compliance** by parties with their legal obligations to cease violations or to protect children.

There is no sharp line between these two components of monitoring and reporting, because circumstances in the field are invariably fluid. The process of gathering information on basic violations may overlap in time and location with gathering information on levels of compliance. As an example, during a meeting between a Security Council emissary and a party known to use or recruit child soldiers, the emissary may encounter information about new or other unreported violations against children. This information on basic violations, collected while verifying compliance, must be properly reported in order for appropriate action to be taken. As this example indicates, these two components must be rigorously coordinated in order to maximize their effectiveness.

Moreover, experience also shows that abuses against children will only end when the first step of gathering the information is followed by a clear plan on where to deposit the information, how to verify it, and what possible enforcement actions to take that would lead to compliance. More important, it is fundamental that those who deposit information see a clear connection between their reporting of an incident and remedial actions on behalf of children who have suffered violations of their rights.

At this time, NGOs and UN agencies play central roles in gathering both types of information and depositing that information with decision-makers. The major shortcoming is that no rigorous and effective system exists to coordinate these activities, and direct them through the necessary steps to achieve the goal of compliance.

For example, it is particularly distressing to note that even in situations where the information about basic violations against children is well known and has been presented

to UN agencies and Security Council Members by various groups, including the Watchlist and child protection advisers, neither the Council nor its designees have taken action—even to incorporate the issue into a resolution pertaining to the country.

UNSC resolutions 1379 and 1460 both mandate the Security Council to pay specific attention to the security of children in deliberations on specific conflict situations. Research by the Watchlist documents significant gaps in this area. Between November 1, 2002 and October 31, 2003 only nine of the 54 resolutions adopted by the Security Council addressed child security and protection (or just protection) and these resolutions cover only five specific conflict situations. Similarly, of the 44 country-specific reports of the Secretary-General to the Security Council presented between November 1, 2002 and October 31, 2003, only 16 include substantive discussion of child protection. These reports address a total of eight conflict areas. (**Annexes I and II** provide relevant research and further detail.)

Additionally, the Secretary-General's recommendations to the Security Council in his 4th Report on Children and Armed Conflict would be stronger and could be more effectively implemented if the report included more country-specific and timely information, such as that documented by child protection advisers, other UN bodies, the Watchlist, and others. (**Annex III** provides examples of documentation of country specific violations)

As the Security Council considers how to incorporate into its upcoming resolution the essential aspects of the monitoring and reporting system outlined above, Watchlist urges the Council Members to include provisions for the two fundamental components which require immediate attention: collection and use of information on 1) **basic violations** and 2) **level of compliance**. Finally, we hope the Council will highlight the following additional points:

- Watchlist recognizes the significant need for and value of the Office of the Special Representative on Children and Armed Conflict. We advocate, however, for clearer, more effective implementation of that office's mandate.
- Checks and balances are needed to ensure that specific political interests of an individual UN Member State cannot block effective action to protect vulnerable children.
- The Secretary-General's 4th Report on Children and Armed Conflict recognizes that civil society organizations play an essential role in monitoring and reporting; but this point is not reflected in the monitoring and reporting structure recommended in the report (section III, sub-section D paragraph 78-104). The Watchlist advocates a system that includes a clear role for civil society organizations at both the national and international levels, which preserves the independence that is a crucial feature of their ability to witness and report violations at close range.

These are the benchmarks against which the Watchlist will measure specific proposals for an effective monitoring and reporting system which leads to action and compliance with international standards of children protection.

Recommendations on Monitoring and Reporting

The following are suggestions for the first fundamental steps for the Security Council in developing a comprehensive and effective monitoring and reporting system:

- * The Security Council should identify one Member State that is willing to serve as the Council's focal point for the protection of children in armed conflict, to provide leadership on this matter for the Council's own agenda. One key role of the focal point, working in an informal capacity, would be to ensure that the Council's deliberations on specific conflicts always include consideration of the security of children, and include appropriate measures in the country-specific resolutions.
- * The Security Council should appoint with a strong, practical six month mandate, a small independent and representative group of experts, drawn from UN agencies and qualified NGOs, to outline the mandates and coordination needed within the UN system (complementing existing initiatives outside the UN system) to achieve a comprehensive and effective monitoring and reporting structure. This plan and practical recommendations for putting it into effect would be presented to the Security Council within six months.
- * The Security Council should establish a child protection "inspection" initiative, such that the Council is quickly and efficiently able to verify reports of egregious violations when warranted by reports. For example, the Council could do its own inspecting as part of field missions, or if the Council is unable to embark upon its own mission it should have specific designees at the field level to carry out timely investigations of abuses against children and report directly back to the Council, so that it may take action.
- * The Council should call on the United Nations Member States to provide the necessary resources and support for the various UN agencies and civil society organizations engaged in monitoring and reporting, in order to build capacity on the local level and solidify the building blocks of a comprehensive system.

Action Area 2: Strengthening the Secretary-General's "List"

One welcome monitoring and reporting effort underway is an annual list compiled by the UN Secretary-General at the Security Council's request that names parties to conflict who recruit and use children in violation of international obligations applicable to them. (UNSC resolutions 1379 and 1460)

While the Secretary-General's List sets a vital standard for monitoring and reporting inside the UN system, it would be significantly improved by a two-way expansion. **First**, the Secretary-General should expand the List by including warring parties in countries

that are not on the Security Council's agenda (logistically, this would mean combining Annexes I and II in the Secretary-General's 4th report into one complete list), and **second**, it should encompass the spectrum of violations beyond child soldiering.

The first expansion is critically important because of the scope of child recruitment and use across the globe and its implications on international peace and security. The rationale for this expansion lies in the fact that previous resolutions recognize the use of child soldiers as a threat to international peace and security and therefore, in itself, is a matter of concern for the Security Council. Furthermore, the List should encompass all situations where the practice occurs and should be compiled and updated on a regular basis in order to stigmatize violators and ensure current evaluation of progress.

The second expansion is required so that other equally harmful violations are not dismissed as being less serious than the use of child soldiers. As the Secretary-General points out in his report (Section III), other abuses against children also cause extreme suffering. Parties to armed conflict that commit such egregious abuses should also be subject to particular scrutiny and action by the Security Council.

The strongest possible "List" would ultimately consist of **all** parties that violate the security and rights of **all** children in **all** conflict situations across the globe. These violations would encompass those covered in Watchlist reports, such as child soldiering, displacement, denial of access to health care and education, trafficking and exploitation, gender-based violence, HIV/AIDS exposure, death or injury due to landmines, small arms, or illicit exploitation of natural resources.

Recognizing the challenges of compiling and monitoring this broad list all in one step, Watchlist suggests that the Security Council mandate a staged approach in its next resolution. For an interim period, this staged approach would consist of two lists, thereby allowing the Council and related bodies to refine their capacity to monitor and update this information. Eventually, these two lists would be combined into one.

To summarize, these are the two interim lists:

1. Expanded Child Soldiers List: a single list which includes warring parties that recruit or use children as soldiers in violation of international obligations applicable to them in situations both on and off the current Security Council agenda, on the grounds that previous resolutions recognize the use of child soldiers as a threat to international peace and security and therefore a matter for Security Council attention in itself.
2. Spectrum of Violations List: a list which would include parties involved in especially egregious violations such as killing and maiming, rape and other grave sexual violence against children, illicit exploitation of natural resources, abductions of children, and denial of humanitarian access. (**Annex IV** provides the international legal standards on which this list could be based.) This short list of egregious violations is highlighted in the Secretary-General's report for 2003

(paragraph 81). Access to education should also be added, as education has been proven to be an effective protection measure for children.¹ Finally, the impact of the illicit trade of small arms should be added, as this trade facilitates massive abuses against children, and is highlighted by Secretary-General and the UN Programme of Action on Small Arms and Light Weapons to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons.

Recommendations on Secretary-General's "List"

The following would be included in the upcoming 2004 UNSC resolutions on Children and Armed Conflict; optimally these "Lists" would be reviewed and updated every six months to accommodate the changing dynamics of today's conflicts.

* The Security Council should request the Secretary-General to prepare a regular annual list of all parties to armed conflicts that recruit or use child soldiers in violation of international obligations applicable to them and to expand this list to include all situations, as recommended by the Secretary-General (paragraph 105(h)).

* The Security Council should request the Secretary-General to present a new list including parties in all situations (both on and off the Security Council agenda) involved in especially egregious violations such as killing and maiming, rape and other grave sexual violence against children, illicit exploitation of natural resources, abductions of children, denial of humanitarian access, illicit trade in small arms and light weapons and denial of access to education. This should be supported by the establishment of a comprehensive database on all violations.

* The Security Council would state its intention to merge these two "interim" lists into one consolidated list by 2006.

Action Area 3: Graduated Measures to Achieve Compliance.

The point of all the foregoing is that monitoring and reporting is not done for the sake of simply amassing information – it is a first step on the path to action and compliance with UNSC resolutions in the field.

The central question before the Security Council is what effective, concrete measures could be taken with regard to specific actors once they have been "listed" by the Secretary-General, but have failed to respond to the charge of either using or recruiting child soldiers (and, in the future, for perpetrating other egregious violations against children). Experience has shown that if there are no consequences for failure to comply

¹ Work on effective ways to protect children threatened by armed conflict has established the protection value of education, including non-formal education in situations where schools are not safe or accessible. Significant progress has been made toward establishing good practice models and standards for providing education in emergencies. For these reasons, it is suggested that access to education be added as a matter for monitoring.

with a Security Council resolution, then even the persuasive influence of such resolutions is diminished.

The building blocks are already in place. In resolution 1460, the Security Council outlines a series of actions to be taken, such as requests for information, dialogue with the parties involved, development of plans of action, and voluntary arms embargoes (1460, paragraphs 4, 5 and 6). The Council further expresses its intention to consider appropriate **steps** for parties that fail to demonstrate progress. These steps would be in accordance with the United Nations Charter and its resolution 1370 (2001) (paragraph 6). The term “steps” does *not* necessarily mean imposing sanctions. The Council could employ a series of measures, beginning with the actions already set out in resolution 1460, proceeding to positive incentives that could facilitate compliance with international standards, and perhaps ultimately pursuing some form of carefully designed sanctions.

It is imperative to note that broad economic sanctions have often been shown to have harmful effects on the most vulnerable sectors of society, and to have very little impact in achieving their objectives. Experts concerned with these drawbacks have introduced features aimed at minimizing the detrimental effects on innocent groups; such features include humanitarian exceptions and “smart” sanctions that target political leaders only.

Still, it is worth considering how the use of positive incentives could be more effective and safer for children. Such measures are intended to encourage states or other violators to participate in dialogues and cooperative actions geared to ending specific human rights violations. In addition, inducement strategies aim to create long-term foundations for peace and cooperation, and have the potential to address conflicts before they become a full-scale crisis. More research must be done on the effective use of positive incentives applicable for non-state actors as well as state parties, but given the deepening crisis for children, innovative analysis and immediate action are demanded. (ANNEX V provides more resources for information on positive incentives.)

Immediate Steps for the Security Council

At this time, the Security Council should begin by taking the actions already set out in resolution 1460 in regard to the use of child soldiers and build on these ideas so as to promote greater accountability by listed parties. For example, in paragraph 4 of resolution 1460 the Council states that it, “*Expresses its intention to enter into dialogue, as appropriate, or to support the Secretary-General in entering into dialogue with parties to armed conflict in violation of the international obligations applicable to them on the recruitment or use of children in armed conflict, in order to develop clear and time bound action plans to end this practice.*” This dialogue has not taken place systematically, as evidenced by the Secretary-General’s report. Moreover, the report does not indicate that any new dialogue processes have been initiated as a result of resolution 1460. The designation of a Children and Armed Conflict reference point for each situation in the most appropriate UN agency or body and a mechanism to monitor and document the dialogue process would ensure that such dialogue takes place on a more systematic basis.

Parallel to the implementation of graduated measures related to parties listed for recruitment and use of child soldiers, the Secretary-General should be rigorously developing a new list of parties documented for any cases within the spectrum of egregious violations--for potential release in November 2004. At the same time, the Council must draw on its experience in applying graduated measures related to child soldiers, as it undertakes preparation of a series of applicable measures it can use immediately upon receipt of the new "Spectrum of Violations" List. Furthermore, this series of graduated measures should be coordinated with checkpoints within a coherent system of monitoring and reporting, to assess the application of these measures and resulting compliance, or lack thereof.

The recommendations outlined below for Security Council action regarding the recruitment and use of child soldiers are elaborated in more detail in "The Child Soldiers 'List': Next Steps for the Security Council", by the Coalition to Stop the Use of Child Soldiers, a founding member of the Watchlist on Children and Armed Conflict.

Recommendations on Compliance with International Obligations

The following are examples of the types of graduated measures the Council could invoke to encourage compliance by parties listed for various violations against children.

* The Security Council should strengthen the actions already established in resolution 1460 (paragraphs 4, 5 and 6) to address the recruitment and use of child soldiers by parties listed in the annexes to the Secretary-General's report, and ensure they are carried out on a systematic basis by:

- a. Setting specific deadlines for the submission of information by parties regarding steps they are taking to end child recruitment and use, and the creation of concrete, time-bound plans of action to end these abuses.
- b. Designating CAC Reference Points (e.g., SRSG/CAC, resident coordinators, UNICEF, or other UN agencies) in each situation to ensure that dialogue is carried out with the relevant parties in order to develop action plans.
- c. Request the special representative, resident coordinator, or other designee in each conflict situation to form an expert panel locally, including UN representatives and non-governmental organizations, to monitor and evaluate the implementation of the action plans.
- d. Strongly urge all states to end immediately all sales of arms and military assistance to all parties listed in the annexes to the Secretary-General's report.

e. In situations where parties continue to recruit or use child soldiers, fail to develop a clear and credible action plan, or fail to meet the commitments included in their action plan, apply positive incentives or targeted measures as recommended by the Secretary-General in para 105 (g) of his November 10, 2003 report (A/58/546-S/2003/1053). These include, *inter alia*, travel restrictions on leaders and their exclusion from any governance structures and amnesty provisions, a ban on the export or supply of small arms, a ban on military assistance, and restriction on the flow of financial resources to the parties concerned.

f. Request the Secretary-General to establish a *task force* on compliance and follow-up which would include the OSRSG/CAC, UNICEF, other appropriate agencies, and relevant non-governmental organizations to receive information regarding further violations; review information received from parties on the list; evaluate plans of action proposed by parties in response to their being listed and their implementation; and take follow-up action, for example, sending representatives for further fact-finding and dialogue with parties, recommending targeted measures to the Security Council, etc.

* In preparation for receipt of the Secretary-General's new list on egregious violations (Nov. 2004), and bearing in mind lessons learned from the application of measures related to the child soldiers list, the Security Council's focal point for CAC or other designee should actively adapt the graduated measures outlined above for addressing the recruitment and use of child soldiers to make them applicable to the spectrum of egregious violations against children. The Security Council should state its preparedness to implement these steps immediately upon the receipt of the new list.

A Proposal for further discussion:

One way for the UN Security Council to start making significant progress would be by concentrating its efforts on a single conflict situation or region where egregious abuses have been repeatedly documented. In taking such a concentrated approach, the Council would create an opportunity for building local and international capacity in monitoring and reporting. It would be able to test and refine mechanisms for gathering crucial information for the Council's use, tighten the coordination among various agencies, and test the effectiveness of graduated remedies.

ANNEX I

Attention to Children in UN Security Council Country Resolutions

November 1, 2002 – October 31, 2003

Analysis:

Total number of Country-specific resolutions = 54

Total number of resolutions addressing children and armed conflict = 9
(Côte d'Ivoire (1), Democratic Republic of Congo (3), Liberia (3), Sierra Leone (2))

Total number of conflict areas that address child security = 5

Summary:

In UN Security Council Resolutions 1261, 1314, 1379, and 1460 on Children and Armed Conflict, the Council reiterates its intention to remain actively seized of this matter. As a matter of demonstrating its commitment to the protection of children in specific conflict situations, the Watchlist calls on the UN Security Council to include threats to the security and rights of children in all analysis of specific armed conflicts. This includes action-oriented measures to implement resolutions 1216, 1314, 1379, and 1460.

RESOLUTION/COUNTRY	CHILDREN ADDRESSED?	CONTENT
1513/ Western Sahara 28 October 2003	No	
1511/ Iraq and Kuwait 16 October 2003	No	
1510/ Afghanistan 13 October 2003	No	
1509/ Liberia 19 September 2003	Yes	<p><i>Deploring</i> all violations of human rights, particularly atrocities against civilian populations, including widespread sexual violence against women and children,</p> <p><i>Gravely concerned</i> by the use of child soldiers by armed rebel militias, government forces, and other militias,</p> <p>3. <i>Decides</i> that UNMIL shall have the following mandate: ... (f) to develop, as soon as possible,</p>

		<p>preferably within 30 days of the adoption of this resolution...an action plan for the overall implementation of a disarmament, demobilization, reintegration, and repatriation (DDRR) programme for all armed parties; with particular attention to the special needs of child combatants and women; and addressing the inclusion of non-Liberian combatants;</p> <p>...(l) to contribute towards international efforts to protect and promote human rights in Liberia, with particular attention to vulnerable groups, including refugees, returning refugees, and internally displaced persons, women, children, and demobilized child soldiers...;</p> <p>9. <i>Recognizes</i> the importance of the protection of children in armed conflict, in accordance with its resolution 1379 (2001) and related resolutions;</p> <p>10. <i>Demands</i> that all parties cease all use of child soldiers, that all parties cease all human rights violations and atrocities against the Liberia population, and stresses the need to bring to justice those responsible;</p> <p>11. <i>Reaffirms</i> the importance of a gender perspective in peacekeeping operations and post-conflict peace-building in accordance with resolution 1325 (2000), recalls the need to address violence against women and girls as a tool of warfare, and encourages UNMIL as well as the Liberian parties to actively address these issues.</p>
1508/ Sierra Leone 19 September 2003	Yes	<p><i>Reiterating</i> the importance of the effective consolidation of stability and State authority throughout Sierra Leone, particularly in the diamond fields, the reintegration of ex-combatants,</p>

		voluntary and unhindered return of refugees and internally displaced persons, and full respect for human rights and the rule of law, paying special attention to the protection of women and children, and stressing continued United Nations support to the Government of Sierra Leone in fulfilling these objectives.
1507/ Eritrea and Ethiopia 12 September 2003	No	
1501/ Democratic Republic of Congo 26 August 2003	No	
1500/ Iraq and Kuwait 14 August 2003	No	
1499/ Democratic Republic of Congo 13 August 2003	No	
1498/ Côte d'Ivoire 4 August 2003	No	
1497/ Liberia 1 August 2003	Yes	<i>Stressing</i> the need to create a secure environment that enables respect for human rights, including the well-being and rehabilitation of children.
1496/ The Middle East 31 July 2003	No	
1495/ Western Sahara 31 July 2003	No	
1494/Georgia 30 July 2003	No	
1493/Democratic Republic of Congo 28 July 2003	Yes	8. <i>Strongly condemns</i> the acts of violence systematically perpetrated against civilians, including the massacres, as well as other atrocities and violations of international humanitarian law and human rights, in particular, sexual violence against women and girls, <i>stresses</i> the need to bring to justice those responsible, including those at the command level; 9. <i>Reaffirms</i> the importance of a gender perspective in peacekeeping operations in accordance with resolution 1325 (2000), <i>recalls</i> the need to address

		<p>violence against women and girls as a tool of warfare, and in this respect <i>encourages</i> MONUC to continue to actively address this issue; and <i>calls</i> on MONUC to increase the deployment of women as military observers as well as in other capacities;</p> <p>13. <i>Strongly condemns</i> the continued recruitment and use of children in the hostilities in the Democratic Republic of the Congo, especially in North and South Kivu and in Ituri, and <i>reiterates</i> the request addressed to all the parties, in Security Council resolution 1460 (2003) to provide the Special Representative of the Secretary-General with information on the measures that they have taken to put an end to the recruitment and use of children in their armed components, as well as the requests concerning the protection of children set forth in resolution 1261 (1999) and subsequent resolutions.</p>
1492/ Sierra Leone 18 July 2003	No	
1491/ Bosnia and Herzegovina 11 July 2003	No	
1490/ Iraq and Kuwait 3 July 2003	No	
1489/ Democratic Republic of Congo 26 June 2003	No	
1488/ Situation in the Middle East 26 June 2003	No	
1486/ Cyprus 11 June 2003	No	
1485/ Western Sahara 30 May 2003	No	
1484/ Democratic Republic of the Congo 30 May 2003	No	
1483/ Iraq and Kuwait 22 May 2003	No	
1480/ Timor-Leste	No	

19 May 2003		
1479/ Côte d'Ivoire 13 May 2003	Yes	5. <i>Requests</i> special attention be given to the gender component within the staff of MINUCI and to the situation of women and girls, consistent with resolution 1325 (2000); 15. <i>Demands</i> that, in accordance with its resolution 1460 (2003), all parties to the conflict who are recruiting or using children in violation of the international obligations applicable to them, immediately halt such recruitment or use of children.
1478/ Liberia 6 May 2003	Yes	8. <i>Calls upon</i> the Government of Liberia and all parties, particularly the LURD and other armed rebel groups, to ensure unimpeded and safe movement for the personnel of UN humanitarian agencies and NGOs, to end the use of child soldiers and to prevent sexual violence and torture.
1476/ Iraq and Kuwait 24 April 2003	No	
1475/ Cyprus 14 April 2003	No	
1474/ Somalia 8 April 2003	No	
1473/ Timor-Leste 4 April 2003	No	
1472/ Iraq and Kuwait 28 March 2003	No	
1471/ Afghanistan 28 March 2003	No	
1470/ Sierra Leone 28 March 2003	Yes	<i>Reiterating</i> the importance of the effective consolidation of State authority throughout Sierra Leone, particularly in the diamond fields, the reintegration of ex-combatants, voluntary and unhindered return of refugees and internally displaced persons, and full respect for human rights and rule of law, paying special attention to the protection of women and children, and stressing continued UN support to the Government of Sierra Leone in fulfilling these objectives

		15. Encourages the Government of Sierra Leone to pay special attention to the needs of women and children affected by the war, bearing in mind paragraph 42 of the report of the Secretary-General of 17 March 2003 (S/2003/321).
1469/ Western Sahara 25 March 2003	No	
1468/ Democratic Republic of Congo 20 March 2003	Yes	<i>Reiterates</i> its call to regional and subregional organizations to develop policies, activities, and advocacy for the benefit of war-affected children in their regions. In this regard, the Council welcomes the Accra Declaration and Programme of Action on war-affected children and subsequent establishment of a Child Protection Unit at the ECOWAS secretariat.
1466/ Ethiopia and Eritrea 14 March 2003	No	
1464/ Côte d'Ivoire 4 February 2003	No	
1463/ Western Sahara 30 January 2003	No	
1462/ Georgia 30 January 2003	No	
1461/ Middle East 30 January 2003	No	
1458/ Liberia 28 January 2003	No	
1457/ Democratic Republic of Congo 24 January 2003	No	
1454/ Iraq and Kuwait 30 December 2002	No	
1453/ Afghanistan 24 December 2002	No	
1451/ Middle East 17 December 2002	No	
1448/ Angola 9 December 2002	No	
1447 / Iraq and Kuwait 4 December 2002	No	
1446/ Sierra Leone 4 December 2002	No	

<p>1445/ Democratic Republic of Congo 4 December 2002</p>	<p>Yes</p>	<p><i>Recognizing</i> the importance of a gender perspective in peacekeeping operations, in accordance with Security Council resolution 1325 (2000), and the importance of the protection of children in armed conflict, in accordance with its resolution 1379 (2001);</p> <p>12. <i>Calls upon</i> MONUC to pay special attention in carrying out its mandate to all aspects relating to gender perspective, in accordance with resolution 1325 (2000), as well as to the protection and reintegration of children, in accordance with resolution 1379 (2001);</p> <p>19. <i>Calls on</i> all parties to pay special attention to all aspects relating to gender, in accordance with Security Council resolution 1325 (2000), and to the protection of children, in accordance with resolution 1379 (2001).</p>
<p>1444/ Afghanistan 27 November 2002</p>	<p>No</p>	
<p>1443/ Iraq and Kuwait 25 November 2002</p>	<p>No</p>	
<p>1442/ Cyprus 25 November 2002</p>	<p>No</p>	
<p>1441/ Iraq and Kuwait 8 November 2002</p>	<p>No</p>	

ANNEX II

Attention to Children in Reports of the UN Secretary-General to the UN Security Council

November 1, 2002 – October 31, 2003

Analysis

Total number of Secretary-General's Reports = 44

Total number of Secretary-General's Reports with a sections on, or four or more paragraphs of substantive discussion of,² child protection = 16 (Afghanistan (1), Angola (2), Burundi (1), Côte d'Ivoire (1), DRC (2), Liberia (2), Sierra Leone (4), Somalia (3))

Total number of Conflict Areas in which children are addressed (with a section on, or four or more paragraphs of substantive discussion of, child protection) = 8

Minimal references (between 1 and 3 paragraphs of substantive discussion of children) are made in reports on Abkhazia-Georgia, Afghanistan, Central African Republic, East Timor, Ethiopia/Eritrea, Georgia, Guinea-Bissau, Iraq-Kuwait, Kosovo, Liberia and Question of Palestine.

Summary

In January 2003, the UN Security Council adopted Resolution 1460, which specifically "requests the Secretary-General to ensure that in all his reports to the Security Council on country-specific situations, the protection of children in armed conflict is included as a specific aspect of the report." (Paragraph 15)

Since the adoption of resolution 1460, Watchlist counts 37 country-specific reports of the Secretary-General on conflict areas. Of these 37 reports only 13 address the protection of children in armed conflict as a specific aspect of the report, as mandated by Resolution 1460. By consistently implementing Paragraph 15, the Secretary-General would contribute to the body of information needed by the Security Council and others to change programs and policies to better protect children in armed conflicts. Additionally, implementation of Paragraph 15 would set an important standard for implementation of Resolution 1460 in its entirety.

At the same time, Watchlist welcomes the increased attention to child protection issues in reports on conflict areas that have not previously received such attention, such as Afghanistan, Burundi, Côte d'Ivoire, Liberia and Somalia. Similarly, it is noteworthy that the twelve reports covering child protection issues since the adoption of Resolution 1460 cover seven different conflict areas (Angola, Afghanistan, Côte d'Ivoire, DRC,

² In certain cases, because of the breadth and quality of information included, reports with fewer than 4 paragraphs discussing child protection are included in this number.

Liberia, Sierra Leone, and Somalia). However, the majority of conflicts covered are those where the UN presence has either been recently established or increased. There is still little child-specific information in recent reports on areas with a longer history of Security Council attention, such as Kosovo, Iraq/Kuwait, and Ethiopia and Eritrea.

REPORT/COUNTRY	CHILDREN ADDRESSED?	CONTENT
S/2003/1019: Abkhazia, Georgia 17 October 2003	Minimal	26: UNHCR rehabilitating local schools. Spanish NGO Accion Contra el Hambre is working to insure food security for families.
S/2003/1016: Western Sahara 16 October 2003	No	
S/2003/996: Kosovo 15 October 2003	Minimal	28: Parents demand school escorts for children due to violent attacks on minorities. 32: Killing of two Kosovo Serb youths in ethnic violence. 35: Cooperation in mixed-youth groups and anti-discrimination education for women.
S/2003/987: Somalia 13 October 2003	Yes	23: Poor conditions of IDP camps, including access to schools. 32: Incidents of violence including rape of children. 47: High malnutrition rates for children. 50: Human rights commission and special office will help address human rights of most vulnerable, including women and children. 56-58: <u>Section on Children's Rights</u> : high prevalence of sexual violence against children, especially displaced children; exploitation of child labor; children living and working on the streets; discrimination of children from minority clans; children with disabilities; training of judicial and legal authorities on child protection, child rights and juvenile justice. 63: Reconstruction and rehabilitation of schools.
S/2003/944: East Timor 6 October 2003	Minimal	42: Tactical coordination line resulting in separation of children and parents.
S/2003/933: Iraq – Kuwait 2 October 2003	No	

<p>S/2003/875: Liberia 11 September 2003</p>	<p>Yes</p>	<p>22: Armed groups throughout the country include large number of child soldiers. 26: Sexual violence against girls and young boys; recruitment of child soldiers. 27: One out of ten children may have been recruited at some time in war effort. 31: Less than 50% primary school age children enrolled in school. 33: Food distribution to severely malnourished children as a result of conflict. 42: DDR for all ex-combatants, many of whom are children. 43: Possibility of renewed recruitment of demobilized child soldiers; specialized DDR programs for children, particularly girls. 44: Referral arrangement for demobilized child soldiers. 46: Special attention to children in DDR programmes. 47: Child soldiers should be admitted to DDR process with or without a weapon; outreach programmes needed to locate children who may be bypassed by DDR. 51 (m), 53: UNMIL mandate to include child protection and human rights training. 64: UNMIL officers trained in collecting testimonies from women and children. 74: Legal and judicial systems to adhere to international juvenile justice standards. 81: Widespread violence against children. 82: Human rights and protection unit to include child right expert. 83: Child protection advisers in UNMIL to advocate against recruitment of child soldiers and work in DDR, training, and awareness in Mission and national and military police. 110: Widespread sexual violence against women and children.</p>
<p>S/2003/863 Sierra Leone S/2003/863/Add 1 5 September 2003</p>	<p>Yes</p>	<p>18: UN human rights and child protection officers train Sierra Leone police. 26: Ministry of Youth and Sports plans a sensitization of new National Youth Policy. 28: UNAMSIL collaborates with UNDP youth engagement programme and Ministry of Youth and Sports in community-based reintegration of child soldiers.</p>

		<p>35-37: <u>Section on Child Protection</u>: UNAMSIL works with government to address gaps in education, health care, recreation, street children, juvenile justice, child labor, youth violence, disabled children; law reform for child protection; reintegration of separated children and ex-combatants; UNICEF and UNAMSIL work with Truth and Reconciliation to ensure children's rights safeguarded; DDR for all relevant children, including girls; training of military personnel in child protections; cross-border child protection.</p> <p>40: Special Court indictments include crimes against children.</p> <p>52: UN agencies to ensure access to quality primary education, especially for girls.</p> <p>53: Reintegration of child soldiers.</p>
S/2003/858: Ethiopia and Eritrea 4 September 2003	Minimal	<p>23: Needs of separated, displaced, and refugee children must be met, especially regarding juvenile justice and arbitrary detention.</p> <p>24: UNMEE serves to protect human rights of civilians, including children.</p> <p>26: UNMEE outreach centers are restricted by the Eritrean authorities, who claim to "protect Eritrean children" from certain information.</p>
S/2003/793:Liberia 5 August 2003	Yes	<p>13: Displacement and lack of health care access is causing a rise in disease-especially among children.</p> <p>14: Malnutrition among children under 5 is on the rise.</p> <p>18: Under-5 mortality among the highest in the world.</p> <p>45: Timber sanctions will reduce family income, making malnutrition and drop in school attendance more likely.</p>
S/2003/754: Afghanistan S/2003/754/ Corr. 1 23 July 2003	Minimal	<p>49: On 20 May 2003, Afghanistan observed a Day of National Unity for Children celebrating achievements in birth registry, immunization, and school enrollment.</p> <p>51: Lack of health care access in rural communities. Afghanistan has highest maternal mortality rate in the world.</p>

S/2003/751: Georgia 21 July 2003	Minimal	21: UNHCR continues to focus on school rehabilitation. 23: Lack of educational access in mother tongue in Gali district.
S/2003/728:Lebanon 23 July 2003	No	
S/2003/715: Iraq 17 July 2003	Minimal	49: Access to health care limited for women and children. 66: School attendance is down due to lack of staff and security issues.
S/2003/675: Kosovo 26 June 2003	Minimal	38: Currently 42 shared or mixed schools, though only 8 of these house both Serb and Albanian children.
S/2003/665: Ethiopia and Eritrea, 23 June 2003	Minimal	20: Only 69,337 tons of food out of the required 476,000 have actually reached Eritrea; this is believed to be one of the main reasons for significant deterioration in the nutritional status of children. 25: Original UNMEE analysis identified children's rights as a possible issue to be involved.
S/2003/663: Sierra Leone 23 June 2003	Yes	41: Significant progress in addressing needs of children affected by conflict. 43: No significant developments in trials of so-called West Side Boys; pre-trial hearings and prison charges against 17 individuals, including a juvenile. 44: Task force has been established to respond to increasing numbers of street children and provide a reintegration strategy for child ex-combatants. 45: The Voice of Children Radio initiative has commenced, encouraging more active involvement of children in national reconciliation and peace building. 46: Child victims testifying in closed-door sessions during TRC. 52: UNAMSIL visits to police stations, prisons and courts, with special focus on cases involving girls and women; UNAMSIL has also completed its 1 st phase of training for Family Support Units, which deal with offenses against children. 53: Overwhelming and substantive participation of women's groups at TRC

		<p>hearings on effects of war on women and girls.</p> <p>56: 60 Liberian ex-child soldiers are undergoing accelerated reintegration program in refugee camps.</p>
S/2003/661: Central African Republic (BONUCA) 20 June 2003	Minimal	25: The recapture in February 2003 by the Government army has triggered serious human rights violations and humanitarian law, including enrollment of young people.
S/2003/656: Iraq-Kuwait 17 June 2003	No	
S/2003/636: Somalia 10 June 2003	Yes	<p>39: Child protection study provides quantitative/qualitative data on marginalized and vulnerable children and those in exploitative labor in Somalia.</p> <p>40: Youth broadcasting project has completed its first phase, airing programs on HIV/AIDS, FGM, etc.; seeks to empower youth.</p> <p>41: Many child detainees are victims of violence and abuse; local authorities have identified strengthening and improving juvenile justice system as a priority.</p> <p>42: re: UNSC resolution 1460 (2003), the country team seeks to ensure the commitment of Somali parties to end the recruitment and use of children.</p> <p>43: 120 child soldiers have been rehabilitated and reintegrated; 2nd phase of child soldier reintegration project beginning in Mogadishu, Merca, and Kismayo; project will provide for an additional 420 child soldiers.</p> <p>52: Implementation of expanded program on immunization strategy, including more than 100 sites offering TB, DPT, oral polio, and measles vaccinations for children.</p> <p>62: Without increased and sustained donor support, effects could be devastating, especially on children.</p>
S/2003/621: Guinea-Bissau 9 June 2003	Minimal	<p>23: World Bank has been cooperating with UNICEF to promote programs on early childhood development.</p> <p>24: The WFP, via programs in 459 schools,</p>

		has been feeding over 80,000 children.
S/2003/582: Liberia 2 June 2003	Minimal	14: Credible reports of forcible recruitment of children in camps continue to be received.
S/2003/566: Democratic Republic of the Congo 27 May 2003	Yes	10: Estimated 200 schools have been destroyed in Ituri District. 47: Immediate needs include assistance for the DDR of child soldiers. 62: Important to ensure attention is paid to child protection issues in national human rights protection structures. 79: Interim strategy for DDR includes efforts led by UNICEF for child soldiers. 80: Section on Child Protection and Gender Affairs: during the transition period, MONUC will monitor integration of child protection issues into institutions or legislation; DDR of child soldiers likely to increase; the challenge will be enormous given the high numbers of child soldiers and security conditions; MONUC will monitor violations of children's rights in order to evaluate the impact of the transition on children.
S/2003/466: Liberia 22 April 2003	No	
S/2003/449: East Timor 21 April 2003	Minimal	21: Progress on development of a juvenile prison facility. 52: Large numbers of young people continue to leave for work abroad.
S/2003/421: Kosovo 14 April 2003	Minimal	11: Progress in increasing education courses for students.
S/2003/393: Iraq and Kuwait 31 March 2003	Minimal	7: Young Iraqis injured by mine explosions.
S/2003/374: Côte d'Ivoire 26 March 2003	Yes	44: National army enlisted some 3,000 youths since the crisis began. 54: Recruitment of minors continues; armed minors at military checkpoints were reported, many under the influence of drugs and alcohol; nationwide assessment mission on child protection (security permitting) should be undertaken; high-profile advocacy campaign against the mobilization and use of children, including girls, should be considered. 69: UNICEF education programs; WHO

		vaccination programs. 80: Child protection advisors are necessary.
S/2003/333: Afghanistan 18 March 2003	Yes	33: Violent police responses to student demonstrations. 45: Over 30% of students who returned to school in 2002 were girls. 54: Immunizations for children. 55: Teacher training; accelerated learning provided to over-aged girls. 69: Three million children returned to school.
S/2003/321: Sierra Leone 17 March 2003	Yes	5: Indictments announced for the crime of conscription of children into an armed force. 6: Large numbers of unemployed youth present a long-term issue; they are a security problem and regularly interfere with diamond mining; some appear to enjoy political patronage; police are reluctant or unable to challenge them. 31: UNICEF support for reunification and reintegration of child ex-combatants. 32: Future of ex-combatants linked to that of other youth in Sierra Leone; youth programs have great potential to enhance stability of the country. 42-43: Section on Child Protection: situation of children of critical concern; National Commission for War-Affected Children was initiated and has received support; Voice of Children radio project launched; Family Support Unit within the police system expanded; adoption of a Child Rights Bill and reform of the juvenile justice system remain urgent priorities; efforts to mainstream protection of children in UNAMSIL; training of peacekeepers expanded to include monitoring and reporting of abuses against children. 74: Open sustained dialogue with young people. Report notes that engagement of youth groups is crucial.
S/2003/257: Ethiopia and Eritrea 6 March 2003	No	
S/2003/243: East Timor 3 March 2003	Minimal	11: Large youthful and unskilled population is vulnerable to armed group mobilization

		due to high unemployment, little knowledge of political mechanisms; past exposure to violence.
S/2003/231: Somalia 26 February 2003	Yes	4: Six school children were killed in an attack on a minibus. 6: Child in an internally displaced persons camp killed due to clan fighting. 43: Reintegration of 120 former child soldiers through program of vocational training, conflict resolution, trauma counseling; engagement of private sector and local companies for employment opportunities. 44: UNICEF support for child-friendly juvenile justice and law enforcement system; child protection study will lead to new initiatives, including capacity-building of youth groups, prevention of substance abuse, learning opportunities; educational infrastructure is being improved to increase enrolment.
S/2003/227: Liberia 26 February 2003	Minimal	15: Criticism from independent expert appointed by UNHRC for the use of child soldiers by both sides in the conflict.
S/2003/211: Democratic Republic of Congo 21 February 2003	Yes	8: Rape against children documented; 96 cases of missing relatives reported, mainly children separated from parents. 36-38: <u>Section on Child Protection</u> : child soldiers still present, and in some cases represent up to 35% of troops and are sent to the front lines; recruitment continues; DDR programs for child soldiers made halting progress; RCD-Goma and the Government setting up DDR processes; MONUC to monitor DDR commitments of MLC and RCD-K/ML; need to focus on reintegration; investigations into human rights violations where children were among the victims were conducted; detained minors' situation monitored; requests were made from police and the judiciary for seminars on child protection; need to address impunity for war crimes and abuses against children; at least two children killed in rape and pillage attacks by military in Domiongo; several of 40 females raped were minors; MONUC

		concerned about irregularities in proceedings.
S/2003/158: Angola 7 February 2003	Yes	27: UNICEF mine risk education. 29: Women and children of particular concern, in regard to human rights violations. 35-37: <u>Section on Child Protection</u> : children continue to suffer from adverse conditions, inadequate resources, HIV/AIDS, physical violence, exploitation, sexual/psychological abuse, lack of education and healthcare, and a nearly non-existent juvenile justice system; no guarantees to prevent re-recruitment of child soldiers; issue of abducted girls must be resolved; rehabilitation assistance for child landmine victims; starting to implement strategy for protection of child rights in reception areas and transit camps; campaign against measles; “back to school” initiative; Government to submit report to May 2003 session of the Committee on the Rights of the Child. 46: Sound child protection strategy needs to be developed.
S/2003/113: Kosovo 29 January 2003	No	
S/2002/1417: Sierra Leone 24 December 2002	Yes	21: Many idle former combatants have formed youth groups to usurp government authority in diamond mining areas; government formed Ministry of Youth to direct energies toward development; economic revival and employment opportunities are necessary to address potential security threat. 22: Strident youth groups create atmosphere of tension in diamond-producing areas. 24: Truth and Reconciliation Commission will conduct interviews with vulnerable groups, such as children. 27: Meeting needs of former child soldiers and separated children remains a challenge. 28: 5,037 of 6,845 child soldiers and 2,097 separated children registered for support by CP agencies; tracing and reunification ongoing; strengthening local CP capacity continues; child rights/protection now included in army/police training;

		<p>involvement of children in Special Court proceedings being discussed.</p> <p>32: Primary school enrollment and infant immunization rates rose in 2002.</p> <p>33: One of the main Government priorities is action on social exclusion and alienated youth.</p> <p>37: Potential threat from former combatants and disgruntled youth groups will only be addressed by economic recovery and employment.</p>
S/2002/1393: Ethiopia and Eritrea 20 December 2002	No	
S/2002/1367: Guinea-Bissau 13 December 2002	Minimal	26: School meals; efforts to increase enrollment of girls.
S/2002/1353: Angola 12 December 2002	Yes	<p>29-30: <u>Section on Child Protection</u>: plight of children is grave; there is underfunded emergency assistance programmes, a lack of appropriate reintegration programmes, and inadequate institutional and legal protection for children; the Mission ensured inclusion of CP issues on agenda of Joint Commission; identified four major areas in need of urgent action: (1) protection of war-affected/displaced children during reintegration; (2) advocacy and support for implementation of government CP policies, including resources, legislative reforms, prevention of re-recruitment of child soldiers and gender discrimination, and extension of free birth registration; (3) child rights training for judicial and public officials; (4) child rights coordination mechanisms, information exchange and fundraising assistance; provincial human rights committee should support programmes for children traumatized by war; participate in the tracing and reunification programme; develop an advocacy strategy and avoid gender discrimination.</p> <p>38: HIV/AIDS prevention in school curriculum; focus has been on ex-combatants and displaced persons.</p> <p>39: UNICEF measles vaccination campaign.</p>

		44: Full support for promotion and protection of human rights, especially for children.
S/2002/1268: Peaceful Settlement of the Question of Palestine 26 November 2002	Minimal	Indiscriminate use of force against the Palestinian people, including children, women, and men.
S/2002/1259: Burundi 18 November 2002	Yes	35: Vaccination coverage down; primary school attendance lower; under-five mortality rate of 190/1000 37: AIDS orphans exceed 160,000 46: Little respect for rights of girls; often deprived of education and forced to work as child labor; emotional, physical and sexual violence are commonplace; violence leads to increasing HIV/AIDS rates and forced pregnancies.
S/2002/1223: East Timor 6 November 2002	No	

ANNEX III

Examples of Country-Specific Documentation of Violations Against Children (Rape and Other Grave Sexual Violence and Illicit Exploitation of Natural Resources)

Rape and Other Grave Sexual Violence against Children

Angola (April 2002)

Although difficult to document statistically, gender-based violence (GBV) against women and children is known to be a serious problem among civilian, IDP, and refugee populations

Incidents of gender-based violence in Angola are widespread. Sexual slavery, rape, and sexual violence are alleged against both the UNITA and FAA. Health staff in Angola have reported cases of GBV involving young girls between ages 7 and 12. Human Rights Watch reported several accounts of brutal rape of women and girls by armed forces as punishment for refusing to follow instructions or in retaliation for the acts of others held in captivity. Other forms of violence have accompanied sexual violence against women and girls by armed forces. For example, women and girls are forced to work as porters and witness the abduction or abuse of their own children.

Women and girls are known to be particularly vulnerable to GBV and domestic violence in stressful situations, such as during armed conflict and in refugee and IDP settings. While statistics about the impact of domestic violence on children are not available, according to a study of the United Nations Population Fund (UNFPA), 69 percent of the women interviewed experienced violence from their husband or partner, and 21 percent of the interviewees knew of women forced to have sex against their will. There is a great stigma attached to victims of GBV in Angola, which makes it even more difficult to obtain data about the impact on girls. Angola does not have any laws specifically addressing GBV. As a result, little attention has been paid to the problem. In the late 1990's the government created the Ministry of Family and the Promotion of Women (MINFAMU), which helped to draw more attention to the issue of GBV for both women and girls.

Burundi (May 2002)

Rape, domestic violence, sexual slavery, prostitution, and other violations are widespread.

Cases of gender-based violence (GBV) against Burundian women and girls are widespread; these include rape, sexual violence, prostitution, and domestic violence. Although detailed statistics are not available, the large number of cases that are reported to human rights groups attest to the gravity of the problem. Further, rights groups explain

that many incidents of sexual violence against women and girls go unreported. In its 2002 report, the Ligue Iteka, a local human rights group, reported that the victims are minors in the majority of cases where the age of the victim is known. The youngest reported girl victim was five years old.

In official testimony, according to the Iteka report, victims do not identify uniformed military or police personnel as accused attackers in the majority of cases. However, according to reports from the field, in unofficial testimony victims tend with more frequency to name uniformed personnel, either soldiers, rebels, or bandits, as their attackers. This discrepancy highlights the atmosphere of fear of armed forces among the civilian population and the broader culture of impunity in Burundi, particularly for members of armed forces. Human Rights Watch was able to document the problem of GBV by armed forces in a December 2001 report that describes human rights abuses, including rape, by government-sponsored paramilitaries known as the “Guardians of the Peace.”

IDPs and Refugees

Displaced women and children face violence and abuse on a daily basis from government and rebel forces. In 2000, Human Rights Watch issued a comprehensive report on the high levels of GBV among Burundian refugees in Tanzania, including sexual and domestic violence. According to the report, both Burundians inside the camps and local Tanzanians perpetrate violence against women and girls.

In a random survey of Burundian refugees in Tanzania carried out by the International Rescue Committee (IRC) in 2000, women and girls reported cases of rape, forced marriages, and other forms of sexual violence and harassment. The survey states that young women are clearly at a greater risk for sexual violence and harassment, and that refugee camps are highly dangerous places; the risk of sexual violence in the camps is quite high. Refugees International reports that rapes of minors and girls under age ten have increased drastically in Tanzanian refugee camps in the past year – these cases tend to be reported more than those of adults. The group also reported that some camp leaders have described an increase in girls having sex in exchange for personal supplies.

Democratic Republic of Congo (June 2003)

Gender-based violence, especially rape, against women and girls is widespread. (Human Rights Watch, 2002) In conflict zones, especially in eastern DRC, sexual violence against women and girls is rampant and used as a weapon of war by most forces involved in conflict. Rape and other forms of sexual brutality are integral to the war and often carried out with impunity. (Human Rights Watch, 2002)

All parties to conflict in DRC perpetrate sexual violence and use rape as a weapon of war. According to Human Rights Watch (HRW), *The War within the War: Sexual Violence Against Women and Girls in Eastern Congo*, the problem is rampant in the eastern part of the country. HRW documents the widespread, and in some cases systematic, use of rape by Rwandan troops and their armed allies, the RCD-G, Mai Mai and armed opposition groups from Burundi and Rwanda.

HRW reports that combatants rape women and girls during military operations to punish the local civilian population for allegedly supporting the “enemy.” In many instances, the Mai Mai abduct and rape women and girls and use them as sexual slaves and domestic servants, sometimes for periods of more than a year. Women and girls are often attacked while engaged in everyday activities, such as cultivating fields, collecting firewood, or traveling to school or a market.

HRW and others have documented extraordinary brutality. For example, *The War within the War* documents two cases of assailants having inserted firearms into the vaginas of their victims and then shooting them. In other instances, assailants mutilated female sexual organs with knives and razor blades. Some of the attacked girls were as young as five years old. The victims are frequently traumatized and stigmatized by the population. Many victims also contract STIs, including HIV. In some cases, women and girls are so badly injured that they require reconstructive surgery. The lack of medical services throughout DRC leaves most victims with little hope for treatment of injuries or STIs.

Several reports in spring 2003 document widespread sexual violence, including rape of women and young girls by RCD-G in South Kivu.

Israel and Occupied Palestinian Territory (September 2002)

There are also gaps in the types of data being collected for both Palestinian and Israeli children regarding problems like gender-based violence and HIV/AIDS. There has been no systematic documentation of conflict-related GBV. Israeli armed forces are alleged to have conducted degrading strip searches, made sexual threats, and perpetrated other forms of GBV, including against adolescent boys and child prisoners.

Sudan (March 2003)

Gender-based violence (GBV) connected to conflict is known to be a widespread problem in Sudan. However, statistics are rarely collected and few details are known. According to OMCT, social stigma attached to rape discourages girls and women from lodging complaints. The report of the Interagency Mission to Sudan (November 2002)³ explains that gender-based violence often goes unreported due to lack of police presence, fear of the perpetrators, or because women have little confidence in remedial action being taken. In addition, in some areas women and girls can run the risk of being prosecuted or punished for adultery if they fail to prove rape—according to the Criminal Act of 1991 (article 149)—while the perpetrator goes unpunished. As a result, most perpetrators enjoy impunity for their actions and most cases of GBV go unreported.

In the northern states, women have abandoned babies from unwanted pregnancies in order to avoid punishment for adultery. According to one report, some women travel to Khartoum to give birth and then leave the baby in the care of a friend, relative, care center, or another. One orphanage, the GoS-run Mygoma orphanage, in Khartoum, is specifically designed to receive abandoned babies. However, staffing, training, and resourcing are seriously inadequate. In 2000, 516 abandoned infants were admitted into

³ Interagency mission included representatives from 11 UN agencies and four NGOs.

Mygoma, of whom 433 died. One family-planning shelter reported receiving 30 to 50 babies per month. The number of abandoned babies is likely to be much higher.

In Western Equatoria and other areas, government security forces and associated militias and SPLA forces are known to rape, sexually exploit and abuse girls and women. According to one report, some soldiers deliberately rape when transfer is imminent, knowing that they will escape punishment, as they cannot be traced. Since the onset of the civil war, rape has become more frequent and brutal. Gang rape is also reported. The heavy presence of soldiers as a result of the conflict has also led to an increased prevalence of prostitution, especially among adolescent girls in parts of southern Sudan. Girls starting at age 15 have been known to participate in commercial sex work. Some girls are forced into prostitution. Increased prostitution is also attributed to extreme poverty and expensive school fees, which are direct consequences of ongoing conflict. Statistics on these situations are not available.

Government-backed militias, armed opposition groups and tribal gangs are known to sexually exploit, rape, and use children, especially girls, as sex slaves. (See trafficking and exploitation above.) In addition, those girls chosen as sexual slaves and concubines by their captors have often been subject to female genital mutilation (FGM), a harmful traditional practice that has not commonly been followed in the areas where the abducted girls are from.

FGM, which is known to be a widespread practice in many areas of Sudan, is spreading around the country due to the massive population movement. A study in the mid-1990s estimated that 10 to 30 percent of Sudanese girls (from northern and southern Sudan) who are subject to this practice die as a result, especially in areas where antibiotics and medical treatment are not available. Medical complications from FGM include pain, prolonged bleeding, hemorrhaging, urinary retention, infections, obstetric complications and psychological trauma.

Throwing the Stick Forward: The Impact of War on Southern Sudanese Women, a study funded by UNICEF and the United Nations Development Fund for Women (UNIFEM), reports that in many places marriage patterns are changing because of insecurity and scarcity of men. Girls tend to be getting married at earlier ages to avoid pervasive sexual violence. One girl said that at age 17 she married a man over 60 to escape rape. Girls from the Nuer tribe generally marry at ages 15 to 17; however, in some cases they are marrying as young as age 13 in hopes of protection from GBV. The study explains that early marriage is likely to lead to a lifetime of sexual and domestic subservience and is linked to health hazards. It causes pregnancies among girls whose bodies may not be fully developed and are therefore at greater risk of death during childbirth. Adolescents are more susceptible than older women to the transmission of HIV and other STIs.

Illegal Exploitation and Trafficking of Natural Resources

Angola (April 2002)

Much attention has been paid to the role of diamonds in fueling the conflict in Angola, including specific measures taken by the UN Security Council to stop the flow of diamond revenues to UNITA. Equally important has been the role of oil in sustaining the government's war efforts, particularly in funding its arms purchases. Oil revenue remains the Angolan government's principal source of income. In 2000, oil accounted for US \$3.26 billion of government revenue. In February 2001, the government announced that oil revenues would account for 90.5 percent of the current national budget, or approximately US \$3.18 billion. International organizations have raised concerns about the use of oil revenue to sustain conflict and the lack of fiscal transparency related to oil revenues, particularly as funds, which could support healthcare, education, and other basic services for children were diverted for the war effort. The government is known to react with hostility towards public criticism of its management of oil revenues, including restricting the work of journalists and limiting freedom of expression and public assembly. There have also been charges of official corruption, which the government denies.

Democratic Republic of Congo (June 2003)

Since July 2001, the UN Security Council has received reports from a panel of independent experts on the illegal exploitation of natural resources in DRC. A 2002 report (S/2002/565) states that armed combatants are driven by a desire to control resources and finance their operations by riches gained from the exploitation of key mineral resources: cobalt, coltan, copper, diamonds, and gold. The use of children as forced laborers is a key component in the illicit exploitation of natural resources. Forced displacement, killings, sexual assaults, and abuse of power for economic gain are directly linked to military forces' control of resource extraction sites or their presence in the vicinity. Almost no revenues are allocated to public services, such as utilities, health services, and schools.

Local and foreign actors, including foreign armies, foreign armed opposition groups, Congolese armed opposition groups, and Mai Mai militias, are implicated in the exploitation of natural resources in DRC. For example, Rwanda is alleged to export millions of dollars of coltan annually; Uganda is alleged to export huge quantities of gold and diamonds; Zimbabwe has rights to export Congolese tropical timber; and Angola has control of a large segment of the Congolese petrol industry. The panel of independent experts has also named 85 international business enterprises based in Africa, Asia, the Caribbean, Europe, the Middle East, and North America that are considered to be in violation of the guidelines for multinational enterprises of the Organization for Economic Cooperation and Development (OECD).⁴ Burundi, Central African Republic, Kenya, Mozambique, Republic of Congo, Rwanda, South Africa, Tanzania, Uganda, Zambia,

⁴ For complete list of businesses, see Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC (S/2002/1146), Annex III. For more information on the OECD guidelines, see www.oecd.org.

and Zimbabwe are named as key transit routes for commodities from DRC. The panel of independent experts also reports that links to individuals, companies, governments, and criminal networks in the trafficking of natural resources are well established.

The Lusaka Agreement does not address the illegal exploitation of natural resources and other economic interests, which, according to Oxfam, are a stronger driving force than political power for the continuation of conflict in DRC. Analysts argue that action must be taken to address the illicit exploitation of natural resources in DRC if sustainable peace is to be achieved. In this context, the government of DRC officially launched its national diamond certification program on January 7, 2003, as part of its participation in the Kimberly Process Certification Scheme, which is intended to limit the illicit exploitation of diamonds.⁵

Child Labor in the Exploitation of Natural Resources

According to the report from the UN Panel of Experts (S/2002/565), the humanitarian toll from the continuing exploitation of natural resources in DRC is widespread, particularly in eastern DRC.

Local populations, including children, are being conscripted by some military forces in different regions and used as forced labor in the extraction of natural resources. Other tactics, such as the destruction of the infrastructure for agricultural production, are allegedly employed by different armed parties in order to constrain local populations to participate in the extraction of resources.

Children are also used as stone crushers, commonly called “Twangeuses,” to make gravel in quarries. When crushed, coltan, which is used in electronic devices, may pose a health risk due to increased radioactivity. Amnesty International’s 2003 report *Our Brothers Who Helped Kill Us* cites a report by the local NGO *Heritiers de la Justice* which points to the rise in respiratory problems suffered by large numbers of women who transported and crushed coltan. In the Lubero region of North Kivu, an increase in deformed and stillborn children born to mothers who crushed and transported coltan has been reported.

Sexual exploitation of women and children is reported in and near coltan mines. Amnesty International reports that in 2001 girls as young as 12 or 13 in South Kivu who were abandoned by their families or displaced by the conflict were provided with accommodation and food in return for earning money as prostitutes at the mines. Impoverished families push children into prostitution or give their daughters to men to take with them to the mines in exchange for money or goods. Many of these girls are reported to have contracted HIV/AIDS and/or become pregnant.

Sudan (March 2003)

⁵ The Kimberly Process is a negotiating procedure to establish minimum, acceptable international standards for national certification schemes of import and export of rough diamonds in an effort to stem the flow of rough diamonds from conflict areas, thereby contributing to the sustainability of peace and protecting the legitimate diamond industry. For more information on the Kimberly Process, see www.kimberlyprocess.com.

The battle over Sudan's rich natural resources, particularly oil, is one root cause and central component of the long-running civil war. UN officials and agencies, NGOs and others directly correlate human rights abuses, especially displacement, with oil development in Sudan. For example, the *Interim report of the Special Rapporteur of the Commission on Human Rights on the Situation of Human Rights in the Sudan (A/57/326)* points to "the continuation of grave human rights abuses linked to oil exploitation, aimed at depopulating oil-rich areas to ensure their control." According to a recent interagency NGO paper on Sudan, *The Key to Peace: Unlocking the Human Potential of Sudan*,⁶ the oil fields themselves are a strategic target in the war and are the scenes of increased fighting, bombing raids, helicopter gunship attacks, and human rights abuses, including against children, by all parties.

UN officials and agencies, NGOs, and others have also blamed oil companies for complicity in the perpetuation of human rights abuses in oil exploration areas. The UN Special Rapporteur on Sudan has met with international oil companies operating in Sudan to highlight the importance of corporate social responsibility in the region. In 2001, an independent fact-finding mission to Sudan, commissioned by British and Canadian NGOs, alleged that oil companies are "knowingly or unknowingly" involved in GoS counterinsurgency strategies. For example, government helicopter gunships have been based at oil facilities, and some groups allege that the air force has actually launched bombing raids on civilian targets from oil field airstrips. In addition, some groups have criticized oil companies for failing to require transparency from the GoS on the use of oil-related revenues for such purposes as the purchase of heavy weaponry.

Following are recent examples of abuses against civilians, including young people, in oil exploration areas:

- Amnesty International and others charge the Sudanese air force with attacks on civilian populations, explaining that the air force carries out "indiscriminate or deliberate bombing and shelling of civilians living in and civilian institutions in the oil-rich western Upper Nile," in violation of international law. Several attacks on schools are documented. The Sudan Catholic Bishops Conference documented an attack by the GoS on a primary school in Nuba in February 2000 that killed 20 students and their teacher. In another attack, in August 2000, a bomb fell near an open-air school where pupils were learning with a priest in Tonj in Bahr el Ghazal.
- In September 2002, GoS warplanes wounded dozens of people in three areas of southern Sudan, including an attack on a displaced people's camp at Amadi in Western Equatoria, which killed seven children in one family. In Wonrok in northern Bahr el Ghazal, the attack killed two boys aged three and 13. In February 2002, in the remote town of Bieh, GoS warplanes hit a World Food Program site coinciding with a planned food distribution. The attack killed at least 24 people, primarily women and children.

⁶ Interagency Paper of CARE International, Christian Aid, International Rescue Committee, Oxfam, Save the Children and Tearfund.

- Analysts regularly report that extensive displacement in oil-rich areas is the result of a direct effort to redistribute the population in those areas to make way for oil exploitation. Christian Aid's report, *Scorched Earth*, quoted an official of Operation Lifeline Sudan as saying that the government's aim is "to depopulate the oilfields so oil surveys can be done in peace."
- Young southern Sudanese boys living in oil regions and the slums of Khartoum have been recruited by the GoS and its southern militias and trained in a military camp, forced to defend oilfields and in some cases ordered to attack their neighbors or relatives.⁷

Given that fighting occurs in oil-rich areas, it must be noted that the SPLA is also known to commit violations against civilians and young people in these areas. SPLA abuses were rampant throughout the 1990s and have continued to some degree in recent years. The SPLA has directed attacks on civilian health centers and other infrastructures that support children. For example, in 2001, the SPLA raided and burned a settlement housing 5,000 to 10,000 IDPs in Paboung. SPLA forces have raped, killed and injured young people and other civilians. They are also known to loot humanitarian stations, intimidate and attack healthcare workers, and use children as soldiers.

In addition to those regarding oil, disputes over other natural resources like agricultural land, water, and cattle play a role in perpetuation of armed conflict in Sudan. In his report to the President of the United States, John Danforth stated, "any peace process should address the oil issue in order to resolve a major cause of conflict and to serve as the basis for a just peace." Resource-sharing discussions regarding these other natural resources will also be key to the success of a just and sustainable agreement.

⁷ *Report of an Investigation into Oil Development, Conflict and Displacement in Western Upper Nile, Sudan*, October 2001, p. 35.

ANNEX IV

Legal Standards Relating to Spectrum of Violations List

<u>Violations</u>	<u>Relevant International Standards</u>
-------------------	---

<p>Recruitment and Use of Child Soldiers</p>	<p>Convention on the Rights of the Child (CRC), Article 38 (1)(2); Optional Protocol to the Convention on the Rights of Child on the involvement of children in armed conflict, Annex I; 1977 Geneva Convention Protocol I⁸, Article 77; 1977 Geneva Convention Protocol II⁹, Article (4c,d); African Charter on the Rights and Welfare of the Child, Article 22 (2); ILO Convention 182 concerning the prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Article 3(a); Rome Statute of the International Criminal Court, Article 8 (2) (b)(xxvi), Article (2)(e)(vii), UN Security Council Resolution 1261 (2)(13); UN Security Council Resolution 1314 (16f); UN Security Council Resolution 1379 (11b)(16); UN Security Council Resolution 1460 (3)(4)(5)(6)(16a)</p> <p>Example: “States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.” <i>Article 2</i></p> <p>Additionally, 18 is set as minimum age for the following circumstances: <i>Article 1</i> – Direct participation <i>Article 3(1)</i> -Voluntary recruitment <i>Article 4(1)</i> -Recruitment and use by non-state armed forces <i>Optional Protocol to the Convention on the Rights of Child on the involvement of children in armed conflict, Annex I</i></p>
<p>Killing and Maiming of Children</p>	<p>Convention on the Rights of the Child, Article 6; 1949 Geneva Convention IV¹⁰, Article 3(a); Geneva Conventions, Common Article 3¹¹(1)(a); Rome Statute of the International Criminal Court, Article 7(1)(a,k), Article 8(2)(a)(i,iii), Article 8(c)(i); UN Security Council Resolution 1261(2); UN Security Council Resolution 1379; UN Security Council Resolution 1460.</p> <p>Example: “States Parties recognize that every child has the inherent right to life.” <i>Article 6, Convention on the Rights of</i></p>

⁸ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of Victims of International Armed Conflicts (1977).

⁹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of Victims of Non-International Armed Conflicts (1977).

	<i>the Child</i>
Rape and Other Grave Sexual Violence Against Children	<p>Convention on the Rights of the Child, Article 34; 1949 Geneva Convention IV, Article 27; Geneva Conventions Common, Article 3(1)(c); 1977 Geneva Convention Protocol I, Article 76 (1), Article 77 (1); 1977 Geneva Convention Protocol II, Article 4(2)(e); Rome Statute of the International Criminal Court, Article 7(1)(g), Article 8(2)(b)(xxii), Article 8(2)(e)(vi); UN Security Council Resolution 1261 (2); UN Security Council Resolution 1379 (8c)(11d); UN Security Council Resolution 1460 (10).</p> <p>Example: “States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse.” <i>Article 34, Convention on the Rights of the Child</i></p>
Abduction of Children	<p>Convention on the Rights of the Child, Article 35; African Charter on the Rights and Welfare of the Child, Article 29(a); Rome Statute of the International Criminal Court, Article 7(1)(i), Article 7(2)(i); UN Security Council Resolution 1261 (2); UN Security Council Resolution 1314(17) UN Security Council Resolution 1379; UN Security Council Resolution 1460.</p> <p>Example: “States Parties shall take all appropriate national, bilateral and international measures to prevent the abduction of...children for any purpose or in any form.” <i>Article 35, Convention on the Rights of the Child</i></p>
Denial of Humanitarian access to Children	<p>1949 Geneva Convention IV, Article 23; Rome Statute of the International Criminal Court, Article 7(1)(b), Article 7(2)(b), Article 8(2)(b)(xxv); UN Security Council Resolution 1261 (11)(17a); UN Security Council Resolution 1314 (7); UN Security Council Resolution 1379 (5); UN Security Council Resolution 1460.</p> <p>Example: “The High Contracting Parties must permit the free passage of all consignments of essential foodstuffs, clothing, and tonics intended for children under 15, expectant mothers, or maternity cases.” <i>Article 23, 1949 Geneva Convention IV</i></p>
Illicit Exploitation of	1977 Geneva Convention Protocol I, Article 55(1,2);

¹⁰ Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949).

¹¹ The text of Common Article 3 is repeated in all four of the Geneva Conventions and applies explicitly to internal armed conflicts.

<p>Natural Resources</p>	<p>Kimberley Process Promoting Prosperity Diamonds; UN Security Council Resolution 1314 (8)(16c); UN Security Council Resolution 1379 (6)(9d); UN Security Council Resolution 1460 (16b).</p>
<p>Illicit Trade in Small Arms and Light Weapons</p>	<p>UN Programme of Action on Small Arms and Light Weapons to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons; Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, Supplementing the United Nations Convention on Transnational organized Crime 2000; UN Security Council Resolution 1261 (14); UN Security Council Resolution 1314 (8)(16c); UN Security Council Resolution 1379 (6)(9d)(13c); UN Security Council Resolution 1460 (7)(16b).</p> <p><i>Research is being done to develop tools for documenting the link between trade in small arms and the use of children, with recommendations for applicable standards and measures to implement the provisions of UN Security Council resolution 1460.</i></p>
<p>Lack of Access to Education and Attacks on Schools</p>	<p>Convention on the Right of the Child, Article 28 (1); 1977 Geneva Convention Protocol I, Article 52; 1977 Geneva Convention Protocol II, Article 4 (a); Rome Statute of the International Criminal Court, Article 8(2)(b)(ix), 8(2)(c)(iv); UN Security Council Resolution 1261 (18); UN Security Council Resolution 1314(14); UN Security Council Resolution 1379; UN Security Council Resolution 1460.</p> <p>Examples:</p> <p><i>Access to Education:</i> “States Parties recognize the right of the child to education.” <i>Article 28(1), Convention on the Right of the Child</i></p> <p><i>Attacks on Schools:</i> “Civilian Objects must not be the object of attacks or reprisals. Civilian objects are all objects which are not military objectives, that is to say, objects which do not make effective contribution to military action. In the event of doubt, schools are presumed not to be military objectives.” <i>Article 52, 1977 Geneva Convention Protocol I</i></p>

ANNEX V

Further Resources on Positive Incentives

In light of the wide consensus that broad economic sanctions can have devastating effects on vulnerable groups in society, including children, there has been considerable research and advocacy for reform of sanctions regimes and the role of positive incentives in

increasing compliance with international standards. The following are some examples of positive incentives, that, when coupled with sanctions, can improve compliance:

- Direct purchases
- Tariff reductions
- Subsidies to exports or imports
- Granting most-favored nation status
- Foreign aid
- Guaranteeing investments
- Providing export or import licenses
- Granting access to advanced technology
- Cultural exchanges
- Support for citizen diplomacy
- Military cooperation
- Offering diplomatic/political support
- Environmental/social cooperation
- Debt relief
- Security assurances
- Lifting negative sanctions
- Granting membership to international organization or security alliance
- Promises of any of the above

In most instances, these types of positive incentives relate to states. However, non-state actors are also often perpetrate abuses against children and are equally responsible for halting these violations. More research must be done on the effective use of positive incentives applicable for non-state actors, to ensure that no further harm is done to children.

For further research please consult the following resources:

- Fourth Freedom Forum, <http://www.fourthfreedom.org>
- Cortright, David. “Positive Inducements in International Statecraft,” <http://www.fourthfreedom.org/php/t-si-index.php?hinc=positive.hinc>
- Cortright, David and George A. Lopez. “Carrots, Sticks and Cooperation: Economic Tools of Statecraft” from the book *Cases and Strategies for Preventive Action*, edited by B. R. Rubin. New York: Century Foundation Press, 1998.
- For criticism on sanctions see <http://globalpolicy.igc.org/security/sanction/analysis2.htm>