



## **Statement by Watchlist Director, Eva Smets, at the side event on Children and Armed Conflict**

**New York, June 30<sup>th</sup> 2011**

Your Excellencies, thank you very much for this opportunity to speak today.

I would like to especially thank the Mission of Germany for organizing this important side event, for their dedication and leadership as Chair of the Working Group on Children and Armed Conflict, and off course, for inviting us to speak here today.

I represent the Watchlist on Children and Armed Conflict, a network of human rights and humanitarian organizations that monitors, reports and urges follow-up action on violations against children in situations of armed conflict. We have been strong advocates throughout the entire development of its children and armed conflict agenda.

The UN's Children and Armed Conflict Agenda offers member states a unique opportunity to shape one of the most promising and actionable human rights agendas that derives its strength from a broad consensus among governments that children's rights must be protected.

Through its CAC agenda, the Security Council sends a strong message to potential and actual perpetrators that the international community is watching, reporting, and responding to grave violations against children. Great progress has been made thus far in the Children and Armed Conflict-agenda. Some parties, such as the Afghan National Security Forces, or most recently, the Chadian National Forces, have actively sought to be de-listed from the annexes of the Secretary-General's annual report, the 'list of shame', for committing serious violations against children. In other cases, such as Nepal or even in the Central African Republic, UN-led Task forces or the Secretary-General's Special Representative have successfully advocated for the release of child soldiers from armed forces or groups or helped child survivors of violence obtain life-saving care.

In two weeks, at the occasion of the UN Security Council's Open Debate on Children and Armed Conflict, world leaders will have the opportunity to speak out against grave violations perpetrated against children in situations of armed conflict.

At this occasion, I would like to raise two issues:

- 1) The need to expand the Monitoring and Reporting Mechanism (MRM) trigger violations to include attacks on schools and hospitals:
- 2) The need to hold perpetrators of violations against CAAC accountable with a focus on the most persistent violators.

These points are based on a recent briefing note by Watchlist entitled: *Next Steps to Protect Children in Armed Conflict: Briefing Note to the Security Council*. It outlines achievable and practical steps the Security Council can take to ensure stronger protection for children affected by armed conflict.

The first point is the urgent need to expand the MRM trigger to include ‘attacks on schools and hospitals.

As we very much believe that all six violations require equal treatment, we would view this expansion as part of an incremental approach, with abduction and the denial of humanitarian assistance as the final two violations left.

Over the years, Watchlist has reported on attacks against schools and hospitals in its successive country reports.

In 2005 in Nepal, the government opened fire on a Maoist meeting on the school grounds, killing and injuring several children, and forcing other students to witness horrific violence and killing. Following the incident, various schools remained shut for several days.

In 2008, the LTTE (Liberation Tigers of Tamil Eelam) in Sri Lanka recruited children on their way to and from school, and used schools as recruiting sites. In Trincolamee, 35 schools remained closed due to past conflict or the presence of mines and explosive remnants of war.

In 2009 in Burma, the SPDC (State Peace and Development Council) burned villages, including schools, to prevent villagers from returning to the area.

In 2010 and still today in Afghanistan, the majority of attacks against schools area related to the burning of the school building, explosions close to or inside school buildings and direct attacks against students and education personnel. Armed groups use “night letters” to threaten families and deter them from sending their children to government-run schools.

In 2011 in Central African Republic, a school director told Watchlist that several families from a village near Bocaranga no longer allowed their girls to attend school after the APRD (People’s Army for the Restoration of democracy) set up a military camp on the school grounds – for fear of sexual violence or abuse.

Our research finds that these attacks are not just limited to infrastructure; attacks and threats of attack against students and teachers or medical personnel can be just as devastating as attacks on school or hospital buildings.

We recommend that the Council:

- Includes in the annexes of the Secretary-General’s reports those parties to armed conflict that engage in attacks against schools and hospitals, and threats or attacks against schoolchildren and educational and medical personnel.
- Consistent with its mandate, request the UN-country level task forces to monitor attacks against schools and hospitals, threats or attacks against school children and educational or medical personnel, the use of schools for military purposes, and other relevant disruptions to medical facilities, and to ensure a coordinated strategy to prevent and respond to such actions.

My second point is that the Security Council should urgently do more to address the issues of impunity through improving its use of targeted measures.

By channeling data on the six grave violations directly to the Security Council, the MRM system puts direct responsibility for holding perpetrators accountable on the Council, especially in cases where national justice mechanisms are failing.

The UN engages in dialogue with armed forces or armed groups for the purpose of developing and implementing time-bound action plans. These written and signed commitments are a step toward bringing perpetrators into compliance with international law, and a tool to protect children from current and future abuses.

To date, however, only 15 of the more than 100 armed forces or groups listed in the annexes of the Secretary-General's reports since action plans were first called for in SCR 1539 have entered into action plans. Of those 15, only five parties have been de-listed after completion of the action plans. These statistics reveal the significant obstacles that remain in signing and/or implementing action plans.

We recommend that the Council:

- stresses the responsibility of governments, particularly those that do not allow the UN to enter into dialogue with listed parties, to protect the rights of all children in their territory.

Finally, I think that many members of the Security Council share our frustration that so far, the impressive CAC-agenda and its tools have not led to the result we desire – an end to the use of children as soldiers, to rape and sexual violence, to killing and maiming, to attacks on schools and hospitals.

Many of your requests have gone unheeded, and dozens of armed forces and groups continue to recruit children with impunity. In his 2010 Annual Report, the Secretary-General listed 16 armed forces or groups that had been included in the annexes for five years or more, including the National Liberation Army (ELN) and Revolutionary Armed Forces of Colombia (FARC), Congolese self-defense militia Mai-Mai but also the Congolese armed forces (FARDC), the Filipino Moro Islamic Liberation Front (MILF), the Southern Sudanese SPLA (Sudan's People Liberation Army) and groups in Darfur... it is a long list.

The Council must take targeted measures vis-à-vis these persistent perpetrators. To not take action risks undermining years of hard work and progress in the CAC agenda. To date, the Council has taken targeted measures only in connection to the recruitment and use of children in two cases, Côte d'Ivoire and the Democratic Republic of Congo (DRC).

We recommend that the Council:

- Urge sanctions committees to consider children's issues as an integral part of their mandates for peace and security, specifically by including the targeting of children as sanctionable criteria in the renewal or establishment of mandates of relevant sanctions committees.
- Act on the recommendation of the Working Group to designate both individuals and parties who persistently violate the rights of children, in violation of applicable international law, and subject them to targeted measures;
- Establish the Working Group as a thematic sanctions committee for those country situations where no Security Council committee for sanctions is established.

To quickly summarize, the key recommendations here are:

1. Expand the MRM trigger to include attacks on schools and hospitals.
2. Strengthen accountability through dialogue, action plans and sanctions.

Thank you very much for listening to this appeal.

While some of the points are very technical, we feel that careful consideration will directly improve child protection on the ground, and it is your vote, here in New York, that will help us do so.

Thank you.