

working methods 2006-2014

Strengthening the Impact of the Security Council Working Group on Children and Armed Conflict

March 2015

This note continues Watchlist on Children and Armed Conflict's practice of providing updated analyses of the working methods of the Security Council Working Group on Children and Armed Conflict (hereinafter: "Working Group") since its inception. It examines and identifies trends over the period 2006-2014 including: (1) the use of the Working Group's toolkit (2) the time taken to adopt country-specific conclusions. Recommendations for strengthening the working methods of the Working Group are included in relation to both the use of the toolkit and adoption times.

Findings

Toolkit Usage

The Working Group has relied predominantly on a minority of the tools available to it, and many tools remain underutilized. Between 2006 and 2014, the Working Group used an average of 7.4 out of 26 available tools (28 percent) per conclusion.

In 2013-2014, the Working Group placed increasing emphasis on tools related to the implementation of the children and armed conflict (CAAC) agenda, including, e.g., requests for child protection training and for engagement with listed parties to expedite the development of action plans, and calls for technical assistance. ►



about watchlist

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

Watchlist on Children and Armed Conflict is a project of Tides Center, a non-profit public charity.

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- ◀ While not mentioned in its conclusions, the Working Group has also proactively employed a number of tools designed to respond to rapid developments in conflict situations, including regular briefings of the Special Representative of the Secretary-General on Children and Armed Conflict (SRSG-CAAC), Working Group visits to Myanmar and the Democratic Republic of the Congo, and the use of Security Council visiting missions.

Despite the Working Group's original intention that the toolkit be non-exhaustive and a "living document," the Working Group has neither gone beyond the toolkit nor reviewed the toolkit or the effectiveness of its usage since its adoption.

Adoption Time

The average adoption time of country-specific conclusions has increased from 3.4 months in 2006 to five months in 2014, well above the target adoption time of two months. Organizational, procedural, and political factors contribute to the delays.

recommendations

To the Working Group on Children and Armed Conflict:

- In the context of its consideration of options for increasing pressure on persistent perpetrators, as requested by Security Council Resolutions 1998 (2011) and 2068 (2012), **carry out or request a review of the effectiveness of its use of the tools in the toolkit.**
- Request the Secretary-General to include in his country-specific reports on children and armed conflict a **separate section on the implementation of the Working Group's previous conclusions.**
- **Increase the range and frequency of the use of tools in the toolkit;** continue to convene emergency sessions and/or briefings and, as appropriate, issue press statements on unfolding crises which pose grave risks to children in situations of armed conflict.

- ◀ ● **Address the issue of lengthy delays in the adoption of conclusions:**
 - Reserve UN Headquarters accommodations and accredited interpretation ahead of time, and consider alternative sites for Working Group negotiations when neither is available.
 - Brainstorm with the SRSG-CAAC on a process to present country-specific reports in a timely manner and to adopt conclusions every two months; and
 - Expand upon the practice of parallel negotiations in order to move forward with multiple country-specific reports in a shorter time-frame.

To the Working Group Chair:

- Continue to **mainstream child protection concerns in the work of the Security Council**, including in all relevant thematic or country-specific resolutions, presidential statements and press statements, UN mission mandate renewals, relevant sanctions regimes, Security Council briefings and consultations, and Security Council visiting missions.

To the Secretary-General:

- Ensure **adequate dedicated resources are available to service the Working Group** (one staff member) and allow the Secretariat's budget to provide for at least one visiting mission per year by the Working Group.
- Continue to assist in **ensuring the transfer of knowledge to new Working Group members** through the maintenance of the United Nations eRoom of the Working Group, providing access to the Working Group's institutional memory.
- Irrespective of delays in the Working Group, **submit a new country-specific report to the Working Group every two months** providing, as necessary, amendments or oral updates by the SRSG-CAAC.
- Include in each country-specific report on children and armed conflict a **separate section on implementation of previous conclusions of the Working Group.**

1. use of the toolkit

How does Watchlist calculate the Working Group’s use of the toolkit?

- In 2006, the Working Group adopted a “toolkit” of 26 actions and recommendations it may apply in its country-specific conclusions.
- Watchlist reviews the Working Group’s conclusions for the inclusion of tools. Watchlist only counts tools included in the conclusions. It does not count actions taken by the Working Group outside of the conclusions. For example, a Working Group visit to Democratic Republic of the Congo (DRC) in December 2014 is not counted, since it was not mentioned in the Working Group’s conclusion on DRC, adopted in September 2014.
- Actions undertaken by the Working Group, but not mentioned in its conclusions, are included in the narrative section of this note, and organized per Chairpersonship.

The Working Group has relied predominantly on a minority of the available tools (see Figures 1-5), and the range of tools used has decreased since the early years of the Working Group.

In 2013-2014, the Working Group placed increasing emphasis on the implementation of the CAAC agenda, including the issue of child protection in ceasefire and/or

peace talks, calls for child protection training for troops, and requests for engagement with listed parties to expedite the development of action plans.

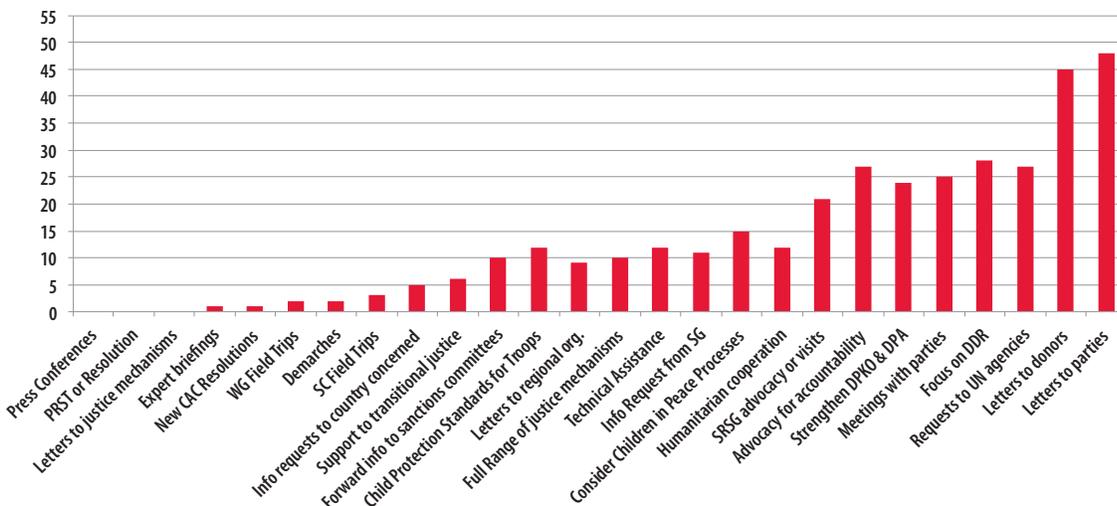
Figure 1. Tools Used (2006-2014)

Between 2006 and 2014, the Working Group adopted 48 country conclusions, using an average of 7.4 tools in each set of conclusions, or 28 percent of all available tools. The Working Group tends to rely predominantly on the same set of tools.

Actions most often used (>15 times): letters or appeals to parties concerned (48); letters to donors (45); requests to UN bodies and agencies (27); invitations to stakeholders to address disarmament, demobilization, and reintegration (hereinafter: “DDR”) of child soldiers (28); open or closed meetings with parties concerned (25); CAAC issues in peacekeeping or political missions (24); advocacy for accountability (27); requests for visits or advocacy by the SRSB-CAAC (21).

Actions sometimes used (6 – 15 times): recommendations for humanitarian cooperation (12); calling for addressing children’s needs in peace processes (15); requests for additional information from the Secretary-General (11); technical assistance (12); calling attention to the full range of justice mechanisms (10); letters to regional organizations (9); stronger child protection

Figure 1: Tool Used (2006-2014)



standards for troops (12); submission of information to existing sanctions committees (10); support to transitional justice and truth-seeking mechanisms (6).

Actions **least often used (1 – 5 times)**: requests for additional information from the country concerned (5); UN Security Council visiting missions incorporating a CAAC dimension (3); visiting missions by the Working Group (2); demarches to armed forces or groups (2); information briefings by experts, including non-governmental organizations (NGOs) (1); new areas of Security Council action, including resolutions (1).

Actions **never used**: letters to relevant justice mechanisms with information on violations; specific presidential statements or resolutions; press conferences.

Figure 2. Number of Tools Used (2006-2008)

During the French Chairpersonship in 2006-2008, the Working Group adopted 20 conclusions, using an average of 7.9 tools per conclusion and a total of 21 different tools. A record number of 13 tools were used in the case of Somalia in December 2008.

Some of the early conclusions of the Working Group employed a number of underutilized but potentially more effective tools such as the submission of information to existing sanctions committees (Democratic Republic of the Congo, 2006 and 2007). Tools, which would later become more popular such as transitional justice, accountability, and strengthening the CAAC dimension of peacekeeping and political missions, were used only sparingly.

Figure 3. Number of Tools Used (2009-2010)

During the Mexican Chairpersonship in 2009-2010, the Working Group adopted 11 conclusions, using an average of 7.8 tools per conclusion and a total of 20 different tools. A high of 11 tools were used in the case of the Central African Republic in July 2009.

The Working Group made a higher priority of improving the CAAC dimension of peacekeeping and political missions, calling for strengthening this dimension in eight of the 11 conclusions adopted. The Working Group also ensured that three Security Council visiting missions (Afghanistan, Democratic Republic of the Congo, and Central African Republic) incorporated a CAAC dimension

in their terms of reference, and, in 2010, the Working Group itself made its first field visit (Nepal).

The Working Group showed innovation when it introduced a regional monitoring and reporting mechanism to address cross-border violations perpetrated by the Lords' Resistance Army (LRA) in the Democratic Republic of the Congo, Central African Republic, Uganda, and South Sudan (Uganda 2010). The first report on this cross-border mechanism on the LRA was submitted in May 2012.

Figure 4. Number of Tools Used (2011-2012)

During the German Chairpersonship in 2011-2012, the Working Group adopted 10 conclusions, using an average of 6.5 tools per conclusion and a total of 14 different tools. In this period, a high of 10 tools were used in the case of Somalia in March 2011.

The Working Group relied primarily on what had been previously the most popular tools. Appeals to parties and letters to donors were used in all 10 conclusions. Emphasizing DDR and improving the CAAC dimension of peacekeeping and political missions continued to be popular as they were each used in seven conclusions. Beyond these tools, the use of specific requests to other UN agencies dropped off considerably. Only the conclusions on the Central African Republic and Sri Lanka included such requests.

The Working Group increased reliance on the use of two tools related to **accountability for perpetrators of violations**, the importance of which was also highlighted in Resolution 2068 (2012). The Working Group continued to increase advocacy for accountability, including calls for accountability in nine of the 10 conclusions adopted. The Working Group also increased considerably the use of existing sanctions committees, making reference to existing sanctions regimes in its conclusions on Afghanistan, Democratic Republic of the Congo, Iraq, and Somalia, but not in Sudan.

In 2011-2012, the Working Group also showed innovation in acting on unfolding crises outside of the normal consideration of conclusions on the reports of the Secretary-General. The Working Group received four extraordinary briefings of the Special Representative of the Secretary-General, including three briefings (covering Côte d'Ivoire, Syria, Libya, Mali, and the Democratic Republic of the Congo) during its formal meetings on

other conclusions, and one emergency briefing (covering Syria). However, efforts by the Chair of the Working Group in 2012 to have the Working Group issue a press statement on events unfolding in relation to activities of the M23 armed group in the Democratic Republic of the Congo were reportedly rebuffed on the grounds of lack of precedent for such press statements.

Figure 5. Number of Tools Used (2013-2014)

During the Luxembourg Chairpersonship in 2013-2014, the Working Group adopted seven conclusions, using an average of 6.9 tools per conclusion and a total of 13 different tools. In this period, a high of 10 tools were used in the cases of the DRC and Mali, both adopted in 2014.

As in preceding years, the Working Group primarily relied on what had previously been the most popular tools. Appeals to parties and letters to donors were used in all seven conclusions.

In 2013-2014, the Working Group increased its reliance on tools related to **the implementation of the CAAC agenda**, a theme also highlighted in Resolution 2143 (2014). The Working Group multiplied its requests for child protection to be integrated into ceasefire and/or peace talks, and its requests for Country Task Forces on Monitoring and Reporting, or the SRSB-CAAC, to engage with listed parties to expedite the development of action plans in five out of seven conclusions (DRC, Mali, Myanmar, Philippines, and Yemen). It also repeatedly demanded adequate and regular child protection training for troops in four out of seven conclusions (Philippines, Mali, DRC, and Syria). In four out of seven conclusions (LRA in the Central Africa Region, DRC, Mali, and Myanmar), the Working Group included calls for technical assistance to the country concerned to strengthen its national capacities to protect the rights of the child.

The Working Group also showed particular innovation in staying abreast of developments in conflict situations already on its work program. The Working Group received regular briefings by the SRSB-CAAC. For example, she briefed the Working Group on developments in the Central African Republic (CAR), Chad, Iraq, and Mali during its meetings. In addition, she briefed the Working Group on her visits to Syria and the wider region, Yemen, the DRC and South Sudan. The African Union Commissioner for Peace and Security and the Prosecutor

of the International Criminal Court also briefed the Working Group. A video teleconference was held with the Co-Chairs of the South Sudan Country Task Force on Monitoring and Reporting.

Also, the Working Group made headway with tangible actions. In June 2014, the Working Group issued a press release on the situation of children and armed conflict in South Sudan. The Working Group carried out two visiting missions: one to Myanmar from 30 November to 4 December 2013; and one to the DRC from 30 November to 4 December 2014.

The Luxembourg Chair also excelled at efforts towards mainstreaming children and armed conflict language into a broad range of Security Council documents, discussions, and decisions, as well as in its visiting missions. For example, the Luxembourg Chair was able to include child protection issues in interactions with authorities during the Security Council's visiting mission to Yemen (2013), and in the Terms of Reference of the Council's mission to the Great Lakes region (2013), Mali (2014), Somalia (2014), and South Sudan (2014), as well as in the joint communiqués of the 7th and 8th annual joint consultative meetings between the Peace and Security Council of the African Union and members of the UN Security Council. Upon Luxembourg's request, SRSB Zerrougui briefed the Council on the situation of children and armed conflict in Syria on 18 April 2013 and 6 March 2014, as well as on the situation of children in CAR on 22 April 2014.

Finally, Luxembourg pursued normative work on children and armed conflict. It drafted and negotiated a presidential statement (S/PRST/2013/8) that was adopted on 17 June 2013 and a resolution that was adopted by consensus on 7 March 2014 (S/RES/2143). The presidential statement consolidated previous language on sanctions and focused among other issues on persistent perpetrators, accountability, and regional cooperation. Resolution 2143 (2014) addressed the implementation of the children and armed conflict agenda and introduced new elements such as birth registration, targeted and operational training for military, police, and civilian peacekeepers on child protection, and the military use of schools. The resolution also endorsed the "Children, Not Soldiers" campaign launched jointly by the SRSB-CAAC and UNICEF.

Figure 2: Number of Tools Used (2006-2008)

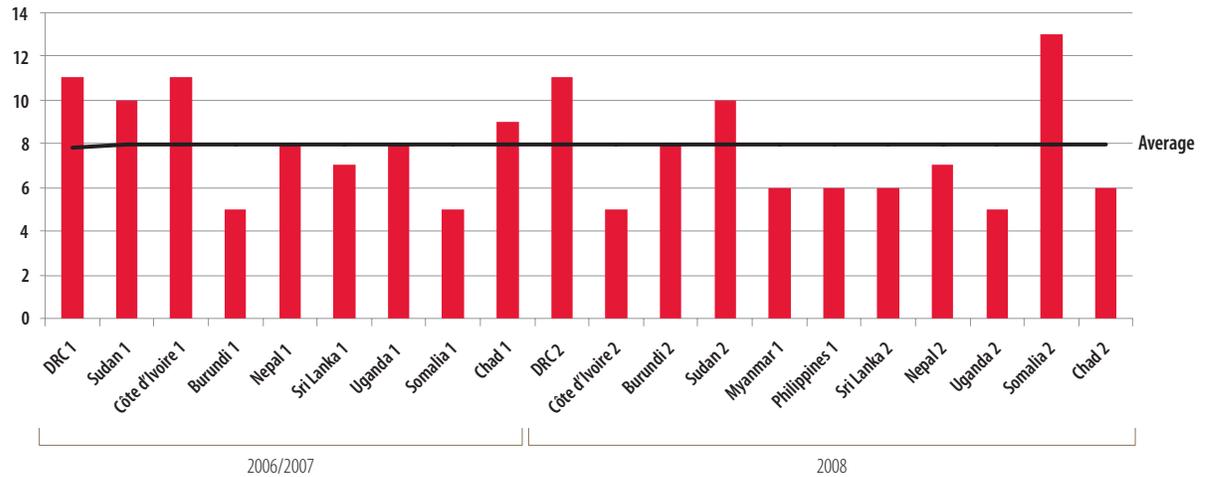


Figure 3: Number of Tools Used (2009-2010)

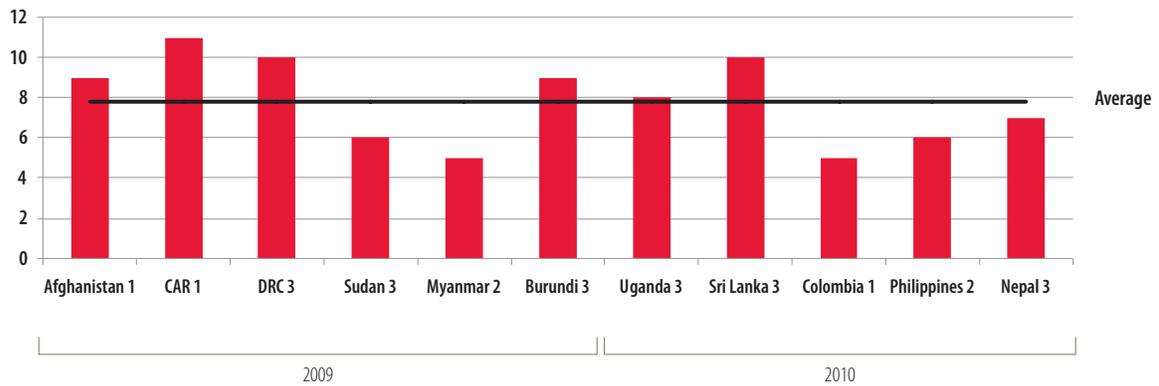


Figure 4: Number of Tools Used (2011-2012)

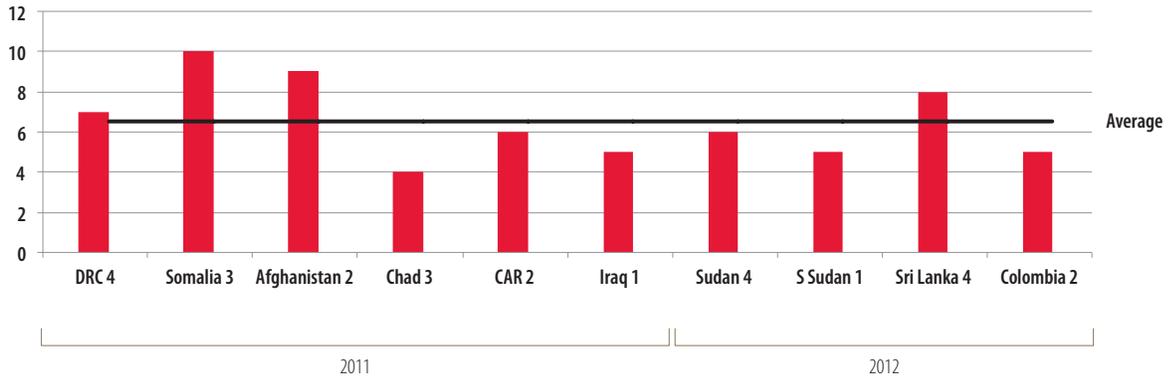
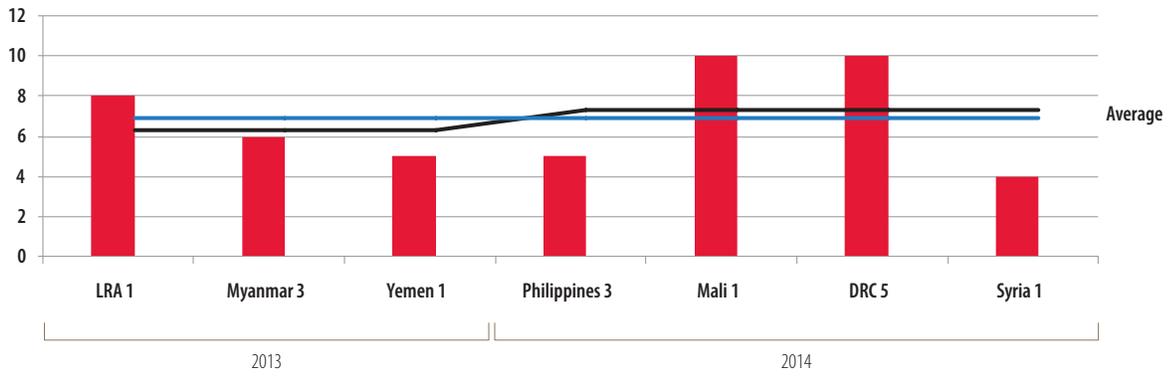


Figure 5: Number of Tools Used (2013-2014)



2. adoption time

How does Watchlist calculate the Working Group's "adoption time"?

- At the time of its establishment, the Working Group agreed to hold formal sessions **at least every two months**, to review a situation at each session and to adopt the conclusions in the subsequent session (S/2006/275). This indicates that the Working Group's original intention was to adopt conclusions within a two-month time frame. The dotted line in each table therefore indicates the target adoption time of two months.
- Watchlist computes "adoption time" as the time that passed between:
 - a) the publication date of the Secretary-General's report on the situation of children and armed conflict in a given country, and
 - b) the publication date of the Working Group's respective conclusions.
- Watchlist calculates "adoption time" in months (including weekends and holidays), rather than five-day work weeks.

The average adoption time on country-specific conclusions has increased from 3.4 months in 2006 to five months in 2014 (see figure 6). This increase has been mostly steady, save for a significant decrease in 2011, the first year of the German Chairpersonship, to 3.9 months, followed by a historic increase in 2012, the second year of the German Chairpersonship, to 12.9 months. In 2014, Luxembourg was able to bring the adoption time back down to an average of five months. In all years, the average adoption time has remained well above the target time of two months.

When conclusions are so delayed, the Working Group's requests become outdated, thereby limiting their impact

on the ground. In addition, the delays risk sending a signal to the perpetrators that the Security Council is not serious about addressing impunity for child rights violations or about ensuring that conclusions are effectively implemented.

Delays also cause considerable backlogs in the Working Group which, in the past, has considered only one situation at a time before moving to the next. To avoid a long list of pending reports, the Secretary-General has apparently postponed submitting reports which were ready for the Working Group. As a result, the number of reports submitted to the Working Group each year has decreased substantially even as the number of countries and/or regions subject to such reports has increased.

As with the analysis of the use of tools, the figures below are broken down by year, with years grouped together based on the Chair of the Working Group.

Figure 7. Adoption Time Taken on Conclusions (2006-2008)

During the French Chairpersonship, the Working Group issued two conclusions in 2006 (average adoption time of 3.4 months), eight conclusions in 2007 (average adoption time of 3.8 months), and 10 conclusions in 2008 (average adoption time of 5.9 months).

Figure 8. Adoption Time Taken on Conclusions (2009-2010)

During the Mexican Chairpersonship, the Working Group issued six conclusions in 2009 (average adoption time of 6.6 months) and five conclusions in 2010 (average adoption time of 10 months).

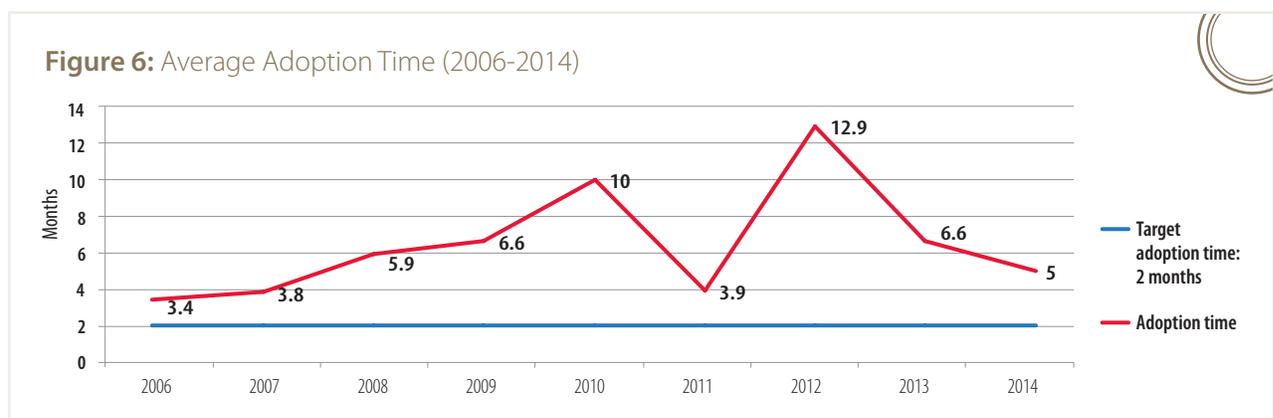


Figure 9. Adoption Time Taken on Conclusions (2011-2012)

During the German Chairpersonship, the Working Group issued six conclusions in 2011 (average adoption time of 3.9 months) and four conclusions in 2012 (average adoption time of 12.9 months, a record high).

Figure 10. Adoption Time Taken on Conclusions (2013-2014)

During the Luxembourg Chairpersonship, the Working Group issued three conclusions in 2013 (average adoption time of 6.6 months) and four conclusions in 2014 (average adoption time of five months).

Figure 7: Adoption Time Taken on Conclusions (2006-2008)

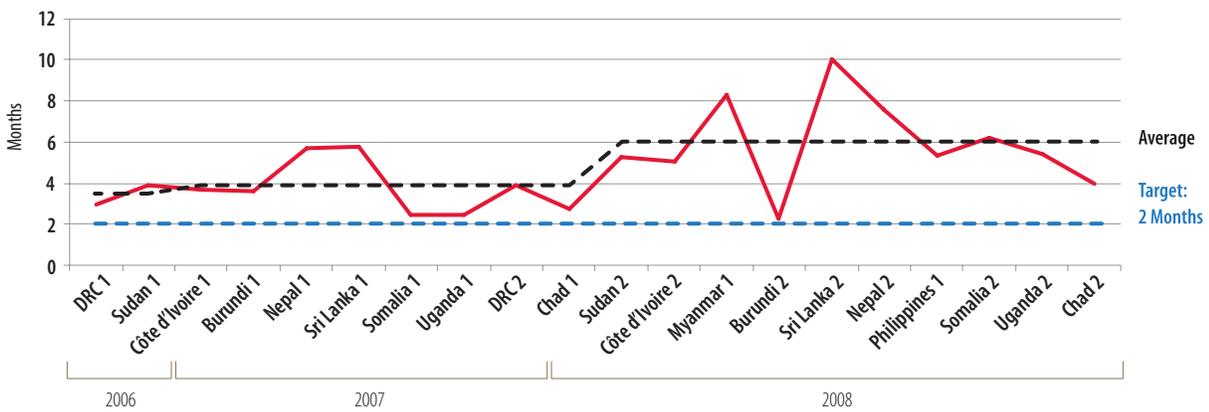
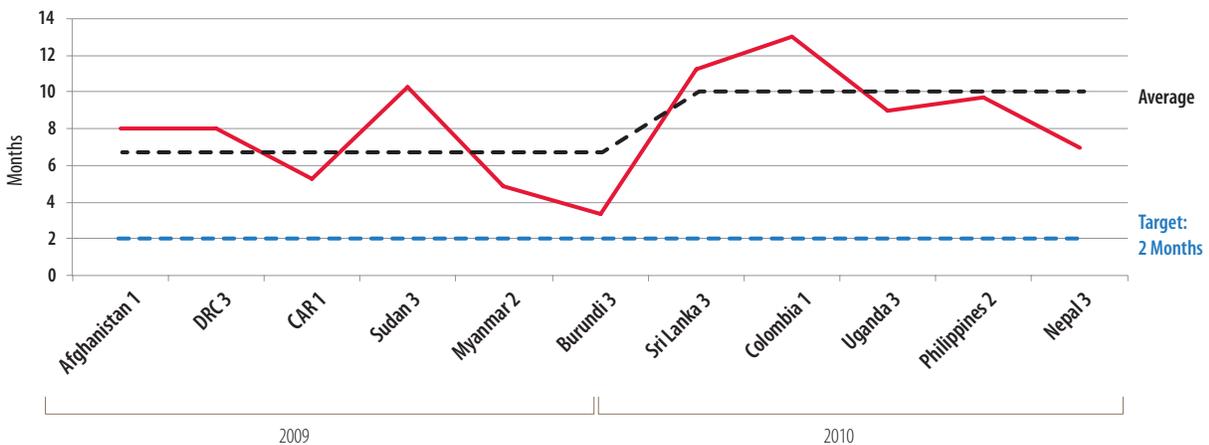
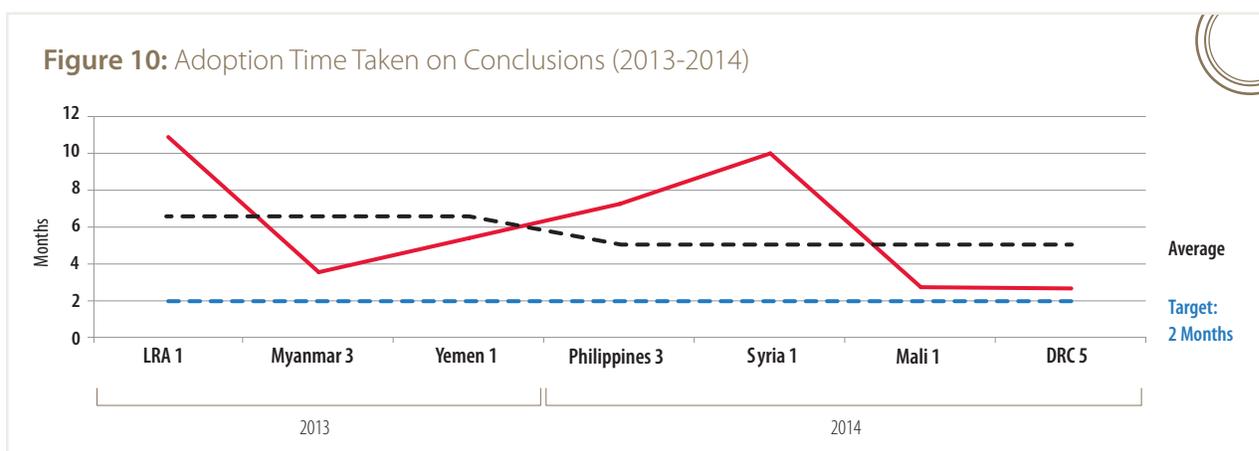
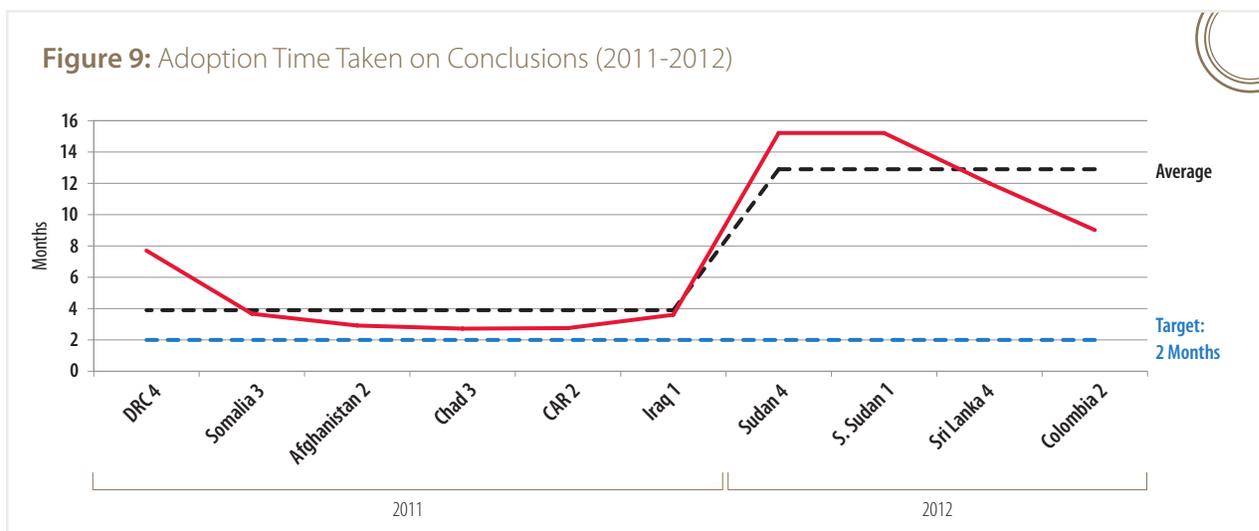


Figure 8: Adoption Time Taken on Conclusions (2009-2010)





Several factors have influenced the adoption time, including organizational, procedural, and political factors.

Organizational factors

Extensive negotiations on Security Council resolutions on children and armed conflict as well as participation in the Third Committee of the General Assembly limit the availability of experts to participate in Working Group meetings. Extensive administrative and logistical support is required, in particular for the Chair, although this burden has been lessened in recent years by (1) provision of dedicated Secretariat resources to service the Working Group and (2) assignment by the last three Chairs of the Working Group (Mexico, Germany, and Luxembourg) of two experts to follow the CAAC agenda. Other organizational factors, including the availability of rooms or

interpreters, have led to meetings being postponed for several weeks.

Another issue potentially affecting the Working Group has been the lack of institutional knowledge in working methods and past practices which may handicap new members of the Working Group.

Procedural factors

In the past, the Working Group proceeded with negotiations on one set of conclusions at a time, creating a backlog when consensus could not be reached. For example, in 2012, consultations on Colombia began in earnest only six months after the report was introduced, due to delays in the negotiations over Sudan and South Sudan. Agreement was reached very quickly on the

Sri Lanka conclusions once consultations actually began, but by that time, their start had been delayed approximately 11 months, pending the negotiations on Sudan, South Sudan, and Colombia. Similarly, the Working Group first considered a report on the LRA-affected areas on 18 January 2013, and was able to negotiate and adopt its conclusions in three months. However, at that point the report had been pending for seven months.

In 2013 – 2014, under Luxembourg’s Chairpersonship, the Working Group negotiated conclusions simultaneously where reports were available to do so. For example, in 2014 the Working Group negotiated DRC and Mali concurrently to its negotiations on Syria.

The backlog would be much greater and the adoption times much longer, but for the fact that the Secretary-General has reportedly adjusted the production of reports based on the progress of the Working Group, as mentioned above. In 2012, the Secretary-General submitted a record-low two reports to the Working Group. In 2013 and 2014, the production rate only marginally increased, with the number of conclusions reflecting the number of reports submitted each year (see Figure 11). This drop in report production may have contributed to a perceived lack of urgency on behalf of the Working Group to speedily adopt conclusions. Also, it has been reported that upon adopting one set of conclusions, the Working Group had to pause its activities since no other reports were available.

Another factor leading to delays has been the practice of the Working Group to include in its conclusions summaries of the views of the parties to conflict. This has reportedly led to lengthy negotiations over the

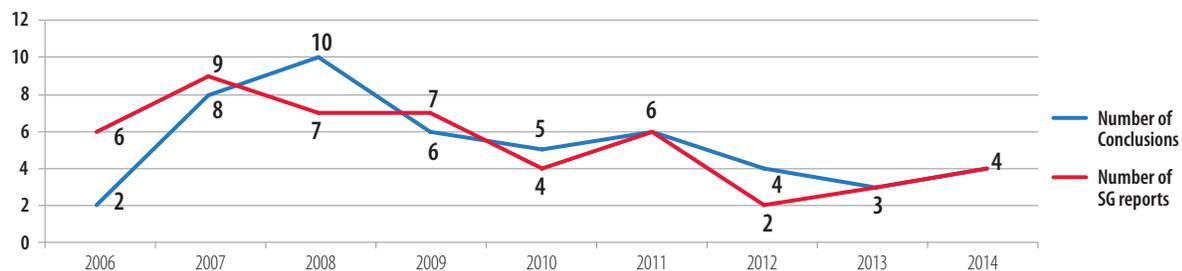
summaries. In its conclusions on Colombia in 2012, the Working Group departed from this practice by annexing a statement of the government. Also, negotiations over summaries have been less time-consuming throughout 2013 and 2014.

Political factors

Negotiations on certain countries habitually take longer than others. Of the 10 lengthiest negotiations, Sri Lanka has accounted for three, Colombia for two, and Sudan and South Sudan for three combined. Negotiations on these countries have averaged 9.7 months for Sri Lanka (four reports), 10 months for Sudan and South Sudan (five reports), and 11 months for Colombia (two reports). The record time for negotiations in 2012 was due in part to the Working Group confronting these four countries in the same year. At the other end of the spectrum, negotiations on reports on Burundi (three reports), Chad (three reports), Central African Republic (two reports), and Iraq (one report) have all averaged four months or less, with the lengthiest negotiation (Central African Republic in 2009) taking less time (5.2 months) than any Colombia negotiations and less time than all but the first negotiations on Sudan and Sri Lanka.

Coincidence of the Working Group’s membership with interests in the country reports under consideration can be particularly significant for negotiations given that the Working Group adopts conclusions by consensus. In 2012, Colombia served as member of the Working Group while negotiations on Colombia were under way, giving it a privileged position that most countries whose reports are considered do not enjoy.

Figure 11: Number of SG reports and Conclusions (2006-2014)



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