Children and **Armed** Conflict:

UN SECURITY COUNCIL OPEN DEBATE ON CHILDREN AND ARMED CONFLICT

SPECIAL UPDATE:

Recommendations for the UN Security Council and Member States

On June 26, 2024, the Security Council will hold its open debate on children and armed conflict (CAAC), under the Republic of Korea's presidency. The Special Representative of the Secretary-General for Children and Armed Conflict (SRSG-CAAC) will present the Secretary-General's (SG) 2024 annual report on CAAC (forthcoming), covering the period from January 1 to December 31, 2023.

Since its inception, the UN's CAAC agenda has made valuable progress in protecting children from the devastating impacts of war, encouraging compliance with international law, and promoting behavior change of warring parties. The CAAC agenda encompasses a unique set of tools that Member States, UN offices and agencies, and civil society can leverage to strengthen the protection of children and respect for their rights in war. The SG's annual report, including the listing and de-listing of perpetrators, the Office of the SRSG-CAAC, the Monitoring and Reporting Mechanism (MRM), and the Security Council Working Group on CAAC (SCWG-CAAC) each play a role in strengthening our collective understanding of the specific ways that war impacts children, spurring concrete commitments and measures to end and prevent grave violations against them, and reinforcing international legal and normative standards for the protection of children's rights in armed conflict.

Despite this progress, the UN's CAAC tools are needed now more than ever. Armed conflicts continue to devastate children's lives, tearing apart families and communities and hindering the fulfillment of children's rights, such as health care, education, and participation. Not only is the number of situations of concern increasing – the SG's annual CAAC report now covers 26 conflict situations – but longstanding conflict situations in the report have faced alarming escalations. Many of these wars are prolonged and fought in urban areas amid civilian populations, blurring the lines between the battlefield and traditional protected spaces. Homes, schools, hospitals, and other critical civilian infrastructure have regularly come under attack and life-saving humanitarian aid has been deliberately withheld, with immediate and long-term impacts for children's survival and well-being. The use of explosive weapons in populated areas (EWIPA) has resulted in deaths, physical injuries, and psychological trauma – particularly for children – destroying basic services and hindering civilians' ability to safely return and rebuild once conflict ends.

Twenty-five years since the first UN Security Council <u>resolution</u> on CAAC, more action must urgently be taken to implement the Council's 13 CAAC resolutions, to demand compliance with obligations to protect children living in war, and to create meaningful consequences for those who continue to commit grave violations. A widespread and blatant disregard for international law, pervasive <u>impunity</u>, shrinking civic space, the proliferation of <u>counterterrorism</u> measures that lack adequate safeguards for children's rights, the departure of UN missions along with their child protection staff, and a persistent <u>gap</u> in resources all undermine efforts to protect children in war.

The open debate remains a critical opportunity for Member States to reaffirm their support for the CAAC agenda and recommit to defending children's rights in armed conflict. This encompasses not only upholding international legal and normative standards, but also strengthening implementation of existing tools and frameworks, providing adequate, sustained funding to support child protection, holding perpetrators of grave violations accountable, and redoubling efforts to prevent grave violations. Finally, Member States, UN offices and agencies, and civil society should work towards consistent, meaningful, and safe participation of children in decision-making processes affecting them.

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

- 1. Strongly reiterate support for the UN's CAAC agenda and demand increased compliance with international law and child protection norms:
 - **a.** Reaffirm commitments to uphold international humanitarian, human rights, and refugee law and child protection norms; encourage Member States who have not done so to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

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

<u>Afghanistan</u>

Burkina Faso

Central African Republic

Colombia

Democratic Republic

of the Congo

<u>Iraq</u>

Lake Chad Basin

<u>Mali</u>

Myanmar (Burma)

Nigeria

Philippines

Somalia

South Sudan

Sudan

Syrian Arab Republic

<u>Ukraine</u>

<u>Yemen</u>

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- **b.** Strongly condemn all grave violations and abuses against children and encourage the signing and implementation of joint action plans with the UN to end and prevent grave violations.
- c. Urge Member States to bring to justice all those responsible for grave violations, including through prompt investigation and, where appropriate, prosecution for genocide, crimes against humanity, war crimes, and other egregious crimes against children; encourage cooperation with international justice mechanisms, including the International Criminal Court, and call for dedicated child rights expertise within investigative and justice mechanisms.
- d. Call for a complete, evidence-based list of perpetrators in the annexes of the SG's annual reports that accurately reflects data collected and verified by the MRM; strongly urge the SG to ensure that parties are listed and de-listed according to the <u>2010 criteria</u>, consistently across all country situations.

2. Strengthen the effective use of existing mechanisms and tools to monitor, report, and respond to grave violations:

- **a.** Encourage Member States who have not done so to endorse and fully implement the Paris Principles and Commitments, Vancouver Principles, Safe Schools Declaration, and EWIPA Declaration; and encourage endorsers to exchange lessons learned and good practices.
- **b.** Call for increased financial and political support for the UN's MRM, encouraging systematic analysis of the impact of gender, disability, and other vulnerabilities to inform response and prevention efforts.
- c. Call for increased child protection capacity in UN peace operations and political missions, including maintaining child protection best practices, capacity, and standards in all new missions, with financial, political, and operational support to fully deliver on child protection mandates; prioritize child protection considerations in the context of mission drawdown or transition.
- d. Urge donors to provide long-term, predictable funding for comprehensive, gender-sensitive, age-appropriate, and disability-inclusive child protection response systems and services, including for reintegration of children associated with armed forces and armed groups (CAAFAG).

3. Redouble efforts to prevent grave violations against children and protect their rights in war:

- a. Call for renewed efforts to mark and clear explosive remnants of war, prioritizing areas where displaced civilians are returning and where children are likely to pass through, and promote explosive ordnance risk education, conflict preparedness, and protection for affected communities, including children.
- **b.** Call for effective measures to prevent and address attacks and threats of attack on education facilities, including by restricting military use of schools, paying particular attention to inclusive access to education for girls, refugee and internally displaced children, and children with disabilities, per <u>SCR 2601 (2021)</u>.
- c. Recalling that CAAFAG should be treated primarily as victims and that detention should be used only as a last resort, call for the release and timely transfer of children in security force custody to civilian child protection authorities and encourage adoption and implementation of <u>handover protocols</u> to prevent the military detention of children and for access to detention facilities for UN and other independent monitors; in cases where children may have committed violent criminal acts, ensure they are treated in accordance with international juvenile justice standards.
- **d.** Call for the protection, rights, well-being, and empowerment of children to be fully incorporated and prioritized in ongoing and future efforts to build and sustain peace, per <u>SCR 2427 (2018)</u>; encourage and facilitate the meaningful, consistent consideration of children's perspectives in these processes, where possible and compatible with their best interests, drawing on existing tools, including the <u>Practical Guidance for Mediators to Protect Children in Situations of Armed Conflict</u>.

NGO Resources

- Watchlist on Children and Armed Conflict (Watchlist), et al., Open Letter by 23 NGOs Calling for a Complete and Accurate List of Perpetrators, May 2024
- Watchlist, Explosive Weapons and the Children and Armed Conflict Agenda, May 2024
- Watchlist, "A Credible List":

 Recommendations for the
 Secretary-General's 2024
 Annual Report on Children
 and Armed Conflict,
 April 2024
- World Vision International, How Armed Conflict Impacts Children, August 2023
- Plan International, <u>Policy</u>
 Paper: Young People on the
 War in Ukraine, June 2023
- Save the Children, Stop the War on Children: Let Children Live in Peace, 2023

About Watchlist on Children and Armed Conflict

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

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