

2017 Annual Report: Putting Children's Rights Up Front

In 2005, the United Nations Security Council adopted Resolution 1612 establishing the Monitoring and Reporting Mechanism (MRM) to collect timely, accurate, and credible information as the basis for the listing of perpetrators of grave violations against children in the annexes of the Secretary-General's annual reports. As a result of such 'naming and shaming,' parties to conflict have ceased altogether or taken targeted actions to end and prevent grave violations against children in armed conflict.

Despite this powerful tool for accountability, in the past two years, civil society organizations and the media have exposed the undue pressure some Member States have exercised, including threats to withdraw UN funding, to avoid being listed in the Secretary-General's annual reports on children and armed conflict, despite credible evidence pointing to violations. While politicization of the UN-led MRM is not new and is something the international community must collectively guard against, such undue pressure risks undermining the basic principle of the Security Council's Children and Armed Conflict agenda: that a party to conflict be listed for one reason alone, i.e., a pattern of documented, UN-verified grave violations against children. Furthermore, the Secretary-General's annexes have failed to include certain parties that have repeatedly been mentioned in the body of the report and where evidence exists of systematic violations.

The upcoming 2017 report on children and armed conflict thus presents an opportunity for the new Secretary-General, António Guterres, to ensure that the annexes to his report include a complete and accurate list of all parties to conflict that perpetrate grave violations, and to publicly express his strong support for the MRM and its ability to gather timely, accurate, and credible information.

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 nongovernmental organizations, enhancing mutual capacities and strengths. Working together, we strategically collect and disseminate information on violations against children in conflicts 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.

watchlist@watchlist.org

www.watchlist.org

Background

The UN Security Council's Children and Armed Conflict (CAC) agenda, and its field-based MRM, have yielded many positive results. More than 100,000 children have been released by armed forces or armed groups and, as of 2016, all government security forces listed for recruitment and use have adopted action plans to end and prevent that violation. Attention to grave violations now extends beyond child recruitment. For example, the Safe Schools Declaration expressing political commitments to protect schools from military use was adopted in 2015 and, as of January 2017, has been endorsed by 57 Member States. Still, parties to conflict continue to commit egregious violations against children, often with impunity. As a global community, we struggle to protect children from grave violations in places like Syria, Central African Republic, South Sudan, and other countries around the world.

One area for improvement within the CAC agenda is the listing of parties to conflict for child rights violations. In the past two years, civil society organizations and the media have exposed the undue pressure some Member States have exercised, including threats to withdraw UN funding, to avoid being listed in the Secretary-General's annual reports on children and armed conflict, despite credible evidence pointing to violations. In 2015, then UN Secretary-General Ban Ki-moon succumbed to extensive pressure from the US Government to prevent the listing of the Israeli Defense Forces, in spite of a recommendation from his Special Representative, Ms. Leila Zerrougui, to do so. One year later, in 2016, Secretary-General Ban Ki-moon once again faced pressure, this time from Saudi Arabia, to remove the Saudi-led coalition from his list. The Saudi Arabia-led coalition forces had been listed for the grave violations of killing and maiming and attacks against schools and hospitals in Yemen. While both incidents were highly publicized, they are not the only instances where geopolitical alliances have influenced the listing of parties to conflict for child rights violations. Other countries or areas where geopolitics may interfere with the listing of perpetrators include, among others, Southern Thailand, Pakistan, and India.

While politicization of the UN-led MRM is not new, it is something the international community must collectively guard against. Such pressure undermines the basic principle of the CAC agenda, where a party to conflict is listed for one reason alone, i.e., a pattern of documented, UN-verified evidence of grave violations against children.

In response to this worrying trend, Watchlist on Children and Armed Conflict ('Watchlist'), a global network of human rights and humanitarian organizations, has worked with others to propose a list of parties to conflict for inclusion in the Secretary-General's 2017 annual report and to highlight where further information on violations should be collected. Putting children's rights up front will ensure an accurate and credible list of perpetrators of child rights violations in 2017.

Methodology

In 2016-2017, Watchlist conducted a systematic desk review of all publicly available reports related to grave violations against children in all relevant situations for the years 2014-2016. Our sources include the Secretary-General's annual reports on children and armed conflict; reports by UN agencies, governments, and treaty bodies; as well as international non-governmental organizations. Our review focused on the five violations that 'trigger' listing in the annexes: recruitment and use, killing and maiming, rape and other forms of sexual violence, attacks on schools and hospitals, and abduction of children. Many of the violations documented in these reports have been included in the bodies of the Secretary-General's annual reports on children and armed conflict, but the parties responsible for perpetrating them have not yet been listed.

Our method to arrive at a recommendation for listing is based on the Secretary-General's 2016 annual report. To arrive at a simple yet universally applicable threshold, we examined the minimum number of verified cases quoted by the Secretary-General for any listed party in the annexes, and for each of the five trigger violations. Subsequently, we analyzed the rest of data publicly available for the years 2014-2016 across situations and trigger violations to determine which parties and violations should be added, based on the presumed method as applied by the Secretary-General in 2016. For example, for recruitment and use of children, the minimum number of verified cases provided for a listed party was two, and thereby, all parties with two or more verified cases of recruitment and use were added to our list of recommendations.

For country situations frequently mentioned in the body of report, but where insufficient verified incidents are reported for listing purposes, Watchlist recommends that the UN collects further information to determine whether specific parties to conflict should be included in the 2017 report annexes. The UN can do so by requesting the UN country team or peacekeeping mission to verify allegations. In certain country situations, such as Burundi and Ukraine, publicly available information points to patterns of violations being committed but the Secretary-General has not yet referenced specific incidents or parties to conflict in the narrative of his annual reports. For those situations, Watchlist recommends that the UN further investigates in order to ascertain whether the situations and/or a party to conflict should be included in his 2017 report narrative and/or annexes. The UN may do so by sending a delegation of UN staff to the country concerned to independently verify allegations as per the UN MRM's guidelines.

As our recommendations show, be it a government armed force, a non-State armed group, a peacekeeping force, or an international coalition, all perpetrators of grave violations must be held to the same standard.

Finally, the documentation provided supporting Watchlist's recommendations is not an exhaustive list of all potential incidents perpetrated against children in all relevant situations during the reporting period. Instead, the annex focuses on publicly available sources only, as outlined above.

Recommendations

On the basis of the information in the annex¹ to this letter, we recommend that the UN Secretary-General:

1) List the following parties known to commit grave violations against children in the annexes of his upcoming annual report:

Afghanistan

- Afghan National Defense and Security Forces (ANDSF)² and pro-Government militias

India

- Communist Party/Maoist

Iraq

- Popular Mobilization Forces (PMF)

Israel and the State of Palestine

- Israel Defense Forces (IDF)

Libya

- Armed groups, including Libyan National Army (LNA), the Benghazi Revolutionaries Shura Council (BRSC) and the affiliated Islamist militias

Mali

- Groupe d'Autodéfense Tuareg Imghad et Allies (GATIA)
- Coordination of Azawad Movement (CMA)

Pakistan

- Tehrik-i-Taliban Pakistan (TTP)

South Sudan

- Johnson Olony's armed group

Thailand

- Southern Thailand opposition armed groups

Yemen

- Saudi Arabi-led coalition forces³

2) Collects further information for the purposes of determining whether the following parties should be included in his 2017 report annexes:

Afghanistan

- International forces⁴

Democratic Republic of the Congo (DRC)

- Police nationale congolaise (PNC)

Iraq

- Kurdistan Workers' Party (PKK) and other Kurdish Groups

Israel and the State of Palestine

- Popular Front of the Liberation of Palestine
- Izz Al-Deen Al-Qassam Brigades

Somalia

- Galmudug Forces
- African Union Mission in Somalia (AMISOM)

Syria

- Al-Tahwid Brigade
- Popular Committees
- International Coalition against ISIL

Philippines

- Armed Forces of the Philippines (AFP)
- Magahat Paramilitary Group
- Alamara Paramilitary Group

3) Collects further information to ascertain whether the following situations should be included in his 2017 report narrative and/or annexes:

Burundi

- Armed groups
- Burundian security forces

Ukraine (parties on both sides of the conflict)

¹ Based on the 2016 annual report, the enclosed annex is organized in 4 sections: 1) annex 1 countries, 2) annex 2 countries, 3) countries in the body of the 2016 report but not yet in the annexes, and 4) countries not yet in the report.

² ANDSF includes Afghan National Army (ANA), Afghan National Police (ANP) and Afghan Local Police (ALP), as well as the Afghan National Directorate of Security (NDS).

³ It is commonly known that the Saudi Arabia-led coalition forces are comprised of nine states, including the United Arab Emirates (UAE), Bahrain, Kuwait, Qatar, Egypt, Jordan, Sudan, and Morocco, in addition to Saudi Arabia.

⁴ As of January 2017, the following countries contribute troops to the Resolute Support Mission in Afghanistan: Albania, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the Former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, and the United States.

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Democratic Republic of the Congo (DRC)			
<ul style="list-style-type: none"> • Police nationale congolaise (PNC) 			
Iraq			
<ul style="list-style-type: none"> • Popular Mobilization Forces (PMF) • Kurdistan Workers Party (PKK) and other Kurdish Groups 			
Mali			
<ul style="list-style-type: none"> • Group d'autodéfense des Touaregs imghads et alliés (GATIA) • Coordination of Azawad Movement (CMA, CPA, MNLA, HCUA, MAA) 			
Somalia			
<ul style="list-style-type: none"> • African Union Mission to Somalia • Galmudug forces 			
South Sudan			
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Syria			
<ul style="list-style-type: none"> • International Coalition against ISIL • Al-Tawhid Brigade/Liwa' al-Tawhid • Popular Committees 			
Yemen			
<ul style="list-style-type: none"> • Saudi Arabia-led Coalition forces 			
		COUNTRIES IN THE REPORT/ NOT YET LISTED	28
		India	
		<ul style="list-style-type: none"> • Communist Party / Maoists 	
		Israel and the State of Palestine	
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		Burundi	
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Annex I Countries

Afghanistan

Afghan National Defence and Security Forces⁵ and pro-Government militias Recommendation to list

Recruitment and Use

In the Secretary-General's 2016 annual report on children and armed conflict, covering January 1 to December 31, 2015, 13 verified cases of recruitment were attributed to the Afghan National Defence and Security Forces (ANDSF).⁶ In July, the United Nations reported that it continued to receive reports of recruitment and use of children by Anti-Government Elements and Afghan security forces, with the UN Country Task Force on Monitoring and Reporting (CTFMR) recording 15 incidents, involving 34 children, of recruitment and use by parties to the conflict during the first half of 2016.⁷

In February 2016, the UN reported that the CTFMR verified the recruitment and use of three boys by the Afghan National Army (ANA) between January 1 and November 30, 2015.⁸ In the Secretary-General's 2016 annual report

on children and armed conflict, three verified recruitment cases were attributed to the ANA.⁹

In 2015, the UN received reports of recruitment of children by the Afghan security forces and pro-Government militias. In September 2015, it reported two incidents of recruitment of children attributed to the Afghan security forces.¹⁰ The country task force recorded in 2014, five cases of recruitment by the ANDSF and two cases by a pro-Government militia in Kunduz province.¹¹ In February 2015, the UN reported that in 2014, recruitment and use of children both in support and combat roles was observed throughout the country, and that the CTFMR recorded forty-one cases of recruitment by Anti-Government Elements, five cases by ANDSF, and one case by a Pro-Government armed group.¹² In January 2015, the UN reported one verified incident of the recruitment of boys by a pro-Government militia in the northeast region.¹³ The US Department of State in its 2015 Afghanistan Human Rights report noted that there were reports the ANDSF and pro-Government militias both recruited and used children for military purposes in 2014.¹⁴

⁵ ANDSF includes Afghan National Army (ANA), Afghan National Police (ANP) and Afghan Local Police (ALP), as well as the Afghan National Directorate of Security (NDS).

⁶ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), April 20, 2016, http://www.un.org/ga/search/view_doc.asp?symbol=A/70/836&Lang=E&Area=UNDOC (accessed January 10, 2017), para. 22.

⁷ UN Assistance Mission in Afghanistan (UNAMA) and UN Office of the High Commissioner for Human Rights (OHCHR), "Afghanistan Midyear Report 2016, Protection of Civilians in Armed Conflict," July 2016, https://unama.unmissions.org/sites/default/files/protection_of_civilians_in_armed_conflict_midyear_report_2016_final_rev.1-9sept.pdf (accessed December 15, 2016), p. 20.

⁸ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights in 2015 (A/HRC/31/46), February 11, 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/023/79/PDF/G1602379.pdf?OpenElement> (accessed December 16, 2016), para. 39.

⁹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 22.

¹⁰ UN Security Council, Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (A/70/359-S/2015/684), September 1, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/684 (accessed December 15, 2016), para. 28.

¹¹ UN Security Council, Report of the Secretary-General on children and armed conflict in Afghanistan (S/2015/336), May 15, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/336 (accessed December 15, 2016), para. 19.

¹² UNAMA and OHCHR, "Afghanistan Annual Report 2014, Protection of Civilians in Armed Conflict," February 2015, <https://unama.unmissions.org/sites/default/files/2014-annual-report-on-protection-of-civilians-final.pdf> (accessed December 15, 2016), p. 18.

¹³ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights in 2014 (A/HRC/28/48), January 8, 2015, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Pages/ListReports.aspx> (accessed December 15, 2016), para. 23.

¹⁴ US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, Afghanistan," April 13, 2016, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dld=252957> (accessed December 16, 2016), p. 18.

Killing and Maiming

In his 2016 annual report on children and armed conflict, the Secretary-General attributed 177 killed and 471 injured children to the ANDSF and pro-Government militias, constituting 23 percent of all child casualties in the year 2015.¹⁵

In September 2016, the UN reported on 42 child casualties verified by the CTFMR between April 1 and June 30, which were attributed to the ANA in aerial attacks.¹⁶ The UN reported that the ANA fired mortars at a Taliban position in Ghormach district, Faryab province, on June 9, 2015, striking a civilian residence and killing three children.¹⁷

In July 2016, the UN reported on several specific attacks that resulted in the killing and maiming of children by Government security forces and pro-Government militias, including one occurring on June 13, 2016, in Bala Buluk district, Farah province, when two Afghan Air Force helicopters attacked a funeral ceremony for a Taliban member with rockets and machine gun fire, killing a woman and two boys and injuring four women, two girls, and six boys.¹⁸ It also reported that on April 22, 2016, members of a pro-Government armed group in Mardyan district, Jawzan province, beat six shepherds, including one boy, they accused of supporting Anti-Government Elements.¹⁹ Furthermore, the same report stated that on May 17, 2016, intense fighting erupted between commanders and supporters of two pro-Government armed groups aligned to two rival political parties in Almar district, using small arms and explosive weapons, which resulted in 15 civilian casualties (3 deaths and 12 injuries) of mostly women and children.²⁰ In an exchange

of fire on April 22, 2016, the UN reported that Khost Protection Forces, a paramilitary pro-Government group, killed a homeowner, one woman, and one boy, and injured one girl.²¹

In a report published in July 2016, the UN indicated that on May 28, 2016, artillery fired by the ANA during clashes with Anti-Government Elements in Sozma Qala district, Sari Pul province, impacted a civilian house in Chaharyak village, injuring fourteen civilians, including eight children and five women.²² The same report documented that on June 1, 2016, a mortar round fired by an ANA check-post impacted next to a civilian house in Dehrawud district, Uruzgan province, killing three boys and one girl while they played outside during a wedding party. Six others were injured, all between the ages of five and eight years; the ANA was targeting Anti-Government Elements in a neighboring village, according to the report.²³ The report further noted that on May 30, 2016, in Khogyani district, Ghazni province, the ANA fired a mortar targeting Taliban positions that impacted a civilian home, killing two women and injuring four others, including a woman and two children, all family members.²⁴ Finally, the report also described an incident occurring on April 12, 2016, when two ANA helicopters fired rockets at Taliban in Qushtepa village, Chahar Dara district, Kunduz province. The UN noted that the rockets hit a civilian residence, injuring fifteen civilians: seven women, five girls, and three boys. One of the rockets also hit a clinic but did not cause any casualties.²⁵

In February 2016, the UN reported that Afghan security forces caused 49 out of the 91 child casualties from aerial operations that occurred in 2015.²⁶ In 2014, 395 child

¹⁵ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 24.

¹⁶ UN Security Council, Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (A/71/616-S/2016/768), September 7, 2016, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/768 (accessed December 16, 2016), para. 31.

¹⁷ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights in 2015 (A/HRC/31/46), para. 28.

¹⁸ UNAMA and OHCHR, "Afghanistan Midyear Report 2016, Protection of Civilians in Armed Conflict," p. 75.

¹⁹ *Ibid.*, p. 86.

²⁰ *Ibid.*, p. 89.

²¹ *Ibid.*, p. 90.

²² UNAMA and OHCHR, "Afghanistan Midyear Report 2016, Protection of Civilians in Armed Conflict," p. 39.

²³ *Ibid.*

²⁴ *Ibid.*, p. 75.

²⁵ *Ibid.*, p. 79.

²⁶ UNAMA and OHCHR, "Afghanistan Annual Report 2015, Protection of Civilians in Armed Conflict," February 2016, https://unama.unmissions.org/sites/default/files/poc_annual_report_2015_final_14_feb_2016.pdf (accessed December 15, 2016), p. 18.

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casualties documented by the UN were attributed to the ANDSF and pro-Government forces.²⁷ The Secretary-General's 2015 annual report on children and armed conflict also states that in 2014, ANDSF were responsible for 396 child casualties, including 126 killed and 270 injured children.²⁸

In February 2016, the UN reported that on December 13, 2015, in Helmand province, Marjah district centre, the ANA fired a mortar at a group of Anti-Government Elements as they approached a civilian home, resulting in the injury of five women and six children and damage to the home.²⁹ The same report by the UN documented that on October 20, 2015, the ANA fired a mortar at Anti-Government Element positions in Nada Ali district, Helmand province, impacting a civilian home, killing four children and a woman.³⁰ The UN further reported that the ANA fired two (explosive) recoilless rifle rounds on December 4, 2015, that impacted a mosque in Sayedabad district, Wardak province, killing nine civilians including four boys, and injuring three others,³¹ and on August 2, 2015, an ANA helicopter opened fire on a group of Anti-Government Elements gathered in Shakh bazar, Qaysar district Faryab province, killing and injuring several fighters but also killing two boys and injuring six civilian men.³² Finally, in the same report, the UN noted that on November 3, during an offensive by Afghan security forces to re-take Dashte- Archi district centre, Kunduz province, from Taliban fighters, an ANA helicopter repeatedly fired upon a residential area, killing a civilian man and injuring four others, including two children and a woman.³³

In December 2015, the UN wrote that it received several reports of civilian casualties resulting from aerial attacks by the ANA. Namely that on September 30, 2015, in Zakhil area of Kunduz city, an ANA helicopter airstrike targeted a group of Taliban traveling in a vehicle and impacted a civilian house, killing a woman and a child and injuring four other civilians, including a woman and two children, and on October 7 an ANA helicopter airstrike in Qaraya-e-Yateem village, Chahar Darah district, impacted a civilian house, killing a girl and injuring another.³⁴

In January 2015, the UN reported that on August 18, 2014, four children were killed in an ANA operation in Kunduz City.³⁵ A more detailed UN report from February 2015 explained that on August 18, 2014, the ANA fired several mortar rounds targeting Anti-Government elements in Kunduz city, Kunduz province, and the mortars impacted in a civilian area causing 27 civilian casualties, killing four boys and three girls and injuring five girls and two boys.³⁶

Lastly in July 2014, the UN reported that on January 4, 2014, a woman and a girl were shot and killed by an ANA convoy passing in Nahriraj district, Helmand province, following an attack against a military convoy by Anti-Government Elements.³⁷

Rape and Other Forms of Sexual Violence

In his 2016 annual report on children and armed conflict, the Secretary-General expressed concerns regarding the cultural practice of *bacha-bazi* ("dancing boys") that involves the sexual exploitation of boys by men in power, including by the ANDSF commanders.³⁸ In his 2015 annual

²⁷ UN Security Council, Report of the Secretary-General on children and armed conflict in Afghanistan (S/2015/336), para. 28.

²⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), June 5, 2015, http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC (accessed January 10, 2017), para. 30.

²⁹ UNAMA and OHCHR, "Afghanistan Annual Report 2015, Protection of Civilians in Armed Conflict," p. 32.

³⁰ *Ibid.*, p. 58.

³¹ *Ibid.*, p. 29.

³² *Ibid.*, p. 62.

³³ *Ibid.*

³⁴ UNAMA and OHCHR, "Afghanistan Human Rights and Protection of Civilians in Armed Conflict, Special Report on Kunduz Province," December 2015, https://unama.unmissions.org/sites/default/files/special_report_on_kunduz_province_12_december_2015-english.pdf (accessed December 16, 2016), p. 7.

³⁵ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights in 2014 (A/HRC/28/48), para. 15.

³⁶ UNAMA and OHCHR, "Afghanistan Annual Report 2014 Protection of Civilians in Armed Conflict," p. 36.

³⁷ UNAMA and OHCHR, "Afghanistan Midyear Report 2014, Protection of Civilians in Armed Conflict," July 2014, <https://unama.unmissions.org/sites/default/files/english20edited20light.pdf> (accessed December 16, 2016), p. 45.

³⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 25.

report on children and armed conflict, the Secretary-General reported one verified incident of sexual violence against children by a pro-Government militia commander.³⁹ In June 2014, the UN reported two incidents of sexual abuse of children within the Afghan security forces.⁴⁰

In March 2016, Child Soldiers International stated that the sexual abuse of children by commanders of the ANDSF in the context of *bacha-bazi* continued to be reported, although it was not possible to document evidence of specific incidents.⁴¹ The US Department of State's 2016 Trafficking in Persons report noted that some Afghan families knowingly sell their children into sex trafficking, including for *bacha-bazi*, where men, including some government officials and security forces, use young boys for social and sexual entertainment.⁴² Also, the US State Department's 2015 Afghanistan Human Rights report noted there were some reports that security officials and persons connected to the Afghan National Police (ANP) raped children with impunity, and that non-governmental organizations reported incidents of sexual abuse and exploitation of children by the ANDSF; however, given cultural taboos against reporting such crimes, it was difficult to determine the extent of the problem.⁴³ The US Department of State report also stated that the UNAMA child protection unit verified two of five reported cases of sexual violence against children by the security forces during the first six months of the year, which included the rape of a seven-year-old girl in Maidan Wardak province by a member of the ANP in April 2014, and in May 2015, the sexual abuse of a 15-year-old boy in Kunduz province

by pro-Government militia members.

In February 2014, while acknowledging significant under-reporting, the UN disclosed that five incidents of conflict-related sexual violence against children had been verified, four perpetrated by the ANP members, and one by a member of a pro-Government armed group.⁴⁴

Attacks on Schools and Hospitals

In his 2016 annual report on children and armed conflict, the Secretary-General reported 23 verified cases of attacks on schools and protected personnel by the ANDSF and pro-Government militias.⁴⁵ The Secretary-General additionally reported 14 verified attacks on hospitals and health personnel by the ANDSF and pro-Government militias.⁴⁶ Four incidents of attacks on health care were attributed to the ANDSF in the Secretary-General's 2015 annual report on children and armed conflict.⁴⁷

In August 2016, Human Rights Watch (HRW) reported that in the early 2016, government forces attacked Taliban forces based at a Swedish government-financed school in Omarkhail opened in 2015 to 350 boys and girls, raking the building with gunfire and mortar rounds. The Taliban fled, but the school compound was left in ruins less than a year after it had opened.⁴⁸ On February 19, 2016, HRW called upon the Government to promptly and thoroughly investigate reports of the February 17, 2016, incident where Afghan Special Forces raided a medical clinic in Wardak province and executed two patients and an 11-year-old caregiver.⁴⁹

³⁹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 32.

⁴⁰ UN Security Council, Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (A/68/910-S/2014/420*), June 18, 2014, http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2014_420.pdf (accessed December 16, 2016), para. 33.

⁴¹ Child Soldiers International (CSI), "Ongoing Recruitment and Use of Children by Parties to the Armed Conflict in Afghanistan," March 2016, <https://www.child-soldiers.org/Shop/afghanistan-briefing-ongoing-recruitment-and-use-of-children-by-parties-to-the-armed-conflict-in-af> (accessed December 15, 2016), p. 2.

⁴² US Department of State, Office to Monitor and Combat Trafficking in Persons, "Trafficking in Persons Report June 2016," <https://www.state.gov/documents/organization/258876.pdf> (accessed December 15, 2016), p. 66.

⁴³ US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, Afghanistan," p. 5.

⁴⁴ UNAMA and OHCHR, "Afghanistan Annual Report 2014 Protection of Civilians in Armed Conflict," p. 4.

⁴⁵ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 26.

⁴⁶ *Ibid.*, para. 27.

⁴⁷ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 34.

⁴⁸ Human Rights Watch (HRW), "Education on the Front Lines; Military Use of Schools in Afghanistan's Baghlan Province," August 17, 2016, <https://www.hrw.org/report/2016/08/17/education-front-lines/military-use-schools-afghanistans-baghlan-province> (accessed December 16, 2015).

⁴⁹ HRW, "Afghanistan: Investigate Army Killings of Hospital Patients," February 19, 2016, <https://www.hrw.org/news/2016/02/19/afghanistan-investigate-army-killings-hospital-patients> (accessed December 15, 2016).

Afghanistan (cont'd)

In August 2015, the UN reported on one incident where on April 14, 2015, members of a pro-Government armed group entered a school in the Khanabad district, Kunduz province, dragged a teacher outside, and shot him dead in front of his students. Sources indicated that the men killed the teacher for failing to comply with instructions from the armed group's commander.⁵⁰

Abduction

In May 2015, the UN reported that the ANDSF and pro-Government armed groups were involved in seven verified incidents of abduction, including the involvement of the ANP in one and the ALP in four. In total, 13 boys and two girls were abducted in these incidents taking place in the central, northeastern, and western regions of the country. Following their abductions, at least six of the boys and one of the girls were executed following their abductions, and four were raped.⁵¹ The UN Secretary-General's 2015 annual report on children and armed conflict noted one case of abduction that resulted in the rape of a boy by a pro-Government militia.⁵² In January 2015, UN reported the abduction of one boy and one girl in 2014 that was attributed to pro-Government forces.⁵³

International forces

Recommendation to further investigate

Killing and Maiming

An international military air strike against the Taliban in the city of Kunduz on November 3, 2016, resulted in the death of 32 civilians and injury of 50, the majority of whom were women and children, noted a UN report from December 2016.⁵⁴ The UN documented and verified nine child casualties from aerial attacks that were attributed to international military forces between April 1 and June 30, 2016.⁵⁵ In a February 2016 report, the UN noted that air strikes by international forces killed and injured 60 children in 2015, compared with 51 in 2014.⁵⁶ In his 2016 annual report on children and armed conflict, the Secretary-General reported on 55 verified child casualties attributed to international forces, including 21 killed and 20 injured mostly from the air strikes.⁵⁷ In this report, the Secretary-General noted that the number of casualties relating to air strikes by Afghan and international forces almost doubled in 2015.⁵⁸

In May 2015, the UN reported there were 38 child casualties attributed to international military forces in 2014.⁵⁹ The Secretary-General's 2015 annual report on children and armed conflict also notes 38 child casualties attributed to international military forces, including 24 killed and 14 injured children.⁶⁰ This report notes in particular that the 38 child casualties by international military forces were a result of air strikes and drone strikes.⁶¹ In January 2015, the UN reported that air strikes by international forces, in the first 11 months of 2014, killed and injured 31 children.⁶²

⁵⁰ UNAMA and OHCHR, "Afghanistan Midyear Report 2015, Protection of Civilians in Armed Conflict," August 2015, https://unama.unmissions.org/sites/default/files/unama_protection_of_civilians_armed_conflict_midyear_report_2015_final_august.pdf (accessed December 15, 2016), p. 75.

⁵¹ UN Security Council, Report of the Secretary-General on children and armed conflict in Afghanistan (S/2015/336), para. 42.

⁵² UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 36.

⁵³ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights in 2014 (A/HRC/28/48), para. 24.

⁵⁴ UN Security Council, Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (A/71/682-S/2016/1049), December 13, 2016, http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/1049 (accessed December 16, 2016), para. 29.

⁵⁵ UN Security Council, The situation in Afghanistan and its implications for international peace and security (A/71/616-S/2016/768), para. 31.

⁵⁶ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights in 2015 (A/HRC/31/46), para. 35.

⁵⁷ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 24.

⁵⁸ Ibid.

⁵⁹ UN Security Council, Report of the Secretary-General on children and armed conflict in Afghanistan (S/2015/336), para. 28.

⁶⁰ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 30.

⁶¹ Ibid., para. 31.

⁶² UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights in 2014 (A/HRC/28/48), para. 21.

In February 2015, the UN reported that on August 6, 2014, the ANA and international military forces conducted a joint search operation in Jaji district, Paktya province, involving ground and air assets, which killed two boys, and injured one girl and two boys.⁶³ Further, it reported that on August 9, 2014, ANA troops and international military forces conducted a clearing operation in Baraki Barak district, Logar province, during which mortar rounds caused 17 civilian casualties. Four children -- a 9-month-old baby, one girl and two boys -- were killed, and eight children injured, including three boys and five girls.⁶⁴ The UN also reported that on September 18, 2014, the ANA conducted a night search operation in Nika district, Paktika province, supported with air assets by international military forces, which caused the death of two boys and two injured.⁶⁵ Lastly, the same UN report notes that on October 12, 2014, international military forces carried out an offensive air strike in a remote area of Gardez district, Paktya province, where two consecutive airstrikes resulted in the killing of five boys.⁶⁶ On September 9, 2014, an international military aircraft conducted two airstrikes in Narang district, Kunar Province, where that day, ALP, NDS, and international military forces had earlier come under attack by the Taliban. The first strike resulted in the killing of four civilians, including two girls. While villagers gathered to collect the bodies and transfer injured civilians, another airstrike targeted the area, further killing nine civilians, including five boys, and injuring thirteen civilians.⁶⁷

Attacks on Schools and Hospitals

The 2016 annual report on children and armed conflict by the Secretary-General reported one verified incident of an attack on hospitals and health personnel, specifying that 49 medical staff were killed or injured in an airstrike conducted by international forces on the Medecins Sans

Frontiers (MSF) hospital in Kunduz on October 3, 2015.⁶⁸ In another report from December 2015, the UN reported that on October 3, 2015, between approximately 2:00 and 3:00 am, international military forces conducted a series of air strikes on the MSF hospital compound located in Kunduz city.⁶⁹ One verified incident of attacks on schools was attributed to international forces in the Secretary-General's 2015 annual report on children and armed conflict.⁷⁰

Democratic Republic of the Congo (DRC)

Police nationale congolaise (PNC)

Recommendation to further investigate

Killing and Maiming

The Secretary-General's 2016 annual report on children and armed conflict reported nine incidents of killing and maiming by the Congolese National Police.⁷¹

Rape and Other Forms of Sexual Violence

The Secretary-General's 2016 annual report on children and armed conflict reported 19 cases of rape and other forms of sexual violence against children by the Congolese National Police.⁷² In 2015, a US Department of State Trafficking in Persons Report noted that the Congolese Government prosecuted a Congolese National Police (PNC) officer for abducting and subjecting a 13-year-old girl to sexual slavery.⁷³

⁶³ UNAMA and OHCHR, "Afghanistan Annual Report 2014 Protection of Civilians in Armed Conflict," p. 38.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ UNAMA and OHCHR, "Afghanistan Annual Report 2014 Protection of Civilians in Armed Conflict," pp. 93-94.

⁶⁷ UNAMA and OHCHR, "Afghanistan Annual Report 2014 Protection of Civilians in Armed Conflict," p. 94.

⁶⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 27.

⁶⁹ UNAMA and OHCHR, "Afghanistan Human Rights and Protection of Civilians in Armed Conflict, Special Report on Kunduz Province," p. 7.

⁷⁰ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 33.

⁷¹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 47.

⁷² UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 48.

⁷³ US Department of State, Office to Monitor and Combat Trafficking in Persons, "Trafficking in Persons Report July 2015," p. 128.

Iraq

Popular Mobilization Forces (PMF)

Recommendation to list

Recruitment and Use

In 2015, 12 verified cases of recruitment and use of children were attributed to the groups under the umbrella of the Popular Mobilization Forces (PMF) as reported in the UN Secretary-General's 2016 annual report on children and armed conflict.⁷⁴ In his 2015 annual report on children and armed conflict, the Secretary-General reported that the pro-Government PMF recruited an unknown number of children in all conflict areas, as well as in Basra and Baghdad, as children wearing military uniforms and carrying weapons were seen daily alongside these groups.⁷⁵ The UN particularly witnessed children in the Hurriya area of Baghdad patrolling with militia convoys in July 2014, as described in the report. Furthermore, the report notes that boys as young as 10 years old were recruited and used by self-defence groups supporting Iraqi security forces in Amerli, a Salah al-Din town.

In August 2016, HRW reported that the Iraqi government-backed militias recruited children from at least one displaced persons camp in the Kurdistan Region of Iraq to fight against Islamic State forces.⁷⁶ According to witnesses and relatives who spoke to HRW, two tribal militias (Hashad al-Asha'ri) recruited as fighters at least seven children from the Debaga camp on August 14, 2016, and drove them to a town closer to Mosul, where Iraqi Security Forces (ISF) were preparing for an offensive to drive the Islamic State, known as the Islamic State in Iraq and Levant (ISIL), from the city. HRW said ISIL attacks displaced many people who were in the camps from areas in Iraq's Makhmur district, which the group brutally ruled for 21 months since 2014, and the Iraqi forces retook the area in

March 2016, while some of those interviewed said they had witnessed militias recruiting children from the camps at other times recently.⁷⁷

In November 2015, the UN also noted that a number of reports from August 2014 indicated that boys as young as 10 had been recruited and used by self-defence groups reportedly associated with the PMF in Amerli, Salah al-Din.⁷⁸

In October 2015, HRW recorded testimony by an 11-year-old boy who returned to Baghdad on October 18, 2015, after fighting for several weeks alongside his father in the First Martyr/Free Iraqis' Movement, a then new militia under the PMF.⁷⁹ HRW additionally spoke with a boy who joined the PMF's Badr Brigades when he was under age 18 and fought on the front lines in 2014. The boy's father was the brigades' spokesman. HRW reported that it was told in July 2015 by a member of the group that the Ali Akbar brigades' Abbas Fighting Team unit provided military training to 15-18 year olds in Basra. HRW also noted that according to one of its trainers, the Peace Brigades, another militia group from Basra affiliated with the Sadrist Trend, trained 15 to 18 year olds but at that time had not "yet" sent them to the front line.⁸⁰ In another case reported to HRW by a relative, a 15-year-old boy from al-Nu'maniya, in Wasit governorate, 130 kilometers southeast of Baghdad, joined the League of the Righteous, a Shia militia that became part of the PMF, to fight against ISIL. Two weeks after joining, he was killed at the Beiji refinery, becoming the youngest known combatant casualty in Iraq's war against ISIL.

Killing and Maiming

In his 2016 annual report on children and armed conflict, the Secretary-General reported that 63 percent of all recorded incidents of killing and maiming, namely 268 incidents resulting in 809 child casualties, occurred during military operations and engagements involving Islamic

⁷⁴ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 59.

⁷⁵ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 72.

⁷⁶ HRW, "Iraq: Militias Recruiting Children," August 30, 2016, <https://www.hrw.org/news/2016/08/30/iraq-militias-recruiting-children> (accessed December 17, 2016).

⁷⁷ Ibid.

⁷⁸ UN Security Council, Report of the Secretary-General on children and armed conflict in Iraq (S/2015/852), November 9, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/852 (accessed December 17, 2016), para. 35.

⁷⁹ HRW, "No Child's Play: Kids Fighting One Another in Iraq Conflict," October 30, 2015, <https://www.hrw.org/news/2015/10/30/no-childs-play-kids-fighting-one-another-iraq-conflict> (accessed December 17, 2016).

⁸⁰ Ibid.

State in Iraq and Levant (ISIL) and the Iraqi Security Forces, including PMF.⁸¹ In October 2016, Amnesty International reported that the PMF militias extra-judicially executed at least 12 men and 4 boys from the Jumaila tribe on May 30, 2016.⁸²

In November 2015, the UN reported that shelling 3 children.⁸³ It further noted that in other incidents, elements of the PMF targeted civilians, including children, such as in the example of August 22, 2014, when 16 boys aged between 8 and 17 years were killed along with at least 50 other civilians when armed elements from the Zarkoush tribe opened fire at the Mus'ab bin Umayr Mosque during Friday prayers in Sa'diyah district (Diyala).⁸⁴

The UN reported that 14 bodies, including 3 children, were discovered in a small trench near Grathool area of Yathrib sub-district a few days after members of the PMF reportedly raided the area and allegedly abducted 94 males of the Grathool tribe, including minors, and burned homes. This attack reportedly took place over the course of a few days and began on November 11, 2014.⁸⁵

Abduction

The Secretary-General's 2016 annual report on children and armed conflict notes that 1,600 internally displaced persons from Anbar were stopped from crossing the Bzeibiz bridge between Anbar and Baghdad and some were abducted, reportedly by the PMF elements.⁸⁶

In October 2016, Amnesty International reported that PMF militias abducted, tortured, and killed men and boys from the Mehemda tribe from Saqlawiya, and that specifically on June 3, 2016, thousands of

internally displaced persons fleeing from Saqlawiya were intercepted by a large PMF force, identified based on emblems on their uniforms and colored flags, who took away around 1,300 men and older boys.⁸⁷

The UN reported the abduction of a boy and a young man, both members of the Sunni community in a village in Tuz district, Salah al-Din, by the People's Mobilisation Units occurring on September 25, 2014. Their whereabouts were unknown at the time of reporting (December 10, 2014).⁸⁸

Kurdistan Workers Party (PKK) and other Kurdish Groups

Recommendation to further investigate

Recruitment and Use

The Secretary-General's 2016 annual report on children and armed conflict reported six verified cases of recruitment and use of children by the Kurdish Workers Party, known by its initials as the PKK (Partiya Karkerên Kurdistanê), and other Kurdish armed groups.⁸⁹ The report further noted that three other incidents of child recruitment by the PKK were reported but could not be verified.

In December 2016, in northern Iraq, HRW reported 29 cases of recruitment of Kurdish and Yezidi children by two armed groups which took place between 2014 and 2016, the People's Defense Forces (Hêzên Parastina Gel, or HPG) – the armed wing of the PKK – and the Shingal Resistance Units (Yekîneyên Berxwedana Şingal, or YBŞ).⁹⁰ The YBŞ, a militia from the Yezidi religious community, is also affiliated with the PKK.

⁸¹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 61.

⁸² Amnesty International, "Iraq: 'Punished for Daesh's Crimes': Displaced Iraqis Abused by Militias and Government Forces," October 18, 2016, <https://www.amnesty.org/en/documents/mde14/4962/2016/en/> (accessed December 17, 2016), p. 7.

⁸³ UN Security Council, Report of the Secretary-General on children and armed conflict in Iraq (S/2015/852), para. 23.

⁸⁴ UN Security Council, Report of the Secretary-General on children and armed conflict in Iraq (S/2015/852), para. 24.

⁸⁵ OHCHR and the UN Assistance Mission for Iraq (UNAMI), "Report on the Protection of Civilians in the Armed Conflict in Iraq: 11 September - 10 December 2014," December 10, 2014, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_OHCHR_Sep_Dec_2014.pdf (accessed December 17, 2016), p. 20.

⁸⁶ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 66.

⁸⁷ Amnesty International, "Iraq: 'Punished for Daesh's Crimes': Displaced Iraqis Abused by Militias and Government Forces," p. 7.

⁸⁸ OHCHR and UNAMI, "Report on the Protection of Civilians in the Armed Conflict in Iraq: 11 September - 10 December 2014," p. 20.

⁸⁹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 59.

⁹⁰ HRW, "Iraq: Armed Groups Using Child Soldiers," December 22, 2016, <https://www.hrw.org/news/2016/12/22/iraq-armed-groups-using-child-soldiers-0> (accessed December 23, 2016).

Mali

Group d'autodéfense des Touaregs imghads et alliés (GATIA)

Recommendation to list

Recruitment and Use

Between March 28 and May 31, 2016, the UN recorded recruitment of 27 children, including 14 girls and 13 boys, by the Groupe d'autodéfense des Touaregs imghads et alliés (GATIA), part of the Platform coalition of armed groups.⁹¹ In his 2016 annual report on children and armed conflict, the Secretary-General reported 27 verified cases of the recruitment and use of children by GATIA in March 2016 in Ineggar, Gao region, in addition to 47 other alleged cases received.⁹² In September 2016, the UN reported it had verified at least nine cases of children associated with the Platform, which is part of GATIA, in the Kidal region.⁹³ In January 2016, the UN noted the problem of recruitment and use of children by armed groups, having received reports indicating the presence of children, some armed, at checkpoints.⁹⁴ In particular, the UN reported that on October 2, 2015, during a mission to Inbaram, about 8 km away from Ménaka in the Gao region, the Human Rights Division of MINUSMA noted the presence of at least five children, armed and wearing military fatigues, among GATIA elements. The Human Rights Division interviewed a 16-year-old boy detained by elements of CMA in the premises of the Comité de sécurité mixte de l'Azawad à Kidal (CSMAK) who said he had been recruited by GATIA and confirmed that he had

been detained in May in Tin Fadimata, in the region of Gao, while taking part in the hostilities.⁹⁵

In September 2015, the UN reported eight cases verified between June 12 and September 16, 2015, of recruitment of children by GATIA in Ménaka, adding that one unconfirmed minor was found among GATIA combatants in the custody of Coordination of Azawad Movement (CMA) in Kidal region.⁹⁶ In June 2015, the UN reported that GATIA was among parties responsible for the 16 new cases of child recruitment they received in the reporting period covering March 27 to June 11, 2015.⁹⁷ Also, in March 2015 the UN reported that children were sighted within the ranks of GATIA between December 17, 2014, and March 19, 2015.⁹⁸ The Secretary-General's 2015 annual report on children and armed conflict reported on 84 verified cases of recruitment and use of children, some of which were within the ranks of GATIA.⁹⁹

Coordination of Azawad Movement (CMA, CPA, MNLA, HCUA, MAA)

Recommendation to list

Recruitment and Use

In September 2016, the UN reported three cases of recruitment of children among the Coordination of Azawad Movement (CMA).¹⁰⁰

In April 2015, HRW reported that numerous traders, herders, businessmen, and residents of villages and towns under the armed groups' control in the north described the use of children, some of whom were as young as 12,

⁹¹ UN Security Council, Report of the Secretary-General on the situation in Mali (S/2016/498), May 31, 2016, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/498 (accessed December 18, 2016), para. 22.

⁹² UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 94.

⁹³ UN Security Council, Report of the Secretary-General on the situation in Mali (S/2016/819), September 29, 2016, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/819 (accessed December 18, 2016), para. 42.

⁹⁴ UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Mali (HRC/31/76), January 21, 2016, <http://www.ohchr.org/EN/Countries/AFRICARegion/Pages/MLIndex.aspx> (accessed December 18, 2016), para. 68.

⁹⁵ Ibid.

⁹⁶ UN Human Rights Council, Report of the Secretary-General on the situation in Mali (HRC/2015/732), September 22, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/732 (accessed December 18, 2016), para. 41.

⁹⁷ UN Security Council, Report of the Secretary-General on the situation in Mali (S/2015/426*), June 11, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/426 (accessed December 18, 2016), para. 32.

⁹⁸ UN Security Council, Report of the Secretary-General on the situation in Mali (S/2015/219), March 27, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/219 (accessed December 18, 2016), para. 39.

⁹⁹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 124.

¹⁰⁰ UN Security Council, Report of the Secretary-General on the situation in Mali (S/2016/819), September 29, 2016, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/819 (accessed December 18, 2016), para. 42.

by the National Movement for the Liberation of Azawad (MNLA), the High Council for the Unity of Azawad (HCUA), and factions of the Arab Movement of Azawad (MAA).¹⁰¹ In March 2015, the UN reported that children were sighted in the ranks of MNLA, HCUA, and GATIA between December 2014 and March 2015.¹⁰² In the regions of Kidal, Timbuktu, Gao, and Mopti, the Secretary-General's 2015 annual report on children and armed conflict reported 84 verified cases of recruitment and use of children by MNLA, HCUA, MAA-Sidati, MAA-Ould Sidi Mohamed, and GATIA.¹⁰³

In December 2014, the UN reported that on September 16, 2014, MINUSMA and UNICEF screened armed elements of MAA (Coordination) and MNLA stationed in Ber (Timbuktu region), identifying five children ages 15 to 17, and two young adults who were likely recruited while they were still minors.¹⁰⁴ In September 2014, the UN reported confirmed accounts of the presence of children in the ranks of MNLA, HCUA, and MAA (both Coordination and Platform) in Timbuktu, Mopti, Gao, and Kidal regions.¹⁰⁵

Somalia

African Union Mission to Somalia

Recommendation to further investigate

Rape and Other Forms of Sexual Violence

In his 2016 annual report on children and armed conflict, the Secretary-General referred to two documented incidents of sexual violence against children committed by personnel from the African Union Mission to Somalia (AMISOM).¹⁰⁶

The US Department of State's 2016 Trafficking in Persons report cited a 2014 report by a credible international NGO that documented cases of sexual abuse and exploitation of Somali women and girls, including trafficking, by Ugandan and Burundian AMISOM personnel, stating that the African Union investigation into the allegations included in the report, concluded there was indeed evidence of sexual exploitation and abuse by AMISOM personnel.¹⁰⁷

Galmudug forces

Recommendation to further investigate

Recruitment and Use

The Secretary-General recorded in his 2016 annual report on children and armed conflict 17 cases of recruitment attributed to Galmudug forces.¹⁰⁸ In its 2016 Trafficking in Persons report, the US Department of State noted continued reports of the use of children by pro-Galmudug militia.¹⁰⁹

South Sudan

Johnson Olony's armed group

Recommendation to list

Recruitment and Use

In his 2016 annual report on children and armed conflict, the Secretary-General reported 11 verified cases of recruitment and use of children by Johnson Olony's armed group.¹¹⁰ As recorded in its January 2016 report to the Sanctions Committee, the UN Panel of Experts

¹⁰¹ HRW, "Mali: Lawlessness, Abuses Imperil Population," April 14, 2015, <https://www.hrw.org/news/2015/04/14/mali-lawlessness-abuses-imperil-population> (accessed December 18, 2016).

¹⁰² UN Security Council, Report of the Secretary-General on the situation in Mali (S/2015/219), para. 39.

¹⁰³ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 124.

¹⁰⁴ UN Security Council, Report of the Secretary-General on the situation in Mali (HRC /2014/943), December 23, 2014, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/943 (accessed December 18, 2016), para. 33.

¹⁰⁵ UN Security Council, Report of the Secretary-General on the situation in Mali (S/2014/692), September 22, 2014, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/692 (accessed December 18, 2016), para. 20.

¹⁰⁶ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 116.

¹⁰⁷ US Department of State, Office to Monitor and Combat Trafficking in Persons, "Trafficking in Persons Report June 2016," p. 406.

¹⁰⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 113.

¹⁰⁹ US Department of State, Office to Monitor and Combat Trafficking in Persons, "Trafficking in Persons Report June 2016," p. 406.

¹¹⁰ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 123.

South Sudan (cont'd)

on South Sudan stated it received a particularly high number of reports of Maj. Gen. Olony's recruitment and use of children, both during his time allied to the Sudan People's Liberation Army (SPLA) and after defection to the Sudan People's Liberation Movement/Army in Opposition (SPLM/A in Opposition) in May 2015.¹¹¹ The Panel stated that in February 2015, the Intergovernmental Authority on Development's (IGAD) Monitoring & Verification Mechanism (MVM) reported Olony and his Shilluk militia were responsible for the recruitment of a number of children in Wau Shilluk, Upper Nile State. After switching his allegiance to SPLM/A in Opposition, the MVM again reported Olony's forces forcibly recruited an estimated 500-1,000 youth, many of them children aged 13 to 17 years. This recruitment, the report states, took place during June 7 to 9, 2015, during house-to-house searches in Kodok and Wau Shilluk villages. The Panel reported one incident in which three children ages 10, 14, and 15, allegedly escaped Olony's forces. The children were a part of a group of 900 forcibly recruited individuals from Malakal town on a single day in November 2014 by Olony's Agwelek militia. These children witnessed new forced recruits arriving daily, including many children between November 2014 and late April 2015, according to the Panel.

In December 2015, HRW stated that forces under Johnson Olony's control recruited hundreds of child soldiers from the town of Malakal and surrounding areas during the current conflict.¹¹² In late January 2015, on a research trip to Malakal, HRW collected 25 accounts of child recruitment by Olony's forces in late 2014 and January 2015. In addition to the cases documented, HRW noted further reports that Olony's forces continued to recruit child soldiers in early

2015.¹¹³

In December 2015, the UN issued a report noting that during the week of February 15, 2015, Shilluk militia members under General Olony's control reportedly forcibly recruited men and boys in Wau Shilluk, a settlement on the west bank of the River Nile. Victims included at least 36 students, most of whom were under age 18, who were taken from classrooms where they were studying for secondary school examinations.¹¹⁴ This incident was additionally recorded in a UN report from April 2015,¹¹⁵ as well as in the US Department of State's South Sudan 2015 Human Rights Report.¹¹⁶

Syria

International Coalition against ISIL

Recommendation to further investigate

Killing and Maiming

The Secretary-General reported seven verified cases of killing and maiming of children by the international coalition against ISIL in his 2016 annual report on children and armed conflict.¹¹⁷ In August 2016, the UN reported that on July 19, at least 73 civilians, many of them children, were reportedly killed near Minbij, Aleppo, during international coalition air strikes against ISIL, while noting that the US opened a formal investigation into the killing of civilians on this day, the same day it carried out airstrikes against ISIL positions.¹¹⁸

¹¹¹ UN Security Council, Final report of the Panel of Experts on South Sudan established pursuant to Security Council resolution 2206 (2015) (S/2016/70), January 22, 2016, http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/70 (accessed December 20, 2016), Annex VI, p. 66.

¹¹² HRW, "We Can Die Too": Recruitment and Use of Child Soldiers in South Sudan, December 2015, https://www.hrw.org/sites/default/files/report_pdf/southsudan1215_4.pdf (accessed December 20, 2016), p. 36.

¹¹³ *Ibid.*, pp. 37-39.

¹¹⁴ United Nations Mission in South Sudan (UNMISS) and OHCHR, "The State of Human Rights in the Protracted Conflict in South Sudan," December 4, 2015, http://www.ohchr.org/Documents/Countries/SS/UNMISS_HRD4December2015.pdf (accessed December 10, 2016), para. 66.

¹¹⁵ UN Security Council, Report of the Secretary-General on South Sudan (S/2015/296), April 29, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/296 (accessed December 20, 2016), para. 43.

¹¹⁶ US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, South Sudan," April 13, 2016, <https://www.state.gov/documents/organization/252943.pdf> (accessed December 20, 2016), p. 14.

¹¹⁷ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 154.

¹¹⁸ UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/33/35), August 11, 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/178/60/PDF/G1617860.pdf?OpenElement> (accessed December 21, 2016), para. 31.

Amnesty International stated in October 2016, that the attack on al-Tukhar on July 19, 2016, is believed to have caused the greatest loss of civilian life of any single US-led coalition attack, noting that at least 73 civilians were killed, including 27 children.¹¹⁹ Furthermore, it stated that on July 28, 2016, just one week later, airstrikes killed at least 28 civilians, including 7 children, in al-Ghandoura village, 25 km northwest of Manbij. Amnesty International added that according to credible local human rights organizations, a US-led coalition attack in the early hours of December 7, 2015, which struck two houses where civilians were sheltering in the village of Ayn al-Khan, near al-Hawl in al-Hasakah governorate in northern Syria, killed 40 civilians, including 19 children, and injured at least 30 others.

In August 2015, the UN reported that a family was killed, including five children, during a June coalition airstrike on Dali Hasan, Aleppo; no clear military objective was known to the UN at the time.¹²⁰ The Secretary-General's 2015 annual report on children and armed conflict recorded four verified cases of killing of children by the international coalition airstrikes.¹²¹

Al-Tawhid Brigade/Liwa' al-Tawhid

Recommendation to further investigate

Recruitment and Use

In his 2016 annual report on children and armed conflict, the Secretary-General reported 11 verified cases of recruitment of Syrian refugee children from neighboring countries by Liwa' al-Tawhid.¹²²

In June 2014, HRW released a report documenting cases of recruitment by Tawhid Brigade, namely through its

interview with a psychological counselor who counseled three children, aged 13 to 15 after they fled to Turkey, all of whom fought with the Tawhid Brigade in Aleppo. HRW also interviewed two boys who fought with the Tawhid Brigade. One boy joined in Idlib at the age of 17, and the other in Aleppo, also at age of 17.¹²³

Killing and Maiming

In August 2016, the UN reported that on May 12, 2016, four girls and one 13-year-old boy were killed when Jabhat al-Nusra, Al-Tawhid Brigade, and Ahrar al-Sham took over Zara village in Hama, stating further that of the 17 persons missing after the attack, 8 were children, while many other children were injured, including a 4-year-old girl and a 16-year-old boy with Down syndrome. The report notes how a 15-year-old girl described how she was shot in the arm while attempting to flee the village with her 6-year-old sister.¹²⁴

Popular Committees

Recommendation to further investigate

Recruitment and Use

The Secretary-General's 2016 annual report on children and armed conflict reports five verified cases of recruitment and use by the pro-Government Popular Committee of Tallakalakh (Homs) to work as guards and conduct patrols, and notes three other allegations of the use of children by Government forces to man checkpoints.¹²⁵

In his 2015 annual report on children and armed conflict, the Secretary-General noted that five boys joined the Popular Committee to support the Syrian Government

¹¹⁹ Amnesty International, "USA Must Come Clean about Civilian Deaths Caused by Coalition Air Strikes in Syria," October 26, 2016, <https://www.amnesty.org/en/latest/news/2016/10/usa-must-come-clean-about-civilian-deaths-caused-by-coalition-air-strikes-in-syria/> (accessed December 22, 2016).

¹²⁰ UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/30/48), August 13, 2015, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A.HRC.30.48_AEV.pdf (accessed December 21, 2016), para. 38.

¹²¹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 197.

¹²² UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 151. (CSI)ty (A/71/616-S/2016/768), cretary-General on tfghanistan, ALP).the UN Scurity d Reporting Mechanism which collects and v

¹²³ HRW, "Maybe We Live and Maybe We Die: Recruitment and Use of Children by Armed Groups in Syria," June 22, 2014, <https://www.hrw.org/report/2014/06/22/maybe-we-live-and-maybe-we-die/recruitment-and-use-children-armed-groups-syria> (accessed December 21, 2016), p. 16.

¹²⁴ UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/33/35), August 11, 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/178/60/PDF/G1617860.pdf?OpenElement> (accessed December 21, 2016), para. 115.

¹²⁵ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 152.

Syria (cont'd)

forces in al-Midan, Damascus.¹²⁶ This report also notes the killing of three children ages 10 to 14 in July 2014 by the Popular Committees while fleeing Suweida.¹²⁷ Lastly, the report states that the UN received two reports of sexual violence against children by the Popular Committees.¹²⁸

In June 2014, UN reported that Popular Committees operating in Aleppo city have recruited and used children as messengers, spies, and guards.¹²⁹

Yemen

Saudi Arabia-led Coalition forces

Recommendation to list

In 2015, the Saudi Arabia-led Coalition forces carried out numerous incidents of killing and maiming of children and attacks against schools and hospitals that were documented in the Secretary-General's 2016 annual report on children and armed conflict. Following the delisting of the Saudi Arabia-led Coalition from the 2016 report, it was determined that in order to prevent listing in the Secretary-General's 2017 annual report on children and armed conflict, the Saudi Arabia-led Coalition needed to demonstrate a sustained commitment to refraining from committing grave violations against children. As evidenced by documentation in UN and civil society reports of numerous incidents of killing and maiming of children and attacks against schools and hospitals perpetrated by the Saudi Arabia-led Coalition in 2016, it is clear the Saudi Arabia-led Coalition has failed to do so. In this section, incidents that are listed demonstrate the continued pattern of attacks carried out by the Saudi Arabia-led Coalition in 2016.

Killing and Maiming

In August 2016, the UN presented a report documenting multiple cases of attacks by the Saudi Arabia-led coalition forces that resulted in the killing and maiming of children, including one on March 15, 2016, during which Coalition forces launched two airstrikes on Khamees market in Mastaba District, Hajjah. The strikes occurred during peak hours and killed 25 children, and injured 4 others.¹³⁰ The report further noted that on February 27, 2016, an airstrike by the Saudi Arabia-led coalition forces hit the Khaleq market in Nahm District, Sana'a Governorate, killing 41 civilians, including 9 children, and injuring 33 others, including 6 children.¹³¹

In his 2016 annual report on children and armed conflict, the Secretary-General attributed 60 percent, or 510 deaths and 667 injuries, of the total verified child casualties in 2015 to the Saudi Arabia-led Coalition.¹³² According to numerous witnesses interviewed and information gathered by the UN, as stated in the August 2016 report, 38 children were killed as a result of airstrikes that hit a wedding ceremony in Al-Mokha District, Taizz Governorate, on September 24, 2015.¹³³ The UN also reported that on August 20, 2015, airstrikes by Coalition forces hit homes located 5 to 120 meters from former President Saleh's palace in Taizz, resulting in the killing of 28 children.¹³⁴ The UN also reported that on January 24, 2016, a judge and seven members of his family, including three women and three children, were killed and five others injured when a coalition forces airstrike hit their three-story home in Nahdah neighbourhood, on the outskirts of Sana'a city, while also destroying eight neighboring houses.¹³⁵ Furthermore, the UN reported that on July 24, 2015, a Coalition airstrike hit the residential

¹²⁶ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 195.

¹²⁷ Ibid., para. 200.

¹²⁸ Ibid., para. 201.

¹²⁹ UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic* (A/HRC/27/60), August 13, 2014, http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A.HRC.27.60_Eng.pdf (accessed December 21, 2016), para. 85.

¹³⁰ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights, Situation of human rights in Yemen (A/HRC/33/38*), August 4, 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/172/38/PDF/G1617238.pdf?OpenElement> (accessed December 22, 2016), para. 25.

¹³¹ Ibid., para. 26.

¹³² UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 167.

¹³³ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights, Situation of human rights in Yemen (A/HRC/33/38*), para. 27.

¹³⁴ Ibid., para. 29.

¹³⁵ Ibid., para. 30.

compounds of the Mokha Steam Power Plant in Mokha District, Taizz; of the 73 civilians killed, 11 were children.¹³⁶ Finally, the August 2016 report notes that on July 9, 2015, ten civilians were killed, including two children, during a coalition airstrike that hit the Mus'ad Bin Omair School in Tuban District, Lahj, where internally displaced persons were seeking shelter; and one child was killed on July 16, 2015, when Coalition forces' airstrike hit Al-Zahra'a University in Sana'a city.¹³⁷

On September 27, 2016, Medicines Sans Frontiers (MSF) in its summary findings of the investigation of the August 15, 2016, attack on the Abs Hospital reported that as a result, five children died and four were injured.¹³⁸ This and the attack on the MSF mother and child clinic in Taiz city on December 2, 2015, were both acknowledged by the Saudi Arabia-led Coalition, whose military leadership the MSF has engaged raising serious concerns about the attacks.¹³⁹

On August 14, 2016, the Secretary-General condemned the attack, reported to have been an airstrike, on a school in the Sa'da governorate of northern Yemen on August 13, 2016, which killed at least 10 children and injured many more.¹⁴⁰ On August 9, 2016, the UN children's agency reported that four children were killed and three more injured on August 7, 2016, in the Nihm District, east of the Yemeni Capital, Sana'a, stating that children were paying the heaviest price of the conflict in Yemen.¹⁴¹ It further noted that since the conflict escalated in March 2015, it was able to verify that 1,121 children were killed and

another 1,650 injured, with actual numbers likely being much higher.

In May 2016, Amnesty International reported 16 civilian casualties, including nine children, across 10 cases it documented in the aftermath of the Saudi Arabia-led coalition forces' cluster bomb use.¹⁴² In particular, Amnesty International noted that these 16 civilians were injured or killed by cluster munitions between July 2015 and April 2016, and that these casualties took place days, weeks, and sometimes months after the bombs were dropped by coalition forces in Yemen. In their response to the Saudi Arabia-led Coalition's investigations, Amnesty International said that since March 25, 2015, it has documented at least 34 coalition air strikes across six different governorates in Yemen, including Sana'a, Sa'da, Hajjah, Hodeidah, Ta'iz and Lahj that have resulted in 494 civilian deaths including at least 148 children, and 359 civilian injuries.¹⁴³ They have included indiscriminate attacks leading to civilian deaths and injuries, and attacks that appear to have deliberately targeted civilians and civilian objects such as hospitals, schools, markets and mosques, and caused damage to civilian property, which would amount to war crimes.

According to HRW, Saudi Arabia-led Coalition airstrikes have unlawfully hit numerous factories, warehouses, and other civilian economic structures in Yemen killing and injuring civilians in the process. HRW reported that on October 8, 2016, a Saudi Arabia-led Coalition airstrike on a crowded funeral ceremony in Sana'a killed at least

¹³⁶ *Ibid.*, para. 32.

¹³⁷ *Ibid.*, paras. 49-50.

¹³⁸ Medicines Sans Frontiers (MSF), "MSF Internal Investigation of the 15 August Attack on the Abs Hospital Yemen, Summary of Findings," September 27, 2016, http://reliefweb.int/sites/reliefweb.int/files/resources/Yemen_Abs_investigation_summary_final.pdf (accessed December 22, 2016), p. 8.

¹³⁹ MSF, "Taiz Incident Report: Airstrike on Taiz Health Clinic, Houban District, Taiz City, Yemen," December 2, 2015, http://www.msf.org/sites/msf.org/files/taiz_airstrike_clinic.pdf (accessed December 22, 2016).

¹⁴⁰ "Statement Attributable to the Spokesperson for the Secretary-General on Yemen," UN Secretary-General statement, August 14, 2016, <https://www.un.org/sg/en/content/sg/statement/2016-08-14/statement-attributable-spokesperson-secretary-general-yemen> (accessed December 22, 2016).

¹⁴¹ "Statement Attributable to Julien Harneis, UNICEF Representative in Yemen on the Killings of Children in Recent Escalation of Violence," UNICEF statement, August 9, 2016, <http://reliefweb.int/report/yemen/statement-attributable-julien-harneis-unicef-representative-yemen-killings-children> (accessed December 22, 2016).

¹⁴² Amnesty International, "Yemen: Children among Civilians Killed and Maimed in Cluster Bomb 'Minefields,'" May 23, 2016, <https://www.amnesty.org/en/latest/news/2016/05/yemen-children-among-civilians-killed-and-maimed-in-cluster-bomb-minefields/> (accessed December 22, 2016).

¹⁴³ Amnesty International, "Amnesty International Response to the Saudi Arabia-led Coalition's Investigations," January 16, 2017, <https://www.amnesty.org/en/documents/mde31/5494/2017/en/> (accessed January 20, 2017), p. 2.

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100 people and wounded more than 500, including children.¹⁴⁴ Also between 8 and 9 pm on October 29, 2016, three airstrikes hit the al-Zaydiya security administration, 60 kilometers north of the city of Hodaida, in the Hodaida governorate, killing at least 63 people and injuring 67, according to the UN quoted HRW, where many of the casualties were alleged criminal and security detainees held at the facility without charge, including at least two children.¹⁴⁵

HRW reported that the September 10, 2016, an attack on a drilling site for water in Arhab killed at least 31 civilians, including three children, where before dawn, Coalition aircraft struck the site of a water drilling rig near Beit Saadan village in the Arhab district, 30 kilometers north of Sana'a.¹⁴⁶ HRW was able to independently confirm the names and ages of 21 people who died in the attack, including three boys ages 12, 14, and 15. HRW said several witnesses told them that three coalition planes circled overhead, striking the area in widening circles as those gathered attempted to escape. HRW visited the site on November 10, 2016, examined the rubble of the workers' shelter and the burned wreckage of a fuel tanker truck, and saw that there were at least 11 bomb craters or impact sites in the immediate area, while several witnesses said that no Houthi fighters or military equipment were stationed in the area before the strikes.¹⁴⁷ HRW found that the Coalition airstrike on Souq al-Hinood, a densely-populated neighborhood in Hodeida, on September 21, 2016, killed at least 28 civilians, including eight children, and wounded 32 others. HRW said that the only known military target in the vicinity as the city's Presidential Palace, about 450 to 500 meters away, which was bombed at about 7:15 pm that day. From an airstrike that hit a home in the densely populated residential neighborhood of Souq al-Hinood one hour later, HRW confirmed the names and ages of 24 of those who were killed, including six children.¹⁴⁸

According to HRW's investigations, the Saudi Arabia-led Coalition airstrikes using United States-supplied bombs killed at least 97 civilians, including 25 children, in northwestern Yemen on March 15, 2016. At about noon, HRW said that two aerial bombs hit the market in Mastaba, in the northern Hajja governorate, approximately 45 kilometers from the Saudi border, where the first bomb landed directly in front of a complex of shops and a restaurant, and the second struck beside a covered area near the entrance to the market, killing and wounding people escaping, as well as others trying to help the wounded. In its on-site investigations on March 28, 2016, HRW found remnants at the market of a GBU-31 satellite-guided bomb, which consists of a US-supplied MK-84 2,000-pound bomb mated with a JDAM satellite guidance kit, also US-supplied. HRW said there were 10 Houthi rebel fighters among the dead, and interviewed 23 witnesses to the airstrikes, as well as medical workers at two area hospitals that received the wounded. HRW said that a Health Ministry official at the MSF-supported clinic in Abs, said that the clinic's staff received 45 wounded from the Mastaba attack, about a quarter of whom were estimated to be children.¹⁴⁹ This attack was also reported on in the above report by the UN from August 2016.

In January and February of 2016, HRW documented six attacks by the Saudi Arabia-led Coalition forces in and around the capital, Sana'a, which killed 28 civilians, including 12 children, and wounded at least 13 others.¹⁵⁰ In particular, on January 22, between 11 pm and midnight, HRW reported an airstrike that hit the intersection of 24th and 30th Streets, in Bait Baws, a southern neighbourhood of Sana'a, damaging a single-story home where a 40-year old man retrieved the body of his 9-year-old daughter from the rubble, while his 11-year-old son died and his wife and three other children were wounded.¹⁵¹ Also, on January 28, at about 10:30 pm, HRW reported an airstrike hit a family home in a

¹⁴⁴ HRW, "Yemen: US-Made Bombs Used in Unlawful Airstrikes," December 8, 2016, <https://www.hrw.org/news/2016/12/08/yemen-us-made-bombs-used-unlawful-airstrikes> (accessed December 22, 2016).

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ HRW, "Bombing Businesses, Saudi Coalition Airstrikes on Yemen's Civilian Economic Structures," July 10, 2016, https://www.hrw.org/report/2016/07/10/bombing-businesses/saudi-coalition-airstrikes-yemens-civilian-economic-structures#_ftn88 (accessed December 22, 2016).

¹⁵⁰ HRW, "Yemen: War Crimes Not Addressed," May 4, 2016, <https://www.hrw.org/news/2016/05/04/yemen-war-crimes-not-addressed> (accessed December 22, 2016).

¹⁵¹ Ibid.

residential neighborhood in southwest Sana'a, 500 meters from the base of the Faj Attan mountains, killing six civilians, including four women and a fourteen-year-old boy. HRW said that since the beginning of the conflict, the Coalition had repeatedly bombed the mountains, where there are caches of Yemeni army weapons under the control of former President Saleh and the Houthis, a site it visited on March 23, 2016.¹⁵² HRW further reported that on February 9, at about 9 pm, an airstrike hit a home at 60 Meter Street in the Bait Maiyad neighborhood of southern Sana'a, killing a family of five, including one woman and three children.

HRW interviewed victims and witnesses at the sites in the Sana'a and Hodaida governorates in March 2016, in order to search for possible military targets in the vicinity, and examined remnants of munitions found. On February 3, at about 5 pm, an airstrike hit the main entrance of Amran Cement Factory killing 15 civilians, including seven workers and two children, and wounding 49.¹⁵³ On February 14, 2016, HRW said that a Coalition aircraft dropped a bomb on the Middle East Workshop for Sewing and Embroidery, a small factory located in northeast Sana'a that produced and embroidered dresses, and a 16-year-old boy who worked embroidering garments at the factory died from his injuries and three others were wounded.¹⁵⁴

Furthermore, HRW's investigations showed that on February 25, 2016, at about 12:30 am, an airstrike hit a road 450 meters north of the presidential palace in Sana'a, in the neighborhood of al-Lail, damaging two houses about five meters away, killing one civilian and wounding four, including two children.¹⁵⁵ Also on February 27, 2016, between noon and 12:30 pm, two airstrikes hit the village of Khulqa in the Nihm district, about 40 kilometers northeast of Sanaa, where the first strike hit the middle of

a small, crowded local market, killing at least 10 civilians, including 1 woman and 4 children, and wounding at least 4 more, and the second strike landed 150 meters away in a graveyard between 5 and 10 minutes later, causing no injuries.¹⁵⁶ This incident was also reported on by the UN in August 2016 as mentioned above.

In September 2015, the UN further recorded a number of incidents of killing and maiming of children by coalition airstrikes occurring during the course of 2015. Information gathered indicated that on March 30, 2015, coalition forces launched a number of airstrikes that hit the al-Mazraq camp for internally displaced persons in Harad, where at least 19 civilians were reportedly killed and 35 others injured, including 11 children.¹⁵⁷ The UN further reported that on May 12, 2015, at least 43 civilians, including 8 women and 12 children, were killed, and an additional 135 injured, as a result of 4 airstrikes that directly hit the Al-Wajeih building located in a busy commercial hub in Zabeed, Al-Hudaydah Governorate.¹⁵⁸ It reported that on April 20, 2015, at least 87 civilians were killed, including 6 children and 2 women, and at least 647 injured as a result of airstrikes that appeared to be directed at the Faj Attan military base in Sana'a.¹⁵⁹ The UN reported that on April 21, 2015, 40 civilians were killed, including 7 children, and 70 civilians injured as a result of airstrikes that hit the Al-Dhaleel bridge in Ibb Governorate.¹⁶⁰ The UN reported further that on May 6, 2015, fifteen civilians were killed, including four children and three women from the same family, when two homes collapsed with families inside as they were hit by two airstrikes in Al-Dhaid, Sa'ada.¹⁶¹

The UN gathered information indicating that on June 7, 2015, coalition forces conducted airstrikes in an area that hosted a high concentration of internally displaced persons in Duaij village, Hajjah Governorate, allegedly

¹⁵² Ibid.

¹⁵³ HRW, "Bombing Businesses, Saudi Coalition Airstrikes on Yemen's Civilian Economic Structures."

¹⁵⁴ Ibid.

¹⁵⁵ HRW, "Yemen: War Crimes Not Addressed."

¹⁵⁶ Ibid.

¹⁵⁷ UN Human Right Council, Report of the United Nations High Commissioner for Human Rights, Situation of human rights in Yemen (A/HRC/30/31), September 7, 2015, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Pages/ListReports.aspx> (accessed December 22, 2015), para. 44.

¹⁵⁸ Ibid., para. 45.

¹⁵⁹ Ibid., para. 46.

¹⁶⁰ Ibid., para. 47.

¹⁶¹ Ibid., para. 51.

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killing 4 civilians, including 3 women, and injuring 41 civilians, including 12 women and 16 children.¹⁶² It additionally noted that four makeshift homes for displaced persons were allegedly destroyed in that incident. The UN further reported that on June 14, 2015, a family of ten, including four women and two children, were allegedly killed in Al-Hamza as a result of an airstrike by coalition forces that struck their vehicle while travelling from Al-Jawf to Sana'a.¹⁶³

The UN further documented allegations that airstrikes conducted by coalition forces in Al-Alam, Abyan Governorate, on June 17, 2015, hit two buses transporting displaced families who were reportedly fleeing violence in Al-Mansoura district in Aden Governorate. The UN found that seventeen civilians had been killed in the incident, including five women and five children, and ten others, including two women and three children, had been injured.¹⁶⁴

A written statement submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status to the UN Human Rights Council, stated that on January 6, 2016, the Saudi-led coalition air-dropped cluster bombs in densely populated residential neighborhoods of Sana'a, Yemen's capital, during which one child was killed and ten civilians injured.¹⁶⁵

In November 2015, HRW issued a report documenting numerous incidents of killing of children as a result of coalition-led airstrikes. It documented that on April 11, 2015, at about 11:45 am, a coalition aircraft dropped two bombs near the office of the Ministry of Education in Amran, a Houthi-controlled town 40 km northwest

of Sana'a.¹⁶⁶ It noted that one of the bombs hit a single-story building housing three families located about 20 meters from the education ministry compound, killing four members of one family, including two women and one girl, while wounding one more. Furthermore, HRW reported that at approximately 3:15 pm on May 12, 2015, just before the afternoon prayer time, two bombs hit the Abs/Kholan Prison and other buildings in Abs, a town 150 km north of Hodaida, killing at least 25 civilians, including 1 woman and 3 children, and wounding at least 18 others.¹⁶⁷ That same day, at around 4:15 pm, an aircraft dropped at least 5 bombs on the Houthi-controlled town of Zabid, 96 km south of Hodaida, killing at least 60 civilians, including 13 women and 8 children, and wounding at least 155 others.¹⁶⁸ HRW also reported that at about 10:00 pm on July 4, 2015, coalition aircraft bombed the marketplace in the middle of the village of Muthalith Ahim, killing at least 65 people, including three children, and wounding at least 105 others.¹⁶⁹ In a bombing that began around 4:30 pm on July 6, 2015, two locations were hit in the governorate of Amran, north of Sana'a, killing at least 29 civilians, including a woman and 15 children, and wounding at least 20 civilians.¹⁷⁰ Furthermore, on August 8, 2015, starting at 8:30 pm, coalition aircraft dropped five bombs in the span of several minutes, killing eight civilians, including three women and three children, and wounding at least two in the village of Shara'a, southern Ibb Governante.¹⁷¹

The November 2015 HRW report further documented an airstrike in the residential neighborhood of Sawan, Sana'a on July 12, 2015, at about 12:30 am that killed 23 people from the same family, including 7 women and 14 children between the ages of 2 months to 16 years.¹⁷² On July 19, 2015, at about 2:00 am, airstrikes in Yareem

¹⁶² Ibid., para. 52.

¹⁶³ Ibid.

¹⁶⁴ Ibid., para. 53.

¹⁶⁵ UN Human Rights Council, Written statement* submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status (A/HRC/31/NGO/44), February 17, 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/028/78/PDF/G1602878.pdf?OpenElement> (accessed December 22, 2016), p. 3.

¹⁶⁶ HRW, "What Military Target Was in My Brother's House? Unlawful Coalition Airstrikes in Yemen," November 2015, https://www.hrw.org/sites/default/files/report_pdf/yemen1115_4up.pdf (accessed December 22, 2016), page 23.

¹⁶⁷ Ibid., p. 25.

¹⁶⁸ Ibid., p. 28.

¹⁶⁹ Ibid., p. 31.

¹⁷⁰ Ibid., p. 35.

¹⁷¹ Ibid., p. 39.

¹⁷² Ibid., p. 42.

town, approximately 120 km south of Sana'a, killed at least 16 civilians, including 3 women and 9 children, and wounded at least 16 others.¹⁷³ HRW also reported that in a series of attacks that began between 9:30 and 10:00 pm on July 24, 2015, a Coalition aircraft repeatedly struck two residential compounds of the Mokha Steam Power Plant. The compounds housed plant workers and their family members and at least 65 civilians were killed in the attacks, including 13 women and 10 children. At least 55 people were wounded.¹⁷⁴ Finally, 14 workers, including 3 boys, were killed and 11 others wounded during a 3:50 am airstrike on August 30, 2015, that hit and destroyed the Al-Sham Water Bottling Factory on the outskirts of Abs.¹⁷⁵

In a report from June 2015, HRW stated that it compiled the names and ages of 59 people killed in aerial attacks in Sa'dah City between April 6 and May 11, 2015, on the basis of information received from relatives, witnesses, medical staff, and local Houthi authorities. Of those 59 killed, 14 were women and at least 35 were children.¹⁷⁶

In October 2015, Amnesty International reported that in the 13 strikes it investigated in and around Sa'da governorate, it documented the killing of some 100 civilians, including 55 children, as well as injuring a further 18 children. The strikes took place in May, June, and July, after the coalition had declared the city a military target.¹⁷⁷

An earlier Amnesty report from August 2015 documenting eight airstrikes carried out by Saudi-led

coalition forces in southern Yemen, indicated that at least 141 civilians had been killed and 101 injured, most of them women and children.¹⁷⁸ In one strike taking place on July 9, 2015, coalition forces killed 10 members of the Faraa family, including 4 children and 5 women, and injured 10 others when they bombed the Mus'ab ben Omar school in Tahrur village, Lahj Governorate (see also under attacks on schools).¹⁷⁹ Amnesty also reported that on June 16, 2015, a 48-year-old woman and 4 of her children, two of whom were under the age of 18, were killed when an airstrike destroyed their home in al-Mujaliyya neighbourhood, Ta'iz, at approximately 3:45 am.¹⁸⁰ On June 30, 2015, in the city of Ta'iz, coalition forces launched two airstrikes targeting the home of a thirty-nine-year-old property dealer, killing him, his wife, and their two daughters, aged two and five.¹⁸¹ In another incident documented by Amnesty, eight members of the Sayed family, six of whom were children, were killed and seven others, including two children, were injured when coalition forces bombed their home in Dar Saber village, outside Ta'iz city, on May 26, 2015 at 5:00 am.¹⁸² Lastly on April 14, 2015, at approximately 12:30 am, Amnesty reported that a coalition airstrike killed 10 civilians, including 7 children and 2 women, and injured 14 others in al-Akma village, 20 km northeast of Ta'iz.¹⁸³

A written statement submitted by the Alsalam Foundation, a non-governmental organization in special consultative status to the UN Human Rights Council, reported that on May 1, 2015, a coalition bombing run killed at least 17 people, including four children and nine women.¹⁸⁴

¹⁷³ *Ibid.*, p. 44.

¹⁷⁴ *Ibid.*, p. 48.

¹⁷⁵ *Ibid.*, p. 52.

¹⁷⁶ HRW, "Targeting Sadaa: Unlawful Coalition Airstrikes on Sadaa City in Yemen," June 2015, https://www.hrw.org/sites/default/files/report_pdf/yemen06154_up.pdf (accessed December 22, 2016), p. 3.

¹⁷⁷ Amnesty International, "Bombs Fall from the Sky Day and Night: Civilians Under Fire in Northern Yemen," October 2015, http://www.amnestyusa.org/sites/default/files/bombs-fall-from-the-sky-day-and-night_civilians-under-fire-in-northern-yemen_final.pdf (accessed on December 22, 2016), p. 6.

¹⁷⁸ Amnesty International, "Nowhere Safe for Civilians: Airstrikes and Ground Attacks in Yemen," August 18, 2015, <https://www.amnesty.org/en/documents/mde31/2291/2015/en/> (accessed December 22, 2016), p. 11.

¹⁷⁹ *Ibid.*, p. 14.

¹⁸⁰ *Ibid.*

¹⁸¹ *Ibid.*, p. 17.

¹⁸² *Ibid.*, p. 19.

¹⁸³ *Ibid.*, p. 20.

¹⁸⁴ UN Human Rights Council, Written statement* submitted by the Alsalam Foundation, a non-governmental organization in special consultative status (A/HRC/29/NGO/2), June 3, 2015, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/112/16/PDF/G1511216.pdf?OpenElement> (accessed December 22, 2016), p. 2.

Yemen (cont'd)

Attacks on Schools and Hospitals

In his 2016 annual report on children and armed conflict, the Secretary-General noted that of the 101 UN-verified incidents of attacks on schools and hospitals in 2015, 48 percent were attributed to the coalition, further noting that this was double the number of incidents verified in 2014. The annual report also indicated that 90 percent of the total number of verified attacks caused partial or complete destruction of schools or health facilities, while the remaining 10 percent involved attacks on protected personnel, including students.¹⁸⁵

HRW reported that on December 6, 2016, the Saudi Arabia-led coalition fired Brazilian-made rockets containing banned cluster munitions that struck near two schools in the northern city of Sa'ada. HRW said that the attack on al-Dhubat neighborhood in Sa'ada's Old City at about 8 pm killed two civilians and wounded at least six, including a child, according to the four witnesses to the attack who were interviewed by telephone and several other local sources. HRW said that one witness visited the attack site shortly afterward and photographed the damage, while another photographed an unexploded submunition lying where it landed. HRW explained that a 38-year-old member of the local council, said that the rocket strike occurred near a girls' school and a boys' school, both between the old city and al-Dhubat neighborhood, and that the students were told not to return to school the next day as the schools had to be checked for any explosive remnants, including unexploded submunitions, according to the boys' school administrator. Finally, a local activist said that those wounded in the attacks included a teacher, a 20-year-old student, and a 14-year-old boy.¹⁸⁶

In August 2016, the UN reported that on July 9, 2015, a coalition forces' airstrike killed ten civilians, including three women and two children, when it hit the Mus'ad Bin Omair School in Tuban District, Lahj Governorate. The

UN found no evidence of any potential military objectives in or around the school and according to eyewitness accounts, victims were internally displaced persons from Aden who had been seeking shelter in the school premises at the time of the attack.¹⁸⁷ The UN further reported that on July 16, 2015, Al-Zahra'a University in Sana'a city was hit by an airstrike by the coalition forces, killing one child, injuring five other civilians, and causing structural damage to the university and to eleven nearby homes. The UN further noted that the nearby Saba University also incurred partial structural damage.¹⁸⁸

A written statement submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status to the UN Human Rights Council, stated that on January 6, 2016, the Saudi-led coalition air-dropped cluster bombs in densely populated residential neighborhoods of Yemen's capital, Sana'a, and a girls' school was damaged in the attacks. It specifically noted that according to eyewitness account, three bomblets fell on the school grounds causing loud explosions and sending shrapnel flying across the ground, damaging windows, walls, and the school's water tanks.¹⁸⁹

Amnesty International reported in December 2015 that in its investigation of five Saudi Arabia-led coalition airstrikes that took place between August and October 2015 in Hajjah, Hodeidah, and Sana'a governorates, airstrikes appeared to target schools without any evidence that they had been used for military purposes. Amnesty discovered that the strikes killed 5 and injured at least 14 civilians, including 5 children, while also severely disrupting the education of the some 6,550 children who regularly attended the schools.¹⁹⁰

¹⁸⁵ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 169.

¹⁸⁶ HRW, "Yemen: Brazil-Made Cluster Munitions Harm Civilians," December 23, 2016, <https://www.hrw.org/news/2016/12/23/yemen-brazil-made-cluster-munitions-harm-civilians> (accessed December 22, 2016).

¹⁸⁷ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights, Situation of human rights in Yemen (A/HRC/33/38*), para. 49.

¹⁸⁸ *Ibid.*, para. 50.

¹⁸⁹ UN Human Rights Council, Written statement* submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status (A/HRC/31/NGO/44), p. 3.

¹⁹⁰ Amnesty International, "Our Kids Are Bombed: Schools Under Attack in Yemen," December 11, 2015, <https://www.amnesty.org/en/documents/mde31/3026/2015/en/> (accessed December 22, 2016), p. 9.

Annex 2 Countries

Philippines

Armed Forces of the Philippines

Recommendation to further investigate

Killing and Maiming

In his 2016 report on children and armed conflict, the Secretary-General reported that the UN verified a total of 6 children killed and 25 injured in the year 2015 by parties in the Philippines. While a third of the casualties were attributed to the Abu Sayyaf Group, he specified that two verified incidents were attributed to the Armed Forces of the Philippines (AFP) involving the killing of two children and injury of two others. According to the report, on August 18, 2015, in Bukidnon Province, northern Mindanao, the AFP killed 5 family members in front of their house, including 2 boys aged 14 and 17 years.¹⁹¹

In his 2015 annual report on children and armed conflict, the Secretary-General reported a total of 13 children killed and 26 others injured in 22 separate incidents as verified by the UN for the year 2014. Ten of those incidents were attributed to the armed forces' operations against Bangsamoro Islamic Freedom Fighters and retaliatory attacks.¹⁹²

The US Department of State 2015 Philippines Human Rights Report noted that there were reports of the AFP or Alamara, a paramilitary group reportedly linked to the AFP, hampering access to education for indigenous children by closing or occupying schools that allegedly had ties to the New People's Army (NPA). According to the report, NGOs alleged that security forces identified

some indigenous persons as insurgents, often with little or no evidence. It also noted the previously mentioned incident from August 18, when government security forces allegedly killed five members of a Lumad family, including two children in Bukidnon Province. The Philippines National Police (PNP) and the AFP insisted that the incident was an encounter between government forces and the NPA, and that the five individuals killed were NPA guerillas; however, this claim has been disputed by the rebels.¹⁹³

Attacks on Schools and Hospitals

In his 2016 annual report on children and armed conflict, the Secretary-General reported that almost all verified cases of attacks on schools and education personnel took place in indigenous communities, with three incidents attributed to the AFP. Of the 10 UN-verified incidents of the military use of schools, 6 incidents were attributed to the AFP.¹⁹⁴

In November 2016, the Save Our Schools (SOS) Network wrote that despite the UN's recognition of attacks on schools and hospitals as being one of the six grave child rights violations, the elements of the Armed Forces of the Philippines (AFP) blatantly use and attack schools and communities during military operations. They wrote that soldiers utilize schools as temporary military camps, barracks/shelter, for storage of weapons and belongings, or as outposts. In Mindanao alone, the SOS Network documented 20 Department of Education schools were packed and/or used by the AFP, while 214 cases of military attacks on Lumad community schools were listed. They stated that the majority of these cases took place in 2013 and 2014.¹⁹⁵

¹⁹¹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 205.

¹⁹² UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 249.

¹⁹³ US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, Philippines," April 13, 2016, <https://www.state.gov/documents/organization/253005.pdf> (accessed December 23, 2016), p. 32.

¹⁹⁴ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 207.

¹⁹⁵ Save Our Schools (SOS) Network, "SOS Network to Briones: Immediately Take Action Over Attacks on Lumad Schools in Sultan Kudarat!" November 22, 2016, <https://saveourschoolsnetwork.wordpress.com/2016/11/22/sos-network-to-briones-immediately-take-action-over-attacks-on-lumad-schools-in-sultan-kudarat/> (accessed December 23, 2016).

Philippines (cont'd)

Magahat Paramilitary Group

Recommendation to further investigate

Attacks on Schools and Hospitals

The Secretary-General in his 2016 annual report on children and armed conflict attributed five incidents of verified cases of attacks on schools to the Magahat paramilitary group. He reported that in one particularly grave incident, the director of an NGO-run school was killed in an indigenous community in Caraga by the Magahat paramilitary group, noting that no arrests were made despite warrants having been issued.¹⁹⁶

In August 2016, HRW wrote that the Government-backed Magahat paramilitary group allegedly attacked a tribal school in Surigao del Sur province on September 1, 2015, torturing and killing the director and two tribal leaders.¹⁹⁷

In February 2016, a written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status to the UN, also noted that the school principal of the ALCADDEV School in Surigao del Sur was killed by the paramilitary group Magahat/Bagani on September 1, 2015.¹⁹⁸ The statement provided further detail, namely, that two "Datus" (influential indigenous community leaders) were also shot down, having been accused of belonging to or supporting the communist NPA. The NGO wrote that two days prior to this incident, the paramilitary group burned down the school cooperative and threatened to massacre the entire community if it did not leave; over 3,000

individuals evacuated to nearby municipalities as soldiers were reportedly standing close by, watching and doing nothing. They cited this as one of many examples of impunity in the country.¹⁹⁹ This incident from September 1, 2015, was also mentioned in the US Department of State's 2015 Philippines Human Rights Report.²⁰⁰

Alamara Paramilitary Group

Recommendation to further investigate

Attacks on Schools and Hospitals

In his 2016 annual report on children and armed conflict, the Secretary-General attributed two of the UN-verified incidents of attacks on schools to the Alamara paramilitary group.²⁰¹

In its August 2016 submission on the Philippines to the Economic, Social and Cultural Committee of the Human Rights Council, HRW stated that tribal schools have increasingly been the target of attacks, noting that since 2014, the Alamara paramilitary group has harassed students at tribal schools run by religious and non-governmental groups within the context of wider violence against indigenous peoples' villages in Bukidnon and Davao del Norte provinces. These attacks have resulted in the closure of some schools and the disruption of classes according to HRW.²⁰²

¹⁹⁶ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 207.

¹⁹⁷ HRW, "HRW Submission on the Philippines to the Committee on Economic, Social and Cultural Rights," August 16, 2016, <https://www.hrw.org/news/2016/08/16/human-rights-watch-submission-philippines-committee-economic-social-and-cultural> (accessed December 23, 2016).

¹⁹⁸ UN Human Rights Council, Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status (A/HRC/31/NGO/78), February 18, 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/029/86/PDF/G1602986.pdf?OpenElement> (accessed December 23, 2016), p. 2.

¹⁹⁹ Ibid.

²⁰⁰ US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, Philippines," p. 3.

²⁰¹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 207.

²⁰² HRW, "Human Rights Watch Submission on the Philippines to the Committee on Economic, Social and Cultural Rights, August 16, 2016."

In another incident described in the February 2016 written statement to the Human Rights Council by the Society for Threatened Peoples, on January 17, 2016, a member of the paramilitary group “Alamara” shot and killed a 15-year-old boy on his way home from the Salugpogan school in Talaingod. The Society noted in particular that this was the 29th child victim under the counterinsurgency plan “Oplan Bayanihan” of the President Benigno Aquino III.²⁰³

In September 2015, HRW wrote that it had received reports that elements of the military were consistently nearby while the Alamara group carried out attacks in Davao del Norte.²⁰⁴ According to the reports, troops accompanied paramilitaries as they harassed students and teachers of a tribal school in the town of Talaingod. According to one student’s testimony reflecting on an incident in March, “The soldiers stayed outside the classrooms but allowed the Alamara to go inside, fully armed, accusing us of being supporters of the NPA [the communist New People’s Army].”²⁰⁵

²⁰³ UN Human Rights Council, Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status (A/ HRC/31/NGO/78), p. 2.

²⁰⁴ HRW, “Philippines: Paramilitaries Attack Tribal Villages, Schools,” September 23, 2015, <https://www.hrw.org/news/2015/09/23/philippines-paramilitaries-attack-tribal-villages-schools> (accessed December 23, 2016).

²⁰⁵ Ibid.

Countries in the report/ not yet listed

India

Communist Party / Maoists

Recommendation to list

Recruitment and Use

In his 2016 annual report on children and armed conflict covering 2015 violations, the Secretary-General reported that the UN continued to receive reports of the recruitment and use of children as young as six years of age by armed groups, including the Naxalites, in Bihar, Chhattisgarh, Jharkhand, Maharashtra, Odisha, and West Bengal States.²⁰⁶ He specified that reports indicate that children were coerced to join children's units, or "Bal Dasta", where they were trained and used as couriers and informants, as well as to plant improvised explosive devices and in front-line operations against national security forces. In one example, in April 2015, the Bharatiya Communist Party (Maoist) reportedly forced the inhabitants of seven villages in Gumla district, Jharkhand State, to hand over five children from each village to join their ranks. The Secretary-General stated that to avoid such forcible recruitment, families have resorted to sending children away from home at an early age, has lead to children dropping out of school. The Secretary-General also reported that in April 2015, Maoists reportedly abducted 5 girls between the ages of 10 and 13 years from Karcha village, West Bengal State. Their whereabouts remained unknown at the time of reporting.²⁰⁷

In April 2016, Child Soldiers International (CSI) and the HAQ: Center for Child Rights (HAQ CRC) reported on forced recruitment of children by the Communist Party of India (CPI) (Maoist). In one case, they reported that according to Hazaribag Police Superintendent Akhilesh Jha, when a female zonal commander of Maoist fighters was arrested by police in the district in April 2015, she had already been a member of the group for 12 years, recruited when she was only 13.²⁰⁸ Her parents told CSI and HAQ CRC that she had been recruited by a cousin, testifying that "One morning, we found her missing. We visited all our relatives to locate her but failed. A couple of months later, we learned from police that she had joined the Maoists." According to this research, several members of the CPI (Maoist) senior leadership joined the ranks when they were children, including Naveen Manjhi, Mukesh Ganjhu and Brajesh Ganjhu, who reportedly joined when they were just 11 to 12 years old.²⁰⁹

In its February 2016 written statement, received by the Secretary-General in accordance with Economic and Social Council Resolution 1996/31, the World Barua Organization (WBO), a nongovernmental organization in special consultative status, wrote that the Government of India is allowing armed non-State actors to recruit children under 18 years of age.²¹⁰ The WBO further wrote that forces are opening their counselling centers at different places in Manipur, and that additionally, some of the armed non-State actors are also abducting children and forcing them to be child soldiers.²¹¹

²⁰⁶ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 184.

²⁰⁷ *Ibid.*, para. 186.

²⁰⁸ CSI, "Lost Childhood: Caught in Armed Violence in Jharkhand," April 2016, <https://www.child-soldiers.org/shop/lost-childhood-caught-in-armed-violence-in-jharkhand> (accessed December 25, 2016), p. 23.

²⁰⁹ *Ibid.*

²¹⁰ UN Human Rights Council, Written statement* submitted by the World Barua Organization (WBO), a non-governmental organization in special consultative status (A/HRC/31/NGO/173), February 24, 2016, http://ap.ohchr.org/documents/dpage_e.aspx?c=84&su=90 (accessed December 26, 2016), para. 7.

²¹¹ *Ibid.*

In its India 2015 Human Rights Report covering violations from the year 2014, the US Department of State wrote that insurgent groups reportedly used children to attack government entities in roles such as bomb couriers.²¹² It further indicated that the Ministry of Home Affairs reported that Maoist groups conscripted boys and girls ages 6 to 12 into specific children's units, namely Bal Dasta and Bal Sangham, in Bihar, Jharkhand, Chhattisgarh, and Odisha states. Furthermore, the Maoist groups used the children in both combat and intelligence-gathering roles, and the insurgents trained children as spies and couriers, as well as in the use of arms, planting explosives, and intelligence gathering. The report notes that while the UN was unable to verify all allegations, reports submitted to parliament contained similar allegations, and the recruitment of children by Maoist armed groups allegedly continued. Observers indicated that children as young as 12 were members of Maoist youth groups and allied militia, and that they have reportedly handled weapons and improvised explosive devices.²¹³ The Department of State's report notes that there were further reports that Maoists reportedly held children against their will and threatened severe reprisals if they attempted to escape, such as the killing of family members. It further recalls reports of girls serving in Maoist groups and claims from government, based on statements of several women formerly associated with the groups, that rape and other forms of sexual abuse were practiced in some Maoist camps.²¹⁴ Government sources also indicated that Maoists groups used children as human shields during confrontations with security forces. Finally, the US Department of State reports that while no information was available on how many persons under age 18 were serving in the armed forces, NGO estimates indicated that there were at least 2,500 children associated with insurgent armed groups in Maoist-affected areas, and that there were allegations that government-supported,

anti-Maoist village defense forces also recruited children, while armed insurgent groups, including Maoists, in the northeast states, and Islamist groups in Jammu and Kashmir, reportedly used children.²¹⁵

In its concluding observations published in July 2014, the most recent review of India, the Committee of the Rights of the Child expressed deep concern at the phenomena of children under 18 years of age being recruited by various non-State armed groups and their use in hostilities in the disturbed districts in the northeastern states, in areas where Maoist armed groups are operating, and in Jammu and Kashmir.²¹⁶ The Committee specified that children were used for various tasks, including handling weapons and improvised explosive devices, and acting as informants.²¹⁷ The Committee expressed further concern at the practice of forced recruitment of children from families of poor and marginalized segments of society by non-State armed groups in the disturbed districts, and urged the State party to expeditiously enact legislation that prohibits and criminalizes the recruitment and use of children under the age of 18 years by non-State armed groups.²¹⁸ The Committee further urged the State party to take all necessary measures to prevent and eliminate the root causes of forced recruitment of children from families of poor and marginalized segments of society by non-State armed groups in the disturbed districts, including measures such as implementing awareness-raising programs addressing the root causes of forced recruitment, enabling schooling for such children, and establishing a monitoring and reporting system for parents and families to report any forcible recruitment of children.²¹⁹

Reflecting on the aforementioned conclusions by the Committee, in June 2014, HRW said that children from India's poorest and most marginalized communities are winding up on the front lines as combatants, or because

²¹² US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, India," April 13, 2016, <https://www.state.gov/documents/organization/253175.pdf> (accessed December 25, 2016), pp. 17-18.

²¹³ *Ibid.*, p. 18.

²¹⁴ *Ibid.*

²¹⁵ *Ibid.*, p. 50.

²¹⁶ UN Committee on the Rights of the Child, Concluding observations on the report submitted by India under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/IND/CO/1), July 7, 2014, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPAC/IND/CO/1&Lang=En (accessed December 25, 2016), para. 22.

²¹⁷ *Ibid.*, para. 32.

²¹⁸ *Ibid.*, para. 22.

²¹⁹ *Ibid.*

India (cont'd)

their schools are bombed by armed groups, and that the UN has laid out a series of steps that the government should take to better protect those children.²²⁰ HRW further noted that it previously documented Maoist forces' use of children as young as 12 in armed operations.

Attacks on Schools and Hospitals

The US Department of State 2015 India report stated attacks on schools by Maoists continued to affect children's access to education in affected areas.²²¹ The report further noted that there were also ongoing reports of the use of schools as military barracks and bases, expressing concern about the deployment of government security forces near schools. Lastly, they noted that there were also reports that armed groups recruited children from schools in Chhattisgarh.²²²

In its concluding observations published in July 2014, the Convention on the Rights of the Child Committee expressed concerns at the deliberate attacks on schools by non-State armed groups, as well as the occupation of schools by State armed forces in north-eastern India and in areas where Maoist armed groups are operating, despite welcoming the adoption of an Integrated Action Plan that provides public infrastructure and services in areas where Maoist armed groups are operating.²²³ The Committee urged the State party to take all necessary measures to prevent the occupation and use of, as well as attacks on, places with a significant presence of children such as schools, in line with international humanitarian law, while also urging the State party to ensure that schools are vacated expeditiously, as appropriate, and to take concrete measures to ensure that cases of unlawful attacks on and/or occupation of schools are promptly investigated and that perpetrators are prosecuted and punished.²²⁴

Israel and the State of Palestine

Israel Defense Forces (IDF)

Recommendation to list

Killing and Maiming

In his August 30, 2016, report on the Israeli practices affecting human rights of the Palestinian people in the Occupied Palestinian Territory, the Secretary-General said an upsurge in violence started in mid-September 2015 and continued into 2016, although declined in intensity, resulting in a total of 232 Palestinians killed, including 52 children, and over 5,774 seriously injured, while 32 Israelis were killed and 356 seriously injured.²²⁵

West Bank and East Jerusalem

In his 2016 annual report on children and armed conflict covering the period of January 1 to December 31, 2015, the Secretary-General reported that 27 Palestinian children (23 boys and 4 girls) were killed in the West Bank, almost double the number killed in 2014.²²⁶ The Secretary-General reported that most of the killings took place in the fourth quarter of 2015, and that 25 deaths were attributed to Israeli forces, one to Israeli settlers, and one to both Israeli forces and settlers. The number of injuries to Palestinian children also increased, mostly due to clashes with Israeli forces and military-led operations. The UN reported that during the fourth quarter of 2015, 121 stabbing attacks were carried out by Palestinians, including minors, against Israelis; during this period, 14 Palestinian children involved in or suspected of stabbing attacks were shot and killed by Israeli forces.²²⁷ The Secretary-General said a number of the incidents raised concerns about the excessive use of force and unlawful killing, given that there were "indications that the children

²²⁰ HRW, "India: Implement UN Recommendations on Children," June 20, 2014, <https://www.hrw.org/news/2014/06/20/india-implement-un-recommendations-children> (accessed December 25, 2016).

²²¹ US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, India," p. 18.

²²² Ibid.

²²³ UN Committee on the Rights of the Child, Concluding observations on the report submitted by India under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/IND/CO/1), para. 28.

²²⁴ Ibid., para. 29.

²²⁵ UN General Assembly, Report of the Secretary-General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/71/364), August 30, 2016, <https://unispal.un.org/DPA/DPR/unispal.nsf/0/A5E7CE6770D9CDDC8525803C005740B7> (accessed December 31, 2016), para. 3.

²²⁶ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 70.

²²⁷ Ibid.

posed no imminent or immediate threat to life that would justify the use of lethal force". As an example, the Secretary-General cited an incident from October 25, 2015, when a 17-year-old girl was stopped at a checkpoint in Hebron, searched, and shot at least 5 times. The Secretary-General said Israeli authorities alleged that she had attempted to stab a police officer, contrary to an eyewitness who stated that she had held her hands in the air and posed no threat.²²⁸

The Secretary-General, in his 2016 annual report, also reported with concern violence by Israeli settlers and related incidents involving Israeli forces resulting in the injury of 54 Palestinian children (45 boys and 9 girls), with 20 cases of direct injury by settlers.²²⁹ He reported specifically that 2 Israeli settlers, including a minor, were charged with killing an 18-month-old Palestinian boy in an arson attack on July 31, 2015, that also claimed the lives of his parents and seriously injured his 4-year-old brother.²³⁰

In the report from August 30, 2016, the Secretary-General raised concerns regarding frequent and often unwarranted resort to rubber-coated metal bullets, used at short range, in contravention of Israeli regulations, as well as black sponge bullets, causing serious injuries. In East Jerusalem, Israeli police injured 15 people, including 6 children, with their use of black sponge bullets; in approximately half those cases, the victims lost sight in one eye.²³¹ He further referenced concerns from the UN about such ammunition causing serious injuries to children in the Shu'fat refugee camp, as well as about the extensive use of tear gas by Israeli security forces in densely populated refugee camps, including in areas nearby playgrounds.²³²

In a report from August 24, 2016, on Israeli settlements in the Occupied Palestinian Territory, the Secretary-General reported a total of 24 Palestinians, including 7 children, were shot and killed by Israeli security forces during attacks or alleged attacks against Israelis around checkpoints within or leading to the H2 settlement zone in Hebron.²³³

In its August 23, 2016, report, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories said it was informed that Palestinians, including children, had often been killed or injured during military incursions into refugee camps and during demonstrations in the West Bank, including many cases in which there was no apparent immediate threat to life.²³⁴

In June 2016, the UN children's agency said the situation continued to be tense across the State of Palestine, with several demonstrations and clashes occurring that May, particularly in the West Bank and East Jerusalem.²³⁵ In one clash, the UN reported that a 17-year-old Palestinian girl was shot dead by the Israeli Border Police in Jerusalem. The agency further reported that a total of 22 Palestinian children were killed during the first quarter of 2016, and 25 in the last quarter of 2015 (30 children in total were killed in 2015), while at least 49 Palestinians, including 4 children, were injured by Israeli forces since the beginning of 2016.²³⁶ In April 2016, the UN children's agency said that from October 1, 2015 to March 24, 2016, Israeli security forces killed 32 Palestinian children in response to their being suspected of attacks or alleged attacks against Israelis.²³⁷

²²⁸ Ibid.

²²⁹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 71.

²³⁰ Ibid.

²³¹ UN General Assembly, Report of the Secretary-General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/71/364), para. 16.

²³² Ibid.

²³³ UN General Assembly, Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan (A/71/355), August 24, 2016, http://www.un.org/ga/search/view_doc.asp?symbol=A/71/355 (accessed December 31, 2016), para. 37.

²³⁴ UN General Assembly, Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/71/532), August 23, 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/266/60/PDF/N1626660.pdf?OpenElement> (accessed December 31, 2016), para. 40.

²³⁵ UNICEF, "State of Palestine: Humanitarian Situation Report May 2016," June 17, 2016, https://www.unicef.org/oPt/UNICEF_SoP_SitRep_May_2016__17-6-2016.pdf (accessed December 31, 2016), p. 6.

²³⁶ Ibid.

²³⁷ UNICEF, "State of Palestine: Humanitarian Situation Report #3," April 19, 2016, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20State%20of%20Palestine%20Humanitarian%20Situation%20Report%20-%2019%20April%202016%20%281%29.pdf> (accessed December 31, 2016), p. 2.

Israel and the State of Palestine (cont'd)

In March 2016, Defense for Children International-Palestine (DCIP) and the World Organisation Against Torture also reported that between October 2015 and March 2016, at least 45 Palestinian children – 34 of whom allegedly carried out knife or gun attacks – from the West Bank, including East Jerusalem, had been killed as a direct result of intensified violence, all except 1 at the hands of Israeli forces. The report further noted that at least 28 Palestinian children were fatally shot by Israeli forces in 2015, with DCIP finding that the children did not pose a direct, mortal threat at the time they were killed in several of the cases.²³⁸

In his 2015 annual report on children and armed conflict, the Secretary-General reported multiple incidents of killing and maiming of children taking place in 2014. In the West Bank, 13 Palestinian boys, aged between 11 and 17 were killed. Twelve were killed by Israeli security forces during demonstrations and military search and arrest operations, mostly through the use of live ammunition, and one was killed by settlers.²³⁹ In one incident, two Palestinian boys, aged 16 and 17, were shot and killed with live ammunition during clashes with Israeli soldiers near Beituniya checkpoint on May 15, 2014. Reports indicated that the children did not appear to have posed a lethal threat.²⁴⁰ In another case on March 19, 2014, a 14-year-old boy was fatally shot by Israeli security forces when crossing the West Bank Barrier, and in another example, a 10-year-old Palestinian boy was fatally shot in the back with live ammunition by the Israeli security forces in Al-Fawwar camp.²⁴¹

In August 2014, the UN reported that on March 23, 2014, a 14-year-old boy was killed near Deir al-Asal, near Hebron, as he attempted to cross the wall, apparently

to gather plants. According to the information available, soldiers shot the boy without warning and while posing no threat.²⁴² The UN added that according to the Israeli authorities, investigations had been opened into this incident.

Gaza

The Secretary-General's 2016 annual report on children and armed conflict cited the deaths of three Palestinian children killed by Israeli forces, namely two boys who were killed near the border fence with Israel, and one girl killed in an airstrike. Additionally, he reported that 65 boys were injured, predominantly in the access-restricted areas along the fence with Israel and at sea.²⁴³

In the August 30, 2016 report, the Secretary-General expressed concern that not all necessary precautions were being taken by the Israel Defence Forces to minimize civilian casualties during military operations as required under international humanitarian law, citing an example from March 12, 2016, when Israeli warplanes reportedly targeted a building in a training ground of the Izz el-Deen al-Qassam Brigades in northern Gaza in response to rocket fire the day before.²⁴⁴ The magnitude of the explosion resulted in debris falling onto the ceiling of a nearby civilian's house, killing two children and wounding a sibling and their mother. The targeted structure was only 50 to 70 meters away from a civilian residential housing area for some 500 people, and as such the size of the blast was particularly of concern to the UN.²⁴⁵ Similarly, in another incident reported by the UN High Commissioner for Human Rights, an airstrike on October 11, 2015, hit a Palestinian home in Zeitoun, west of Gaza City, killing a two-year-old girl and a pregnant

²³⁸ Defense for Children International-Palestine (DCIP) and OMCT - World Organisation Against Torture, "Israel's Compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Alternative Report to the Fifth Periodic Report of Israel, III-treatment and Torture of Palestinian Children in Israeli Military Detention and Use of Excessive Forces by Israeli Forces, 57th Session of the Committee Against Torture (CAT)," March 27, 2016, http://www.omct.org/files/2016/05/23743/un_doc_cat_review_israel_dcip_omct_submission_final_27mar2016.pdf (accessed December 31, 2016), p. 23.

²³⁹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 81.

²⁴⁰ Ibid.

²⁴¹ Ibid.

²⁴² UN General Assembly, Report of the Secretary General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/69/347), August 25, 2014, <http://www.ohchr.org/EN/newyork/Pages/HRReportstothe69thsessionGA.aspx> (accessed December 31, 2016), para. 50.

²⁴³ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 73.

²⁴⁴ UN General Assembly, Report of the Secretary-General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/71/364), para. 20.

²⁴⁵ Ibid.

woman. The Israel Defense Forces claimed a “weapons production site” was targeted, however, the UN did not find any indication of such a facility within the vicinity of the attack, which only impacted the home.²⁴⁶

Attacks in Gaza have not ceased, and in March 2016, HRW said that Israeli forces, which declared the Gaza border area a “no go zone,” have killed 21 people, including 2 children, and injured more than 1,200 since October 2015.²⁴⁷

In January 2016, the Secretary-General reported that according to the Global Protection Cluster, 3 Palestinians, including 1 child, were shot dead and a further 82, including 17 children, were injured by Israeli security forces in land-based access-restricted areas within Gaza.²⁴⁸

The Secretary-General reported in his 2015 annual report that in Gaza, civilians, including children, have borne the brunt of the third major military offensive in Gaza in six years, namely, “Operation Protective Edge.”²⁴⁹ In the 50-day period between July 8 and August 26, 2014, at least 540 Palestinian children were killed (340 boys and 200 girls). According to the Secretary-General, the children were aged between 1 week and 17 years, with almost 70 percent of those killed younger than 12 years of age. Deaths and injuries were caused by Israeli bombardments resulting in the destruction or severe damage to residential properties, schools, and hospitals.²⁵⁰ During that same period, more than 10 children were

killed daily on average in Gaza, with more than 80 percent of them killed during the ground incursion by the Israeli security forces between July 17 and August 5, 2014.²⁵¹ At least 13 children were reportedly killed by rockets fired by Palestinian armed groups towards Israel that fell inside Gaza.²⁵² Additionally, rocket fire from Gaza by Palestinian armed groups towards Israeli population centers reportedly gravely injured at least six Israeli children, aged between 3 months and 17, said the Secretary-General.²⁵³

In addition to those killed, at least 2,955 Palestinian children were injured in Gaza, and preliminary estimates indicate that as many as 1,000 of them will be permanently disabled, according to the Secretary-General. Apart from the July-August military operations, another 76 children were injured in 2014 in Gaza.²⁵⁴

The Secretary-General reported that on July 16, 2014, four children, between the ages of 9 and 11, were killed on a beach in Gaza City.²⁵⁵ A report from the UN High Commissioner for Human Rights from December 2014 noted that according to witnesses, the children were playing hide and seek when the beach attack took place.²⁵⁶ One child was killed when an airstrike reportedly hit the building the child was hiding in; a shell from the sea killed three children and injured two others as they ran towards the beach road. The UN said witnesses claimed that the Israeli Naval Forces had aimed at the group of children running away from the sea, and further reported that a third missile landing nearby hit

²⁴⁶ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on Implementation of Human Rights Council resolutions S-9/1 and S-12/1 (A/HRC/31/40), January 20, 2016, <https://unispal.un.org/DPA/DPR/unispal.nsf/5ba47a5c6cef-541b802563e000493b8c/5428f1d7974f88c985257f620078ff7d?OpenDocument> (accessed January 31, 2017), para. 54.

²⁴⁷ HRW, “Penned in Gaza and Dreaming of the World Outside,” March 30, 2016, <https://www.hrw.org/news/2016/03/30/penned-gaza-and-dreaming-world-outside> (accessed December 31, 2016).

²⁴⁸ UN Human Rights Council, Report of the Secretary-General on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem (A/HRC/31/44), January 20, 2016, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Pages/ListReports.aspx> (accessed December 31, 2016), para. 42.

²⁴⁹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 86.

²⁵⁰ *Ibid.*

²⁵¹ *Ibid.*, para. 87.

²⁵² *Ibid.*

²⁵³ *Ibid.*, para. 92.

²⁵⁴ *Ibid.*, para. 88.

²⁵⁵ *Ibid.*, para. 89.

²⁵⁶ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1, Addendum, The human rights situation in the Occupied Palestinian Territory between 12 June and 26 August 2014, including the escalation in hostilities between the State of Israel and Palestinian armed groups in Gaza (A/HRC/28/80/Add.1), December 26, 2014, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Pages/ListReports.aspx> (accessed December 31, 2016), para. 36.

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one person attempting to rescue the children. The UN indicated that according to media reports, the Israel Defense Forces claimed that it had aimed at " Hamas terrorist operatives" and that the "reported civilian casualties from this strike are a tragic outcome," and a spokesperson for the Israeli Prime Minister said in a television interview that the children had been killed due to "mistaken fire." Based on information collected by the UN, however, there were no apparent military targets; the area was calm and no rockets were fired towards Israel from that location at that time.²⁵⁷

In the 2015 annual report, the Secretary-General also stated that on July 20, 2014, an Israeli airstrike hit a residential building in Bani Suhaila, killing 25 family members, including 19 children and 3 pregnant women; surviving family members testified that they had received no prior warning from the Israeli security forces.²⁵⁸ Finally, the Secretary-General reported several incidents of Palestinian children killed in drone strikes. Notably on July 10, 2014, a 5-year-old boy was hit by a missile fired by a drone in Deir Al Balah, and on July 23, 2014, a drone killed a 9-year-old boy seeking shelter in Beit Lahiya, where at the time of the attacks, there were no reports of military activity near the homes.²⁵⁹

In its June 2015 report, the independent commission of inquiry, established to investigate all violations of international humanitarian law and international human rights law in the Occupied Palestinian Territory, including East Jerusalem, particularly in the occupied Gaza Strip, said it investigated 15 cases of strikes on residential buildings across Gaza in which 216 people were killed, including 115 children.²⁶⁰ The commission indicated it had

identified patterns of strikes by Israeli forces on residential buildings, on the basis of all available information, including research by nongovernmental organizations, and analyzed the applicable law in relation to individual incidents. The commission also indicated there was a stark rise in deaths and injuries of Palestinians caused by Israeli security forces, finding that 11 children were killed between June 12 and the end of September 2014.²⁶¹ The final observations by the commission captured conclusions on the "Operation Protective Edge" in Gaza, according to their examination of the events of July 8-August 26, 2014, confirming accounts of killing and maiming of civilians, including children.²⁶²

In the December 2014 report previously mentioned, the UN indicated that between June 12 and July 6, 2014, the Israel Defense Forces killed one child during attacks on armed groups.²⁶³ A 2-year-old Palestinian girl was also killed, and four other children injured, apparently due to Palestinian rocket-fire falling short in Beit Lahia.²⁶⁴ The UN further reported that in a number of cases, the Israel Defense Forces launched attacks on houses and residential buildings either at the beginning of the fast at dawn or around the time of breaking the Ramadan fast at sunset when families are known to congregate to eat together, "making it very likely that any such attack targeting an individual would be disproportionate, and therefore raising questions whether sufficient precautions were taken to protect civilian life."²⁶⁵ The UN gave an example where on July 20, 2014, an Israeli airstrike hit a three-story residential building of six apartments in Bani Suhaila, south of the Gaza Strip, killing 25 members of the same family, including 19 children, a 1-day-old baby, and 3 pregnant women). The UN said that the surviving

²⁵⁷ Ibid.

²⁵⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 90.

²⁵⁹ Ibid., 91.

²⁶⁰ UN Human Rights Council, Report of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1 (A/HRC/29/52), June 24, 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColGazaConflict/Pages/ReportColGaza.aspx> (accessed December 31, 2016), para. 36.

²⁶¹ Ibid., para. 70.

²⁶² Ibid. See detailed incidents in paragraphs 111, 112, 115, 121, 127, 132, 137, 146, 153, 158, 168, 176, 181, 188, and 194 of the Commission's report.

²⁶³ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1, Addendum, The human rights situation in the Occupied Palestinian Territory between 12 June and 26 August 2014, including the escalation in hostilities between the State of Israel and Palestinian armed groups in Gaza (A/HRC/28/80/Add.1), para. 23.

²⁶⁴ Ibid.

²⁶⁵ Ibid., para. 35.

family members said they received no prior warning from the Israel Defense Forces, but that the Military Advocate-General has ordered a criminal investigation into this incident.²⁶⁶

There were several other incidents of killing and maiming documented within the UN's December 2014 report occurring between July 19 and 21, 2014, when the Israel Defense Forces carried out attacks in Shuja'iya, reportedly with artillery, tank projectiles, and airstrikes. Three children were killed on July 20 when Israel Defense Forces' shells hit a home of a family of 16, and a neighbor, was attempting to leave in search of safety.²⁶⁷ Four other children were killed that day in the early morning in the streets as they fled their homes with their family after a night of heavy bombardment.²⁶⁸

In July 2014, in a written statement submitted to the Human Rights Council, the Al Mezan Centre for Human Rights, a nongovernmental organization in special consultative status to the UN, said that its documentation showed that 130 of 505 fatalities were children, as of July 21, 2014.²⁶⁹ It specifically reported that during the humanitarian ceasefire, Israeli forces directly targeted the homes of several families, killing 6 family members in one incident and 26 in another, including 19 children. It further noted that another attack on an apartment in Gaza City killed eleven people, including seven children, while another attack on a home killed seven family members, stating that the Israeli forces were not observing the principle of distinction.²⁷⁰ Al Mezan said that on July 20, 2014, the Israel Defense Forces carried out a "heinous mass attack" on the residents of Shejai'ya, and that it had verified that 56 dead bodies reached the

morgue in the hours after, 55 of whom were civilians, including 17 children, 2 medics, and a journalist.²⁷¹

On July 15, 2014, HRW said that the Israeli air attacks in Gaza it investigated had been targeting apparent civilian structures and killing civilians in violation of the laws of war, urging Israel to end unlawful attacks that do not target military objectives and may be intended as collective punishment or broadly to destroy civilian property.²⁷² HRW cited UN figures indicating that Israeli attacks in Gaza since July 7, 2014, which according to Israeli officials delivered more than 500 tons of explosives in missiles, aerial bombs, and artillery fire, had killed at least 178 people and wounded 1,361, including 635 women and children. It drew attention to preliminary UN findings identifying that 77 percent of those killed, 138 people, were civilians, including 36 children, and that the attacks had destroyed 1,255 homes, displacing at least 7,500 people.²⁷³

On June 14, 2014, HRW reported that an autopsy performed by a Palestinian doctor confirmed that a 17-year-old Palestinian boy killed by Israeli forces during a protest in the West Bank on May 15, 2014, died from injuries caused by live ammunition.²⁷⁴ A second boy, 16 years of age, had also been killed at the protest. A few days earlier, on June 9, HRW had said that video footage, photographs, witness statements, and medical records indicated that the two boys whom Israeli forces shot and killed on May 15, 2014, posed no imminent threat to the forces at the time, saying that the boys were apparently shot with live ammunition.²⁷⁵ A 15-year-old boy was also shot and seriously wounded by live ammunition, according to the report.

²⁶⁶ Ibid.

²⁶⁷ Ibid., para. 41.

²⁶⁸ Ibid., para. 42.

²⁶⁹ UN Human Rights Council, Written statement* submitted by the Al Mezan Centre for Human Rights, a non-governmental organization in special consultative status (A/HRC/S-21/NGO/3), July 23, 2014, <https://unispal.un.org/DPA/DPR/unispal.nsf/0/F449B1494D6F597B85257D32005C04F4> (accessed December 31, 2016).

²⁷⁰ Ibid.

²⁷¹ Ibid.

²⁷² HRW, "Israel/Palestine: Unlawful Israeli Airstrikes Kill Civilians," July 15, 2014, <https://www.hrw.org/news/2014/07/15/israel/palestine-unlawful-israeli-airstrikes-kill-civilians> (accessed December 31, 2016).

²⁷³ Ibid.

²⁷⁴ HRW, "Israel: Autopsy Confirms Gunshot Killed Boy," June 14, 2014, <https://www.hrw.org/news/2014/06/14/israel-autopsy-confirms-gunshot-killed-boy> (accessed December 31, 2016).

²⁷⁵ HRW, "Israel: Killing of Children Apparent War Crime," June 9, 2014, <https://www.hrw.org/news/2014/06/09/israel-killing-children-apparent-war-crime> (accessed December 31, 2016).

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In its February 2015 submission to the Human Rights Council, the Palestinian Independent Commission for Human Rights said that of the 2,280 Palestinian victims killed by the Israel Defense Forces in the Gaza Strip and the West Bank in 2014, 573 of them were children. Of those child victims, 561 were from the Gaza Strip.²⁷⁶

In April 2014, HRW said it investigated seven incidents between January 2 and March 1, 2014, in which Israeli forces shot civilians in the vicinity of the perimeter fence with Gaza, and found that four were killed, including a high school student on a picnic.²⁷⁷

Attacks on Schools and Hospitals

Gaza

In his 2016 annual report on children and armed conflict, the Secretary-General cited 283 incidents documented by the UN in 2015 relating to education, including 96 cases of schools coming under fire during military-led operations and clashes, 46 attacks and threats of violence against students and teachers by Israel Defense Forces and settlers, and 62 instances of interference with education owing to the closure of schools or the arrest and detention of staff and students.²⁷⁸

In its 2016 report regarding the impact of armed conflict and violence on schools, the UN reported that the Board of Inquiry (BOI) established by the Secretary-General to investigate, among other things, the seven incidents that occurred in the Gaza Strip between July 8 and August 26, 2014, in which death and/or injuries occurred and/or damage was done to United Nations Relief and Works Agency (UNRWA) schools found that all of the seven incidents were attributable to the Israel Defense Forces.²⁷⁹

In his 2015 annual report on children and armed conflict, the Secretary-General reported that in Gaza, between

July 8 and August 26, 2014, at least 262 schools were damaged in Israeli airstrikes; 3 public schools were completely destroyed while at least 23 were severely damaged, and a further 274 kindergartens were damaged.²⁸⁰ The Secretary-General further explained that of the 83 UNRWA school buildings that were damaged by Israeli airstrikes and shelling nearby, 7 were being used as shelters at the time and 42 people were killed, including 16 children, and 230 persons injured when they were hit either directly or by airstrikes or shelling.²⁸¹ According to the Secretary-General, the UN had shared a list of its facilities with the Government of Israel in May 2014, which was further discussed with government entities in July 2014, and during the July and August hostilities, UNRWA provided Israeli authorities with real-time information identifying installations that were being used as designated emergency shelters and places of temporary refuge. However, despite such information, on July 24, 2014, IDF mortar fire hit the UNRWA Beit Hanoun Elementary Coed A and D school, which at the time was sheltering approximately 450 internally displaced persons, resulting in the death of at least 12 persons, including 6 children, and in the injury of at least 90 others.²⁸² The location of the school had been provided to Israeli authorities by UN staff on 12 separate occasions in the seven days leading up to the incident, including on the day when the incident took place. Intense military activity was reported in the vicinity of the school prior to, but not at the time of, the incident, and the Israel Defense Forces launched a criminal investigation.

In another incident, as reported by the Secretary-General, artillery projectiles struck the UNRWA Jabalia Elementary Girls A and B School on July 30, 2014, killing at least 17 persons, including 1 UN staff member, and injuring 99 persons who were sheltering inside, even though the school's coordinates had been formally conveyed to the

²⁷⁶ UN Human Rights Council, Information presented by the Palestinian Independent Commission for Human Rights (A/HRC/28/NI/4), February 27, 2015, <https://unispal.un.org/DPA/DPR/unispal.nsf/eed216406b50bf6485256ce10072f637/cd39daa8f9bc342985257dfc005e0f53?OpenDocument> (accessed December 31, 2016).

²⁷⁷ HRW, "Israel: Stop Shooting at Gaza Civilians," April 24, 2014, <https://www.hrw.org/news/2014/04/24/israel-stop-shooting-gaza-civilians> (accessed December 31, 2016).

²⁷⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 76.

²⁷⁹ The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), "Schools on the Frontline: the Impact of Armed Conflict and Violence on UNRWA Schools and Education Services," May 22, 2016, https://www.unrwa.org/sites/default/files/content/resources/schools_on_the_front_line.pdf (accessed December 31, 2016), page 4.

²⁸⁰ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 98.

²⁸¹ *Ibid.*, 99.

²⁸² *Ibid.*

Israeli authorities on at least 28 occasions over a 14-day span, including the night before.²⁸³ In another incident on August 25, 2014, two Government schools were attacked and destroyed by airstrikes, and the Secretary-General reported that in addition to the July and August incidents, seven other instances of attacks on schools were reported throughout the rest of the year.²⁸⁴

In April 2015, the Secretary-General reported to the Security Council that the security situation in the Maghazi refugee camp, located in the Gaza strip, rapidly deteriorated on July 21, 2014, with shelling increasing in the vicinity of an UNRWA school whose management advised that persons seeking shelter there be instructed to abandon the school and relocate to another school about 5 km away.²⁸⁵ At approximately 4:50 pm, the school's roof was struck by direct fire from an Israel Defense Forces' tank, likely involving a 120 MM High-Explosive Anti-Tank (HEAT) MultiPurpose (MP) or High Explosive (HE) projectile wrote the UN. Approximately 300 people had not yet evacuated the school. A man and a child were injured, and damage was caused to the school premises.²⁸⁶

In April 2015, DCIP reported that Israeli airstrikes and shelling during "Operation Protective Edge" completely destroyed 2 schools and damaged 279 others, including 187 government schools, and 92 UNRWA-run schools.²⁸⁷ DCIP said that following an Israeli strike near an UNRWA-run school in Rafah on August 3, 2014, Secretary-General Ban Ki-Moon denounced the attacks as "criminal acts" and called on Israeli forces to be held accountable for the "gross violation of international humanitarian law."

Regarding the Rafah incident, in a December 2014 report, the UN indicated that 12 people, including 8 children and an UNRWA guard, were killed when a missile hit near the UNRWA Rafah Preparatory Boys School that was being used as a shelter for approximately 2,700 internally displaced persons.²⁸⁸ The report stated that UNRWA had notified the Israeli authorities 33 times of the coordinates of the shelter, the last time occurring just one hour before the incident, and that the eyewitnesses said that there were no activities of armed groups in the area at the time. The media, however, "reported that the Israel Defense Forces were targeting three members of an armed group on a motorcycle or firing at the Israel Defense Forces in the vicinity of the school," noted the UN report.²⁸⁹

HRW said it investigated three of the Israel Defense Forces' attacks mentioned above that damaged Gaza schools housing displaced people causing numerous civilian casualties in violation of the laws of war. Specifically, on September 11, 2014, HRW indicated it found that the three attacks, occurring respectively on July 24 in Beit Hanoun, July 30 in Jabalya, and August 3 in Rafah, killed 45 people, including 17 children.²⁹⁰ Immediately following the July 30 attack, HRW reported that a school in the Jabaliya refugee camp in Gaza run by the UNRWA came under attack, and at least 15 people died and scores more were wounded, including women and children who were sheltering there.²⁹¹

In its February 2015 submission to the Human Rights Council, the Palestinian Independent Commission for Human Rights said that during "Operation Protective Edge", children of the Gaza Strip lost all forms of

²⁸³ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 100.

²⁸⁴ *Ibid.*, para. 101.

²⁸⁵ UN Security Council, Letter dated 27 April 2015 from the Secretary-General addressed to the President of the Security Council (S/2015/286), April 27, 2015, http://repository.un.org/bitstream/handle/11176/310767/S_2015_286-EN.pdf?sequence=3&isAllowed=y (accessed December 31, 2016), para. 18.

²⁸⁶ *Ibid.*

²⁸⁷ DCIP, "Operation Protective Edge: A war waged on Gaza's children," April 16, 2015, https://d3n8a8pro7v7hmx.cloudfront.net/dcipalestine/pages/530/attachments/original/1436292897/OPE_A_War_Waged_on_Children.pdf?1436292897 (accessed December 31, 2016), p. 71.

²⁸⁸ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1, Addendum, The human rights situation in the Occupied Palestinian Territory between 12 June and 26 August 2014, including the escalation in hostilities between the State of Israel and Palestinian armed groups in Gaza (A/HRC/28/80/Add.1), paras. 49, 51.

²⁸⁹ *Ibid.*

²⁹⁰ HRW, "Israel: In-Depth Look at Gaza School Attacks," September 11, 2014, <https://www.hrw.org/news/2014/09/11/israel-depth-look-gaza-school-attacks> (accessed December 31, 2016).

²⁹¹ HRW, "Dispatches: Gaza's Schools on the Battlefield," July 30, 2014, <https://www.hrw.org/news/2014/07/30/dispatches-gazas-schools-battlefield> (accessed December 31, 2016).

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protection and security, especially when the UNRWA's schools, as well as other schools, hospitals, and places of worship which were used as refuge were targeted, noting that 26 schools were completely damaged and 122 other partially damaged.²⁹²

In April 2016, Amnesty International said in its submission to the UN Committee Against Torture that the Israel Defense Forces committed war crimes during "Operation Protective Edge", including disproportionate and indiscriminate attacks on densely populated civilian areas in Gaza, as well as targeted attacks on schools sheltering civilians and other civilian buildings that the Israeli forces claimed were used by Hamas as command centers or to store or fire rockets.²⁹³

West Bank and East Jerusalem

In its August 2016 report, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of Palestinians in the Occupied Territories indicated that it received reports about the negative impact of the Israeli occupation on children's education in the occupied West Bank, including East Jerusalem, as a result of frequent military raids by Israeli security forces inside school premises during classroom hours, the arrest and detention of teachers and students, and the intimidating presence of soldiers on roads near schools and at multiple checkpoints along the way to school.²⁹⁴

In January 2016, the Secretary-General reported to the Human Rights Council that access to education had been most restricted among East Jerusalem communities beyond the wall, the H2 area of Hebron, the "seam zone," and in the vicinity of closed zones and settlements in Area C, noting specifically that body and bag searches were frequent, and schoolchildren and teachers were subject to regular harassment, including verbal intimidation, by Israeli soldiers.²⁹⁵ The UN further noted that the

difficulties of the commute to school were exacerbated by harassment and attacks by Israeli settlers and soldiers, and that during the reporting period (November 1, 2014 to October 31, 2015), UNICEF documented 247 cases of attacks on education, including physical assault, detention, and checkpoint harassment and delays, affecting 32,055 children.²⁹⁶

In his 2015 annual report, the Secretary-General said that there were 21 cases in 2014 where the Israel Defense Forces entered and used schools in the West Bank, and specifically there were five occasions in which UNRWA school premises were entered without the UN's permission.²⁹⁷

Popular Front for the Liberation of Palestine

Recommendation to further investigate

In his 2016 annual report on children and armed conflict, the Secretary-General reported that on August 30, 2015, the Popular Front for the Liberation of Palestine reportedly held a graduation ceremony during a camp for girls, including training in weapons.²⁹⁸

Izz El-Deen al-Qassam Brigades (Al-Qassam Brigades)

Recommendation to further investigate

Recruitment and Use

The Secretary-General reported in his 2016 annual report on children and armed conflict that the Izz el-Deen al-Qassam Brigades (Al-Qassam Brigades) reportedly ran a military camp for 25,000 children and youths ages 15 to 21 in Gaza, between July 25 and August 5, 2015.²⁹⁹

²⁹² UN Human Rights Council, Information presented by the Palestinian Independent Commission for Human Rights (A/HRC/28/NI/4).

²⁹³ Amnesty International, "Israel: Submission to the United Nations Committee Against Torture," March 25, 2016, <https://www.amnesty.org/en/documents/mde15/3688/2016/en/> (accessed December 31, 2016), p. 9.

²⁹⁴ UN General Assembly, Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/71/532), para. 43.

²⁹⁵ UN Human Rights Council, Report of the Secretary-General on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem (A/HRC/31/44), para. 45.

²⁹⁶ *Ibid.*, para. 46.

²⁹⁷ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 103.

²⁹⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 74.

²⁹⁹ *Ibid.*

In his 2015 annual report on children and armed conflict covering 2014 violations, the Secretary-General reported allegations of nine instances of child recruitment and use by Palestinian armed groups, including by the Al-Qassam Brigades.³⁰⁰ Five cases were verified by the UN: a 16-year-old Palestinian boy was injured and captured during an ambush by the Al-Qassam Brigades on Israeli forces near Kibbutz Nir Am/Erez occurring on July 21, 2014; two 17-year-old boys, reportedly associated with Palestinian armed groups, were killed in targeted attacks by Israeli drone strikes in Jabaliya and Khan Younis on July 12 and 14, 2014; the family of a 16-year-old Palestinian boy who disappeared on July 22, 2014, and was reportedly recruited by the Al-Qassam Brigades, received news of his death on July 26, 2014 (a video shows the boy giving his last statement, including his full name); and on August 2, 2014, a 17-year-old boy, reportedly used by the Al-Qassam Brigades, was killed in during IDF shelling of his home, and a video uploaded by Al-Qassam Brigades shows him undergoing military training and giving his last testament.³⁰¹

Killing and Maiming

In June 2015, the independent commission of inquiry pursuant to Human Rights Council resolution S-21/1 reported the Al-Qassam Brigades issued a statement indicating that on July 19, 2014, they fired three M75 rockets at the town of Dimona. The UN said it appeared that one of the rockets injured 2 children in the nearby Bedouin settlement of Kaser Al-Ser.³⁰²

Libya

Armed groups, including including Libyan National Army (LNA), the Benghazi Revolutionaries Shura Council (BRSC) and the affiliated Islamist militias

Recommendation to list

Killing and Maiming

The UN issued a statement following an attack on a public park in Sokna on September 20, 2016, that reportedly killed nine civilians, including women and children, and wounding 20 others, calling on all parties to the conflict to protect children from all forms of violence, and to keep them out of harm's way.³⁰³ In March 2016, the UN Panel of Experts on Libya published photographic evidence of child casualties resulting from destruction in Kufra between July and October 2015. The evidence was included in its report presented to the UN Sanctions Committee on Libya in March 2016.³⁰⁴

In a report published in February 2016, the UN reported on incidents of killing and maiming documented in the course of its investigations.³⁰⁵ Namely, in one case it investigated, two children were killed on April 26, 2015, when a rocket hit a residential building in the Al-Hada'eq neighborhood of Benghazi.³⁰⁶ It further reported that in May 2015, three children were killed and two injured when a shell struck a house in Balo'n, in the Al-Fuweihat neighbourhood of Benghazi. Regarding both incidents, the UN stated that there was reportedly no fighting in either area at the time of the attacks, nor were there any known military objectives being pursued. The same report mentioned an earlier attack from December 2014,

³⁰⁰ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 93.

³⁰¹ Ibid.

³⁰² UN Human Rights Council, Report of the detailed findings of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1 (A/HRC/29/CRP.4), June 24, 2015, <http://www.ohchr.org/EN/HRBodies/HRC/ColGazaConflict/Pages/ReportColGaza.aspx> (accessed December 31, 2016), para. 69.

³⁰³ "Statement by Ghassan Khalil, UNICEF Special Representative in Libya on the Killing of Children in Libya," UNICEF statement, September 23, 2016, <http://us7.campaign-archive1.com/?u=5eb1a46c176e09c237df0913f&id=45619b5302&e=2d3fbcf058> (accessed December 25, 2016).

³⁰⁴ UN Security Council, Final report of the Panel of Experts on Libya established pursuant to resolution 1973 (2011) (S/2016/209), March 9, 2016, http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/209 (accessed December 25, 2016).

³⁰⁵ UN Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights on Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya (A/HRC/31/47), February 15, 2016, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/OIOL.aspx> (accessed December 25, 2016), para. 20.

³⁰⁶ Ibid.

Libya (cont'd)

in which two Tabu children were seriously injured when a shell struck their house in Al-Daisa, a neighbourhood east of Awbari, stating also that no hostilities were reported in the neighborhood at the time, nor was the UN aware of any military objectives being pursued at that location.³⁰⁷

In November 2016, HRW reported on the killing of children in clashes between the Libyan National Army (LNA) and the Islamist militias that form the Benghazi Revolutionaries Shura Council (BRSC).³⁰⁸ HRW spoke to one resident of Ganfouda over the phone about airstrikes on a home on October 4, 2016, that killed two women and two children, and another airstrike that killed a mother and three children from the Abdali family, together with an elderly woman and man. The resident told HRW that during the October 4 attack, the mother and her children were at home when an airstrike hit around 9:00 pm. The father was having tea with a neighbor and after the strike, he went running to locate his pregnant wife and children. He found them, still alive, and went to find help. During his search, the neighbor's wife came with two of her children to offer assistance, during which the plane struck again, killing both women and two children. The surviving children are in bad shape, according to the resident.³⁰⁹

In May 2015, HRW reported a rise in the number of people killed and injured in Benghazi since its visit to the city in April 2015.³¹⁰ HRW cited a local news report describing a May 12, 2015, incident when a shell fired into the Ard Baloun neighborhood killing three children and injuring two others from the same family. Militants affiliated with Islamic State claimed responsibility for this incident. It further reported that according to the website of Al-Jalaa hospital in Benghazi, one man and seven children died when a shell hit the Hay Al-Salam neighborhood just two

days later.³¹¹

In January 2015, the UN noted it had documented tens of cases of children killed or injured as a result of shelling in Tripoli and Benghazi.³¹² It found that children in the camps housing displaced persons have also been injured as a result of the shelling, and that on August 30, 2014, a 15-year-old Tawerghan boy was reportedly injured during an attack on Al-Fallah camp for internally displaced persons in an area controlled by Libya Dawn. It further said that on September 14, 2014, shelling in Al-Zawiya resulted in serious injury to two boys, ages six and nine, and a ten-year-old girl, while other documented cases included the killing of at least six children in incidents of shelling or crossfire in Benghazi.³¹³

In a report it published in September 2014, the UN highlighted reports it received of civilian casualties in Tripoli, including women, children, and foreign nationals.³¹⁴ In mid-August, several civilians were admitted to the Shara' Zawiya Hospital in Tripoli, including a woman and two children, and a nine-year-old girl was reportedly killed when a GRAD rocket hit her house in al-Swani neighbourhood on August 15, 2014. The UN further pointed out that the Zawiya Academic Hospital reported 34 men and 1 woman were killed, and 250 injured, including 2 children, as a result of the violence occurring between August 2 and 21, 2014.³¹⁵ It further stated that by August 24, 2014, Tripoli Medical Center had reportedly received around 100 dead, including approximately 40 women and at least 9 children. Lastly it said that landmines reportedly used in the airport area and unexploded ordnance became a major hazard for civilians, especially children.

³⁰⁷ Ibid., para. 23.

³⁰⁸ HRW, "Libya: Civilians Under Siege in Benghazi," November 2, 2016, <https://www.hrw.org/news/2016/11/02/libya-civilians-under-siege-benghazi> (accessed December 26, 2016).

³⁰⁹ Ibid.

³¹⁰ HRW, "Libya: Civilians Trapped in Benghazi," May 25, 2015, <https://www.hrw.org/news/2015/05/25/libya-civilians-trapped-benghazi> (accessed December 26, 2016).

³¹¹ Ibid.

³¹² UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Libya and on related technical support and capacity-building needs (A/HRC/28/51), January 12, 2015, <http://www.ohchr.org/EN/Countries/MENARegion/Pages/LYIndex.aspx> (accessed December 26, 2016), para. 27.

³¹³ Ibid.

³¹⁴ United Nations Support Mission in Libya (UNSMIL) and OHCHR, "Overview of Violations of International Human Rights and Humanitarian Law During the Ongoing Violence in Libya, September 4, 2014," http://www.ohchr.org/Documents/Countries/LY/OverviewViolationsLibya_UNSMIL_OHCHR_Sept04_en.pdf (accessed December 25, 2016), p. 4.

³¹⁵ Ibid.

In the same report from September 2014, the UN reported that several residential areas in Benghazi were subjected to regular shelling during the reporting period (mid-May to end of August 2014), including areas of the city that were also subjected to air attacks.³¹⁶ The UN received reports that at least 37 civilians died as a result of shelling or crossfire from mid-May to mid-August, which included the killing of five women and six children. According to the UN, the Bua'tni, Sidi Fraj, al-Guarsha, al-Hawari, and Benina neighborhoods were particularly affected by the fighting at the time, and that residents of those areas sought refuge in the central Benghazi, with host families, or left to other cities, while several families sought refuge in schools. The UN said that airstrikes during "Operation Dignity" – an armed campaign against the Shura Council of Benghazi Revolutionaries (BRSC) - on populated areas took place frequently in Benghazi since May 2014, while in Tripoli there were two air sorties against Operation Dawn armed groups, in addition to attacks by other warring parties.³¹⁷

Attacks on Schools and Hospitals

In his 2016 annual report on children and armed conflict, the Secretary-General reported that in Benghazi 40 schools were reportedly damaged or destroyed, including through indiscriminate shelling.³¹⁸ The UN further documented one instance of military use of a school as a detention facility by the Darnah Mujahideen Shura Council. The Secretary-General further reported that attacks on hospitals and medical personnel continued, and particularly, that the Benghazi medical center was shelled at least four times and four medical personnel were reportedly killed on duty in an ambulance on May 6, 2015. Lastly he reported that the UN documented the abduction and killing of medical personnel by armed groups, including groups affiliated to Operation Karamah, in Ajdabiya, Benghazi, and Darnah.

In February 2016, the UN reported that access to education has been limited by the reduced availability of schools and that additionally, in many areas where schools remained open, parents have refrained from sending their children to school out of fear of injury during attacks.³¹⁹ The UN noted that in areas under control of Ansar al-Sharia, some parents described fearing sending their girls to school because of abductions. The UN received reports that in areas controlled by groups pledging allegiance to ISIL, girls were not allowed to attend school or were permitted only if wearing a full-face veil. It also received reports of armed groups attacking and harassing girls on their way to school in Tripoli.³²⁰

In November 2016, HRW reported that according to residents, children in Ganfouda have had only intermittent access to education since early 2015, when their school was hit by an airstrike, which was likely conducted by the Libyan National Army holding the city under siege, or the BRSC, during clashes.³²¹ Classes were moved to a nearby mosque, which airstrikes damaged anyway soon afterward, making it so that children have had no access to public education since then.

In January 2015, the UN reported that explosive remnants of war remained a major hazard for children, and that civilian objects, such as schools, have been extensively damaged by shelling, thereby limiting children's access to education.³²² The UN said that schools in Benghazi, Tripoli, and other places in Libya have been closed and converted into makeshift shelters for internally displaced persons, and that it also received reports that armed groups used schools in the Warshafana areas and Nafusa Mountains for launching attacks.³²³

³¹⁶ Ibid.

³¹⁷ Ibid., p. 3.

³¹⁸ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 89: http://www.un.org/ga/search/view_doc.asp?symbol=A/70/836&Lang=E&Area=UNDOC (accessed January 10, 2017).

³¹⁹ UN Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights on Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya (A/HRC/31/47), para. 58.

³²⁰ Ibid.

³²¹ HRW, "Libya: Civilians Under Siege in Benghazi."

³²² UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Libya and on related technical support and capacity-building needs (A/HRC/28/51), para. 28.

³²³ Ibid.

Pakistan

Tehrik-i-Taliban (TTP)

Recommendation to list

Recruitment and Use

In his 2016 annual report on children and armed conflict, the Secretary-General said that the UN received reports regarding the use of religious schools for recruitment and military training of children by Tehrik-e-Taliban (TTP) and other armed groups.³²⁴ The Secretary-General also reported on child casualties resulting from indiscriminate attacks and armed violence, including when a large bomb blast claimed by a TTP faction killed more than 20 children in Lahore on March 27, 2016.³²⁵

In its concluding observations published in July 2016, the UN Committee on the Rights of the Child expressed grave concern that children continued to be targeted for recruitment and training by armed groups for military activities, including suicide bombing and detonation of landmines, and that they are transferred to the front lines of conflict areas where they are exposed to mortal danger and risk of physical harm, while the State party has taken insufficient measures to prevent such recruitment.³²⁶ The Committee took note that the government established the Sabawoon Centre and other centers for the rehabilitation of children recruited by armed groups, but nevertheless expressed concern about the inadequacy of such centers and the lack of other measures to ensure the reintegration and rehabilitation of such children. Given this, the Committee urged the State party to take all necessary measures to prevent and prohibit non-State armed groups from recruiting children and using them in armed campaigns and terrorist acts, particularly in suicide bombings, while also recommending that the State party strengthen efforts to provide adequate rehabilitation and

reintegration structures and services, as well as allocate sufficient resources for all child victims and children who have taken part in hostilities.³²⁷

The above conclusions by the Committee expressed grave concern that under an agreement between the Ministry of the Interior and a coalition of major madrasas signed in 2011, following which there was an increase in the number of madrasas registered, complete autonomy in designing religious curriculum without State oversight was given to the madrasas and that private madrasas are often used for child recruitment and military training by non-State armed groups.³²⁸ The Committee noted that children have been reportedly exploited, including for commercial purposes by madrasa administrations.³²⁹ To prevent the possibility of abuse and exploitation, the Committee urged the State party to monitor registered and unregistered private madrasas using adequate oversight mechanisms.³³⁰ It particularly urged the State party to ensure that the madrasas' curricula: follow the overall State curriculum and do not teach religious or sectarian intolerance; are designed in the spirit of human rights; and include subjects on children's rights and international human rights instruments to which the State is a party. Finally, the Committee urged the State party to monitor non-State armed Groups, and prohibit them from accessing educational facilities, and to protect children from being exposed to recruitment and given military training by armed groups.³³¹

In their March 2016 submission to the Committee on the Rights of the Child, Human Rights Watch reported that the use of child suicide bombers by the Taliban and other extremist armed groups continued in 2015, urging the Government of Pakistan to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and to take measures to promote the physical and psychological

³²⁴ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 197.

³²⁵ *Ibid.*, para. 198.

³²⁶ UN Committee on the Rights of the Child, Concluding observations on the fifth periodic report of Pakistan (CRC/C/PAK/CO/5), July 11, 2016, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/PAK/CO/5&Lang=En (accessed December 27, 2016), para. 69.

³²⁷ *Ibid.*, para. 70.

³²⁸ *Ibid.*, para. 63.

³²⁹ *Ibid.*

³³⁰ *Ibid.*, para. 64.

³³¹ *Ibid.*

recovery and social reintegration of child victims of armed conflict or children who were recruited into armed forces or non-State armed groups.³³²

CSI also submitted an alternative report to the Committee on the Rights of the Child in July 2015, reporting that non-State armed groups, some of which were in conflict with the Pakistan military and others who were in overt or covert alliance with it, continued to recruit and use children.³³³ It reported that there were serious allegations that some within Pakistan's security establishment are affiliated to some armed groups, and while difficult to confirm these links, some groups also recruit children. CSI noted that Government of Pakistan had yet to take effective actions that work as effective deterrents to end such associations and ensure an end to the recruitment and use of children by those groups.³³⁴ Furthermore, CSI noted that the Taliban, both those that operate in Afghanistan and others that operate within Pakistan, and other armed groups such as the Lashkar-e-Taiba, were widely believed to recruit children; however, the number of child recruits remained unknown.³³⁵ It explained that once recruited, children were required to perform a number of tasks, including frontline combat, exploding landmines, detonating bombs, scouting, spying, guarding camps, cooking, and other support functions. When transferred to the front lines of conflict areas, they are exposed to grave risks of physical harm.³³⁶ In this report, CSI reported that many child recruits are drawn from madrassas, where poor families send their sons.³³⁷ In one incident they report, police arrested a 15 or 16-year-old boy who was shot and injured when his vest failed to

detonate during the 2011 attack on a shrine in Dera Ghazi Khan, and another one of the bombers who successfully detonated his vest was identified by his school card.³³⁸

CSI noted that the Government continues to conduct military operations against non-State armed groups who are behind these crimes, often at a significant humanitarian cost, but has failed to facilitate initiatives aimed at ensuring the release of children.³³⁹ After the attack on an army-run school in Peshawar that killed 140 people, mostly children, in June 2014, the Pakistan military launched armed operations against the TTP, which claimed responsibility for the attack to avenge the deaths of their children. According to officials, at least 763 militants were killed in the military's operation, but no details are available on how many were children.³⁴⁰

In its 2015 Pakistan Human Rights Report, the US Department of State reported that non-State militant groups kidnapped boys and girls and used fraudulent promises to coerce parents into giving away children as young as age 12 to spy, fight, or die as suicide bombers.³⁴¹ It reported that militants sometimes offered parents money, often sexually and physically abused the children, and used psychological coercion to convince the children of the justification of the acts they committed. The report acknowledges that the government operated a center in Swat to rehabilitate and educate former child soldiers.³⁴² The US Department of State reported the same regarding recruitment of children in its 2015 Trafficking in Persons Report.³⁴³

³³² HRW, "Submission on Pakistan to the Committee on the Rights of the Child," March 2, 2016, <https://www.hrw.org/news/2016/03/02/submission-pakistan-committee-rights-child> (accessed December 27, 2016).

³³³ CSI, "Alternative Report to the Committee on the Rights of the Child on the Occasion of Pakistan's Fifth Periodic Report on the Convention on the Rights of the Child," July 2015, <https://www.child-soldiers.org/shop/pakistan-alternative-report-to-the-committee-on-the-rights-of-the-child-1> (accessed December 27, 2016), p. 7.

³³⁴ *Ibid.*, p. 8.

³³⁵ *Ibid.*

³³⁶ *Ibid.*

³³⁷ *Ibid.*

³³⁸ *Ibid.*, pp. 8-9.

³³⁹ *Ibid.*, p. 9.

³⁴⁰ *Ibid.*

³⁴¹ US Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015, Pakistan," April 14, 2016, <https://www.state.gov/documents/organization/253185.pdf> (accessed December 27, 2016), p. 22.

³⁴² *Ibid.*

³⁴³ US Department of State, Office to Monitor and Combat Trafficking in Persons, "Trafficking in Persons Report July 2015," p. 270.

Pakistan (cont'd)

Attacks on Schools and Hospitals

The Secretary-General in his 2016 annual report on children and armed conflict attributed one verified incident of attacks on schools and protected personnel in 2015 to TTP, namely in Afghanistan.³⁴⁴ In his 2015 annual report on children and armed conflict, Secretary-General reported that on December 16, 2014, nine gunmen stormed the Army Public School in Peshawar, indiscriminately firing on pupils and staff and utilizing improvised explosive devices and hand grenades to maximize casualties, killing at least 132 boys, including some as young as 8, and several teachers and other staff members. More than 133 others were injured, the vast majority of whom were children.³⁴⁵ As earlier mentioned, the TTP claimed responsibility for the assault, stating that it was an act of revenge for the ongoing offensive in North Waziristan, which according to the Secretary-General was launched by the Government in June 2014 to reduce the capacity of armed groups to strike within the country. Schools across Pakistan were closed for several weeks following the December 16 attack.³⁴⁶ The Secretary-General notes at least 40 other attacks on secular schools by armed groups, mainly in Khyber Pakhtunkhwa province, the Federally Administered Tribal Areas (FATA), and Balochistan Province, but the responsible group was not named.³⁴⁷ In Hangu, Khyber Pakhtunkhwa province, a 14-year-old boy was killed when he tried to prevent a suicide bomber from entering a school in January 2014. Thirteen children and a school principal were injured in February 2014 when an improvised explosive device exploded outside school gates in Karak, also in Khyber Pakhtunkhwa province.³⁴⁸

The Secretary-General in his 2015 annual report also reported on attacks on healthcare, namely that attacks on polio workers by TTP-affiliated and other armed elements continued unabated in 2014, resulting in the killing of at

least nine such workers and several police and security personnel providing escorts for the conduct of polio campaigns.³⁴⁹ He named the example from January where three persons were reportedly killed and two others injured by four armed elements in Karachi, and also in Balochistan, where on November 24, 2014, four polio workers, including three women, were reportedly shot dead and three other members of the polio vaccination team were wounded by two gunmen on a motorcycle. On December 9, 2014, in Faisalabad, Punjab, the Secretary-General reported a schoolteacher volunteering in a polio vaccination campaign was reportedly shot by armed elements on a motorcycle. The Taliban splinter faction Jundullah claimed responsibility for the attack.

In its March 2016 submission to the Committee on the Rights of the Child, HRW reported with concern that attacks on schools and military use of schools continued to occur in Pakistan.³⁵⁰ It noted that in December 2014, TTP targeted a school in Peshawar and killed over 145 people, most of whom were children, and that in 2015, 360 schools were destroyed in the FATA. HRW further noted that at least 166 schools were destroyed in North Waziristan Agency, 139 in Khyber Agency, and 55 in South Waziristan Agency.³⁵¹ Lastly, in the CRC submission, HRW noted that on January 20, 2016, armed militants attacked Bacha Khan University in Khyber Pakhtunkhwa Province killing at least 20 people. In addition, following the Peshawar school attack, in December 2014 HRW said that TTP justified the attack against the army school as revenge for an ongoing army offensive in the tribal areas of North Waziristan that began in June. According to HRW, during the attack militants systematically went from classroom to classroom shooting children and teachers, and the Taliban's spokesman Muhammad Umar Khorasani said the attack was intended to make the army "feel the pain" for allegedly "targeting our families and females."³⁵²

³⁴⁴ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 26.

³⁴⁵ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 240.

³⁴⁶ *Ibid.*, para. 242.

³⁴⁷ *Ibid.*

³⁴⁸ *Ibid.*

³⁴⁹ *Ibid.*, para. 243.

³⁵⁰ HRW, "Submission on Pakistan to the Committee on the Rights of the Child."

³⁵¹ *Ibid.*

³⁵² HRW, "Dispatches: Uniting Against the Pakistan School Massacre," December 16, 2014, <https://www.hrw.org/news/2014/12/16/dispatches-uniting-against-pakistan-school-massacre> (accessed December 27, 2016).

Protecting Education in Insecurity and Conflict (PEIC) mentioned two attacks on schools in Pakistan in 2015 in its report, namely that in July, a primary school for boys was allegedly blown up by militants in Nawagai Tehsil, on the border with Afghanistan, and that also on the border, gunmen attacked a school in May, killing at least one person and injuring several others.³⁵³

In 2015, the Institute for Economics and Peace in its Global Terrorism Index reported that educational institutions continued to be targeted in Pakistan, and that in 2014 specifically, there were 103 attacks on schools, causing 201 deaths and 203 injuries.³⁵⁴ It noted that the Pakistani Taliban, like the Taliban in Afghanistan, is opposed to western education and to the education of girls, and has targeted schools and advocates of equal education.

Thailand

Southern Thailand opposition armed groups

Recommendation to list

Recruitment and Use

In his 2016 annual report on children and armed conflict, the Secretary-General reported that according to the information provided by the government, in early January 2016, in Narathiwat Province an armed group trained children as young as 13 years of age in the use of weapons.³⁵⁵ He also noted that the UN continued to receive reports of children being detained for alleged association with armed groups.

In its March 2016 submission to the Universal Periodic

Review on Thailand, the Convention on the Rights of the Child Coalition in Thailand noted that to date, effective monitoring and appropriate responses to the ongoing recruitment and use of children by armed groups have been almost entirely lacking.³⁵⁶

The Secretary-General in his 2015 annual report on children and armed conflict said that the UN continued to receive reports on the recruitment and use of children by armed groups in 2014, and that children reportedly received military training and were used as lookouts, informers, and combatants.³⁵⁷ He noted an example of a 14-year-old boy allegedly associated with an armed group who was reportedly killed in a gunfight with civil defence forces in Narathiwat Province in August 2014. The Secretary-General expressed continued concerns over the informal association of children with civil defense groups providing security for transportation routes, teachers, and schools, and said that the UN also continued to receive reports regarding the administrative detention of children for alleged association with armed groups.³⁵⁸

Killing and Maiming

In his 2015 annual report on children and armed conflict for the year 2014, the Secretary-General wrote that the UN received reports of 57 incidents, including shootings and attacks with improvised explosive devices, in Pattani, Yala, and Narathiwat that resulted in the killing of 23 children and maiming of 65.³⁵⁹ The Secretary-General further wrote that on February 3, 2014, three boys, between ages six and eleven, were reportedly killed by gunshots when armed elements committed a targeted attack on their family.

On February 5, 2014, the UN expressed deep concern about the continuing violence against children in Thailand's restive southernmost provinces, including the

³⁵³ Protecting Education in Insecurity and Conflict (PEIC) and British Institute of International and Comparative Law, "Protecting Education in Insecurity and Armed Conflict, New Developments in 2015," http://www.biicl.org/documents/836_biicl_handbook_updates_2015_-_final.pdf?showdocument=1 (accessed December 27, 2016), p. 5.

³⁵⁴ Institute for Economics and Peace, "Global Terrorism Index 2015," <http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index-2015.pdf> (accessed December 27, 2016), p. 23.

³⁵⁵ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 212.

³⁵⁶ UN Human Rights Council, Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21 (A/HRC/WG.6/25/THA/2), March 7, 2016, on file at Watchlist (accessed December 28, 2016).

³⁵⁷ UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 256.

³⁵⁸ *Ibid.*

³⁵⁹ *Ibid.*, para. 257.

Thailand (cont'd)

mentioned incident in which three young boys were killed in Narathiwat Province on February 3, 2014, strongly condemning the incident.³⁶⁰

Attacks on Schools and Hospitals

In his 2016 annual report on children and armed conflict, the Secretary-General reported that schools and education personnel continued to be targeted by armed groups in Thailand, and that according to the Ministry of Education, as of November 2015, two teachers and a student had been killed, and a teacher and two students were injured in such attacks.³⁶¹ The Secretary-General further wrote that September 11, 2015, a bomb attack at the entrance of a community school in Pattani Province injured five students aged between three and fifteen, for which a criminal investigation was taking place, and authorities began providing security escorts to teachers in the affected areas.

On September 6, 2016, the UN expressed deep concern about the continuing violence in Thailand's restive southernmost provinces and its impact on children, including an explosion that morning that killed a 4-year-old girl and her father in Narathiwat Province.³⁶² The UN said that according to media reports, a motorcycle bomb went off in front of an elementary school killing the 4-year-old girl and her father while he was dropping her off at school, also injuring at least 10 people, including teachers, other children's parents, and police officers.³⁶³

Education International also reported on this incident on September 6, 2016.³⁶⁴

Nonviolent Peaceforce stated in their July 2016 findings from a field assessment of Southern Thailand, that schools and teachers are targeted in the conflict between the government and insurgent groups, impacting children's safety and access to education.³⁶⁵

In November 2016, HRW also reported on attacks on schools and education personnel in Thailand in its submission to the Committee on the Elimination of Discrimination against Women (CEDAW) concerning Thailand.³⁶⁶ In particular, HRW reported that in March 2014, insurgents shot a teacher while riding a motorcycle on her way to work at Tabing Tingi Community School in Pattani province, and the assailants reportedly poured gasoline on her body and set it on fire. Furthermore, HRW reported the attack on September 6, 2016, when insurgents detonated a 20 kilogram bomb in front of Taba School in Narathiwat province, killing a 4-year-old girl and her father while also wounding at least 10 nearby civilians, including parents and teachers, in the blast.³⁶⁷ Lastly in its CEDAW submission, HRW reported that on October 28, 2016, insurgents shot dead a female teacher from Pattani province's Continuation School and injured another, noting that as of November 2016, at least 184 teachers have been killed and 127 wounded in Thailand's southern border provinces since 2004.

The Safeguarding Health in Conflict Coalition (SHCC) said in their 2016 report regarding attacks on health workers and health facilities in 2015 and early 2016, that in Thailand armed insurgents took over a hospital in order to stage an attack on a nearby government security post,³⁶⁸ and that health workers in the country have had to cut back evening hours to avoid being

³⁶⁰ "Thailand: UNICEF Expresses 'Deep Concern' About Violence Against Children in the Far South," UNICEF press release, February 5, 2014, https://www.unicef.org/media/media_71867.html (accessed December 28, 2016).

³⁶¹ UN Security Council, Report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), para. 214.

³⁶² "Statement Attributable to Mr. Thomas Davin, UNICEF Representative for Thailand, on Violence in Narathiwat Province," UNICEF press release, September 6, 2016, https://www.unicef.org/thailand/media_25739.html (accessed December 28, 2016).

³⁶³ Ibid.

³⁶⁴ Education International, "Thailand: Bombing Outside School Leaves Two Dead," September 15, 2016, https://www.ei-ie.org/en/news/news_details/4101 (accessed December 28, 2016).

³⁶⁵ Nonviolent Peaceforce, "The Impact Nonviolent Peaceforce Could Have in Southern Thailand," July 2016, <http://www.nonviolentpeaceforce.org/about-3/about-12/618-the-impact-nonviolent-peaceforce-could-have-in-southern-thailand> (accessed December 28, 2016).

³⁶⁶ HRW, "Human Rights Watch Submission to the Committee on the Elimination of Discrimination against Women Concerning Thailand," November 7, 2016, <https://www.hrw.org/news/2016/11/07/human-rights-watch-submission-committee-elimination-discrimination-against-women> (accessed December 28, 2016).

³⁶⁷ Ibid.

³⁶⁸ Safeguarding Health in Conflict Coalition, "No Protection, No Respect: Health Workers and Health Facilities under Attack in 2015 and Early 2016," May 2016, <https://www.safeguardinghealth.org/sites/shcc/files/SHCC2016final.pdf> (accessed December 28, 2016), p. 9.

attacked by insurgent groups.³⁶⁹ Specifically, SHCC cited HRW's report on the March 13, 2016, incident when at least ten insurgents stormed Joh Airong Hospital in Narathiwat province and used it as a stronghold to attack a nearby government security post. Seven members of a Taharnpran paramilitary unit were wounded; before retreating, the insurgents tied up a pregnant nurse and destroyed the hospital's computers, telephones, and other equipment.³⁷⁰ SHCC further noted that the Joh Airong Hospital attack was 1 of 17 attacks against military targets and civilians that insurgents conducted to mark the 56th anniversary of the National Revolution Front (Barisan Revolusi Nasional, BRN) separatist group.³⁷¹

The Secretary-General reported in his annual report on children and armed conflict that armed groups in Thailand continued to target teachers and education personnel in 2014, often using brutal threats and acts.³⁷² He specifically noted that according to the Ministry of Education, six teachers, one education personnel, and ten students were killed in 2014, while three teachers, one education personnel, and fifteen students were injured. The Secretary-General reported the March incident in which insurgents shot a teacher while she was riding a motorcycle to work at Tabing Tingi Community School. According to the Secretary-General's report, assailants reportedly poured gasoline on her body and set it on fire, and a leaflet with the words, "This attack

is in revenge for the killing of innocent people" was left nearby.³⁷³ Furthermore, the Secretary-General noted that in November 2014, banners threatening teachers were found in several parts of Yala, and soldiers and police who had been providing security escorts for teachers in the affected region had also come under fire.³⁷⁴ The Secretary-General further reported how in November 2014, 18 members of an armed group launched an attack on one such security escort, killing four soldiers and injuring two others, and that in October 2014, eight schools in the provinces of Pattani and Narathiwat were burned down over night without any particular group claiming responsibility for the attacks, but that according to some reports, it was the retaliation by a National Revolutionary Front-led armed group for attacks by the Royal Thai Army.³⁷⁵

In October 2014, HRW reported on the October 12, 2014, incident in which six schools were doused with gasoline and set alight in the southern province of Pattani, noting that attacks on schools and teachers had become a regular part of the separatist insurgency in Thailand's predominantly ethnic Malay-Muslim provinces.³⁷⁶ HRW said that the attack was thought by the Thai army to be retaliation for a recent raid on a separatist stronghold, during which a brother of the Barisan Revolusi Nasional Koordinasi (BRNC) local commander was killed.

³⁶⁹ *Ibid.*, p. 11.

³⁷⁰ *Ibid.*, p. 40.

³⁷¹ *Ibid.*

³⁷² UN Security Council, Report of the Secretary-General on children and armed conflict (A/69/926*-S/2015/409*), para. 258.

³⁷³ *Ibid.*

³⁷⁴ *Ibid.*, p. 259.

³⁷⁵ *Ibid.*

³⁷⁶ HRW, "Dispatches: Does UN Know Who Torches Thailand Schools?" October 14, 2014, <https://www.hrw.org/news/2014/10/14/dispatches-does-un-know-who-torches-thailand-schools> (accessed December 28, 2016).

Countries not yet in the report

Burundi

Recommendation to investigate further to determine which parties are responsible for committing grave violations, including armed groups and Burundian security forces

Recruitment and Use

In December 2015, Refugees International (RI) reported that in late October and November 2015, representatives of the international community in Rwanda informed RI that they had identified at least six Burundian refugee children between the ages of 15 and 17 who had been recruited into an armed group; the children lived in Mahama refugee camp in Rwanda before being transported to a training site.³⁷⁷ They also told RI they had received firsthand reports regarding the training of Burundian recruits in Rwanda and the movement of those recruits to the Democratic Republic of the Congo, stating that a training site inside Nyungwe Forest National Park in southwest Rwanda reportedly housed hundreds of Burundian adult and child recruits, including girls.³⁷⁸ RI finally said that these officials indicated they had received reports that the recruits, including the children, completed training in the use of weaponry. The US Department of State 2016 Trafficking in Persons report references an international organization's research, for Burundi, stating that in July 2015, approximately 58 children, some younger than 15, were recruited and forced

to participate in an anti-government armed invasion in Kayanza Province in Burundi, which was ultimately put down by the government, though it was unclear if any of the children were armed.³⁷⁹

In November 2015, the UN said that 53 children found to be involved with armed groups began the family reintegration process on November 30, 2015, following a careful family assessment for each child in order to ensure conditions for safe reintegration were met.³⁸⁰

Killing and Maiming

On May 13, 2016, in writing about a man's testimony who bore witness to violence in Burundi, the UN refugee agency described an incident in which he returned home one day to find dead in his home his two brothers, a friend who stayed with them, and three of her children.³⁸¹ The body of the female friend was found in the kitchen and in their sitting room, his teenage brothers, 15 and 19, were shot dead as they watched television, and beside them, one of the woman's children, a boy of seven, lay riddled with bullet wounds. Outside were the bodies of the two other children, sisters ages ten and two. Violence was carried out by the Imbonerakure, a ruling party militia, against political opponents following the announcement of President Pierre Nkurunziza's intent to run for a third term in spite of constitutional two-term limits. Reprisal gangs manned by armed fighters opposed to the President cropped up.³⁸²

³⁷⁷ Refugees International, "Asylum Betrayed: Recruitment of Burundian Refugees in Rwanda," December 14, 2015, <https://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/566b3f97c647adfee2374e5/1449869207555/20151214+Rwanda.pdf> (accessed December 30, 2016), p. 4.

³⁷⁸ Ibid.

³⁷⁹ US Department of State, Office to Monitor and Combat Trafficking in Persons, "Trafficking in Persons Report June 2016," p. 115.

³⁸⁰ UNICEF, "Burundi Humanitarian Situation Report," November 30, 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20Humanitarian%20SitRep%20-%2030%20November%202015.pdf> (accessed December 30, 2016), p. 1.

³⁸¹ Mike Pflanz, "Burundi Refugees Tell of New Horrors" (story), The UN Refugee Agency (UNHCR), May 13, 2016, <http://www.unhcr.org/en-us/news/stories/2016/5/5735d6f44/burundi-refugees-tell-of-new-horrors.html> (accessed December 30, 2016).

³⁸² Ibid.

In April 2016, the UN children's agency reported that three children were killed, including one 3-year-old girl, in just the last week of April, bringing the total number of children killed in crisis-related incidents in Burundi to twenty-nine at the time.³⁸³ In March 2016, the UN children's agency reported that it was advocating together with a partner for the transfer of two girls to child protection actors, allegedly tortured by security forces, for care, while another partner was providing care for a boy hit by eight bullets.³⁸⁴ In January 2016, it reported that it was monitoring closely the cases of grave child rights violations, specifically reporting that 22 children were killed (19 boys and 3 girls), and that since the beginning of the crisis in Burundi in April 2015 children have been caught in clashes and exposed to various forms of violence.³⁸⁵ The UN further indicated it was monitoring the cases of the seven injured children, it was providing referrals for those still requiring medical assistance, and that the two girl survivors of sexual violence were supported to receive access to health and psychosocial support services.³⁸⁶

On December 15, 2015, the UN children's agency said that children were bearing the brunt of the violence in Burundi, and many have been killed, wounded, and arbitrarily detained, while many others have been living with the constant sound of gunshots and grenades.³⁸⁷ UNICEF called for an immediate end to the violations against the children of Burundi. Later in December 2015, it reported that a 9-year-old boy was shot while playing in the street in Cibitoke, Bujumbura on December 5; that on December 9, a 16-year-old child living in the street

who attended a UNICEF Child-Friendly Space was killed by gunfire; and that on December 23, a 15-year-old was killed by a grenade while playing at a school in Musaga.³⁸⁸ The UN said a total of 21 children were killed by grenades and gunfire since the start of the crisis.

In its written statement from December 2015, the Society for Threatened People, a non-governmental organization in special consultative status with the UN, said that 13 leading national human rights organizations were shut down by the Burundian authorities in a massive clampdown campaign against critical civil society voices since November 2015, and that even torture and other illegal measures had been used by Burundian security forces to extract the so-called "confessions" and silence dissent, while public protest had been crushed by excessive lethal force, even against children and women.³⁸⁹

In December 2015, Amnesty International wrote that amid violence occurring on December 11, 2015, a 15-year-old boy was killed as he stepped out of his home at around 10:30 am.³⁹⁰ According to his mother he was terrified by the heavy shooting by the police in front of the house and was running out the back door to hide in the outhouse; he was shot in the head, left arm and side, dying on the spot. A truck from the mayor's office retrieved the boy's body the following day, refusing to tell the family where they were taking him.³⁹¹ The body of a teenage boy who sold eggs on the street was found inside his small kiosk; Amnesty witnessed a pool of blood on the ground and an empty egg basket.³⁹² Finally, on December 5, 2015, the previous Saturday, police shot and killed a 9-year-old boy who lived in the Cibitoke neighborhood as he was

³⁸³ UNICEF, "Burundi Humanitarian Situation Report," April 30, 2016, <http://reliefweb.int/report/burundi/unicef-burundi-humanitarian-situation-report-30-april-2016> (accessed December 30, 2016), p. 1.

³⁸⁴ UNICEF, "Burundi Humanitarian Situation Report," March 31, 2016, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20Humanitarian%20SitRep%20-%2031%20March%202016%20%20.pdf> (accessed December 30, 2016), p. 2.

³⁸⁵ UNICEF, "Burundi Humanitarian Situation Report," January 30, 2016, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20Humanitarian%20SitRep%20-%2031%20January%202016.pdf> (accessed December 30, 2016), p. 3.

³⁸⁶ *Ibid.*, p. 4.

³⁸⁷ "Burundi: Urgent Action Needed to Prevent a Humanitarian Crisis," UNICEF and Office for the Coordination of Humanitarian Affairs joint press release, December 15, 2015, https://www.unicef.org/media/media_86551.html (accessed December 30, 2016).

³⁸⁸ UNICEF, "Burundi Humanitarian Situation Report," December 31, 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20Humanitarian%20SitRep%20-%2031%20December%202015.pdf> (accessed December 30, 2016), p. 1.

³⁸⁹ UN Human Rights Council, Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status, (A/HRC/S-24/NGO/1), December 17, 2015, http://ap.ohchr.org/documents/dpage_e.aspx?c=30&su=41 (accessed December 30, 2016), p. 2.

³⁹⁰ Amnesty International, "My Children Are Scared': Burundi's Deepening Human Rights Crisis," December 22, 2015, <https://www.amnesty.org/en/documents/afr16/3116/2015/en/> (accessed December 30, 2016), pp. 1, 5.

³⁹¹ *Ibid.*, pp. 2, 5.

³⁹² *Ibid.*, p. 4.

Burundi (cont'd)

on his way to nearby store, wrote Amnesty. Police had shot indiscriminately after someone threw a grenade at its vehicle; the boy was hit in three places and police were slow to allow neighbors to bring the boy to the hospital. He ended up dying of a hemorrhage.³⁹³

In its September 2015 written submission to the Human Rights Council, Amnesty International described its documentation of the violent repression of protests by police in Bujumbura, stating that even where children were present during demonstrations, police still failed to exercise restraint and used tear gas as well as live ammunition, further quoting the UN that at least eight children had been killed during the crisis.³⁹⁴ In July 2015 report, Amnesty cited UN data documenting the deaths of 58 people, including children, between April 26 and June 29, 2015, and that at least 8 children were killed since the beginning of the demonstrations and many more injured.³⁹⁵

In August 2015, the UN reported that on August 5, 2015, a 17-year-old boy was shot dead, bringing the total death toll of children to nine since the start of the crisis in April.³⁹⁶ In July 2015, the UN said children continued to be disproportionately affected by the prolonged instability and election-related violence in Burundi, and in particular, that around the June 29 legislative elections and Burundi's Independence Day on July 1, there was an increase in the total number of confirmed child deaths, which at that time had stood at eight.³⁹⁷ In the month prior, the UN said that children continued to be present at political demonstrations, that the total number of confirmed child deaths at that time was five, and that additional children had been injured, including in a grenade attack and in violence perpetrated by security forces.³⁹⁸ The UN also

reported that additional child rights violations by police have been reported, including the rape of a young girl.

In May 2015, the UN reported that two weeks of civil unrest and response by the security forces in May raised serious concerns regarding child rights violations, as children were repeatedly caught up in demonstrations either as active participants or simply by being in the wrong place at the wrong time, and furthermore, the indiscriminate violent response by security forces had killed at least three children as a result. Many others were injured and arrested.³⁹⁹

Attacks on Schools and Hospitals

In January 2016, the UN reported the military use of seven schools in Bujumbura-Mairie, and it was advocating to ensure schools are maintained as zones of peace.⁴⁰⁰

In November 2015, the UN indicated it had directly raised concerns regarding the respect of schools as safe havens and zones of peace with the highest levels of government officials and partners, given the presence of police and army elements in or near schools.⁴⁰¹

Ukraine

Recommendation to investigate further to determine which parties are responsible for committing grave violations, on both sides of the conflict

Recruitment and Use

In their 2016 report the "Justice for Peace in Donbas" Coalition stated that armed conflict in eastern Ukraine

³⁹³ Ibid., 6-7.

³⁹⁴ UN Human Rights Council, Written statement submitted by the Amnesty International, a non-governmental organization in special consultative status (A/HRC/30/NGO/151), September 15, 2015, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/208/45/PDF/G1520845.pdf?OpenElement> (accessed December 30, 2016), p. 2.

³⁹⁵ Amnesty International, "Braving Bullets: Excessive Force in Policing Demonstrations in Burundi," July 28, 2015, <https://www.amnesty.org/en/documents/afr16/2100/2015/en/> (accessed December 30, 2016), p. 4.

³⁹⁶ UNICEF, "Burundi Humanitarian Situation Report," August 12, 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20SitRep%20-%2012Aug2015.pdf> (accessed December 30, 2016), p. 1.

³⁹⁷ UNICEF, "Burundi Humanitarian Situation Report," July 15, 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20SitRep%2015%20July%202015.pdf> (accessed December 30, 2016), p. 1.

³⁹⁸ UNICEF, "Burundi Humanitarian Situation Report," June 3, 2015, <http://reliefweb.int/report/burundi/unicef-burundi-humanitarian-situation-report-3-june-2015> (accessed December 30, 2016), p. 2.

³⁹⁹ UNICEF, "Burundi Humanitarian Situation Report," May 21, 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20SitRep%20-%2021May%202015.pdf> (accessed December 30, 2015), p. 2.

⁴⁰⁰ UNICEF, "Burundi Humanitarian Situation Report," January 30, 2016, p. 4.

⁴⁰¹ UNICEF, "Burundi Humanitarian Situation Report," November 30, 2015, p. 3.

has significantly increased the risk of child participation in armed groups.⁴⁰² The Coalition stated that information reported in the media indicates an increase in a number of military camps on both sides of the conflict, primarily in the territories of Donetsk and Luhansk regions not controlled by Ukraine, where some reports indicate that children in the camps are taught how to use weapons and tactics of combat, camouflage, and planting and removing mines.⁴⁰³ The Coalition further reported that in Donetsk and Luhansk regions, children were and continued to be recruited, and to participate directly or indirectly in the armed formations, and that on State-controlled territory, children at the initial stage of the armed conflict participated in voluntary armed formations.⁴⁰⁴

The Coalition said that over a period of 3 months, based on open sources and interviews, its monitoring group had registered 41 individual cases of recruitment of children into armed formations. In those cases, the monitoring group was able to identify recruits and determine their age, forms of recruitment, functions held within the formation, and also identify the persons who did the recruiting. In 37 of those cases, children were recruited into armed formations in territories not under the State's control and 4 in territories controlled by Ukraine.⁴⁰⁵ The Coalition further indicated that individual reports contained information about possible reasons why children join armed formations and what functions they perform. Based on the data obtained, it is possible to identify the armed formations that recruited children and the individuals involved in the recruitment.⁴⁰⁶ The Coalition said that at least 5 cases were documented in their monitoring period that "contained all elements of a war crime in the form of using and recruiting children

in the armed conflict". The report provides more details, including testimony of children.⁴⁰⁷

In May 2016, a UN children's agency commissioned report on the impact of conflict on education in Ukraine said that some of the parents and children surveyed mentioned cases of children who have joined up to fight, either from knowing such children personally or hearing about them, while also pointing out that boys aged 13 and above were most at risk, and were frequently recruited through social networking sites.⁴⁰⁸

Killing and Maiming

In September 2016, for the report period covering May 16 to August 15, 2016, the UN reported multiple instances of killing and maiming of children. Namely, the UN recorded 188 conflict-related civilian casualties, with 28 killed (including 1 girl and 4 boys), and 160 injured (including 4 girls and 10 boys, and 2 children whose sex is unknown).⁴⁰⁹ The UN reported that two boys were killed by electrocution after a power line was destroyed by shelling; three girls and four boys were further injured during instances of shelling.⁴¹⁰ The UN additionally reported that mines, explosive remnants of war (ERW), booby traps, and improvised explosive devices (IED) had caused 13 deaths (a woman and a girl, 9 men and 2 boys) and 41 injuries (5 women and a girl, 29 men and 4 boys, and 2 children whose sex is unknown).⁴¹¹ Another two boys were injured in exchanges of fire from small arms and light weapons and sniper shots.

In June 2016, for the period of February 15 to May 15, 2016, the UN recorded 113 conflict-related civilian casualties in eastern Ukraine, namely 14 killed, although none children, and 99 injured, including 6 girls, 4 boys,

⁴⁰² Justice for Peace Donbas Coalition, "Involvement of Children in Armed Formations During the Military Conflict in Donbas," 2016, <http://library.khpg.org/files/docs/1474993631.pdf> (accessed December 29, 2016), p. 3.

⁴⁰³ *Ibid.*, p. 4.

⁴⁰⁴ *Ibid.*, p. 5.

⁴⁰⁵ *Ibid.*

⁴⁰⁶ *Ibid.*

⁴⁰⁷ *Ibid.*, p. 6.

⁴⁰⁸ UNICEF, "Out of School Children in Ukraine, A Study on the Scope and Dimensions of the Problem with Recommendations for Action," May 5, 2016, <https://www.humanitarianresponse.info/en/operations/ukraine/document/out-school-children-report-ukraine> (accessed December 29, 2016), p. 32.

⁴⁰⁹ OHCHR, "Report on the Human Rights Situation in Ukraine 16 May to 15 August 2016," September 15, 2016, <http://www.ohchr.org/Documents/Countries/UA/Ukraine15thReport.pdf> (accessed December 29, 2016), para. 39.

⁴¹⁰ *Ibid.*, para. 40.

⁴¹¹ *Ibid.*, para. 41.

Ukraine (cont'd)

and 1 child whose sex is undetermined.⁴¹² Two boys and the child whose sex is unknown were injured by shelling, while the UN noted ERW and IEDs accounted for the majority of civilian casualties, including injuries to six girls and two boys.⁴¹³

In March 2016, during the period covering November 16 to February 15, 2016, the UN recorded 78 conflict-related civilian casualties in eastern Ukraine, including injuries to 6 boys and 2 girls.⁴¹⁴ The UN ascribed the majority of civilian casualties to ERW and IEDs, including injury to 6 boys and 4 women.⁴¹⁵ The UN noted 843 civilian casualties were recorded since the Minsk ceasefire agreement entered into force on February 15, 2015; specifically 235 civilians were killed (125 men, 61 women, 10 boys and 6 girls, and 30 adults and 3 children whose sex is unknown) and 608 injured (299 men, 164 women, 31 boys, 12 girls, and 101 adults and 1 child whose sex is unknown).⁴¹⁶ In February 2016, the UN children's agency said that in 2015, more than 20 children were killed and over 40 were injured, of which 28 casualties were caused by mines and unexploded ordnance.⁴¹⁷

In December 2015, the UN reported that during the period of August 16 to November 2015 it had recorded 87 civilian casualties (24 deaths and 63 injured) on the government-controlled territories, and that the 24 fatalities included 22 adults and 2 children, and of the 63 injured, 57 were adults, and 6 were children.⁴¹⁸ In the territories controlled by the 'Donetsk people's republic' and 'Luhansk people's republic,' the UN reported 91

civilian casualties (23 deaths and 68 injured) during the same period, and specifically, of the 23 killed, 22 were adults and 1 was a child, and of the 68 injured, 64 were adults and 4 were children.⁴¹⁹

In September 2015, the UN indicated it had recorded 575 civilian casualties in the conflict zone of eastern Ukraine for the reporting period of May 16 to August 2015, with 165 civilians killed (37 women and 4 girls, 85 men and 9 boys, and 3 children whose gender is unknown), and 410 injured (127 women, 9 girls, 195 men, and 17 boys).⁴²⁰

In June 2015, the UN said that on March 31, 2015, the Ministry of Health in Ukraine stated that "starting from March 2014, at least 109 children were heavily wounded and 42 killed as a result of tripping landmines and explosive objects, which remained from the armed hostilities in Donetsk and Luhansk regions, referring to Government-controlled territories."⁴²¹ On June 12, 2015, the UN children's agency said that at least 68 children were reportedly killed and 180 injured since March 2014 as a result of conflict in eastern Ukraine, and at the time there were anecdotal reports of children having been injured by heavy weapons fire in the escalation near the town of Mariinka, west of Donetsk.⁴²²

In its August 2014 report, the UN indicated that as of August 17, at least 2,220 people had been killed since fighting began in mid-April 2014, including at least 23 children, had been killed, and at least 5,956, including at least 38 children, had been wounded in the fighting

⁴¹² OHCHR, "Report on the Human Rights Situation in Ukraine 16 February to 15 May 2016," June 3, 2016, http://www.ohchr.org/Documents/Countries/UA/Ukraine_14th_HRMMU_Report.pdf (accessed December 29, 2016), para 24.

⁴¹³ *Ibid.*, para. 25.

⁴¹⁴ OHCHR, "Report on the Human Rights Situation in Ukraine 16 November 2015 to 15 February 2016," March 3, 2016, http://www.ohchr.org/Documents/Countries/UA/Ukraine_13th_HRMMU_Report_3March2016.pdf (accessed December 29, 2016), para. 6.

⁴¹⁵ *Ibid.*, para. 34.

⁴¹⁶ *Ibid.*, para. 33.

⁴¹⁷ "Two Years On, Ukraine Conflict Affects over Half a Million Children – UNICEF," UNICEF news note, February 19, 2016, https://www.unicef.org/media/media_90268.html (accessed December 29, 2016).

⁴¹⁸ OHCHR, "Report on the Human Rights Situation in Ukraine 16 August to 15 November 2015," December 9, 2015, <http://www.ohchr.org/Documents/Countries/UA/12thOHCHRreportUkraine.pdf> (accessed December 29, 2016), para. 27.

⁴¹⁹ *Ibid.*, para. 28.

⁴²⁰ OHCHR, "Report on the Human Rights Situation in Ukraine 16 May to 15 August 2015," September 8, 2015, <http://www.ohchr.org/Documents/Countries/UA/11thOHCHRreportUkraine.pdf> (accessed December 29, 2016), para. 27.

⁴²¹ OHCHR, "Report on the Human Rights Situation in Ukraine 16 February to 15 May 2015," June 1, 2015, <http://www.ohchr.org/Documents/Countries/UA/10thOHCHRreportUkraine.pdf> (accessed December 29, 2016), para. 26.

⁴²² "Children under Threat from Renewed Violence in Eastern Ukraine," UNICEF news note, June 12, 2015, https://www.unicef.org/media/media_82249.html (accessed December 29, 2016).

in eastern Ukraine.⁴²³ The UN specified that Donetsk and Luhansk continued to account for the majority of fatalities, but a number of other settlements were also severely affected by fighting, such as in Horlivka, in Donetsk region, where nine children were killed between July 27 and August 10.

In December 2014, the UN reported that the indiscriminate shelling of built-up areas continued with over a hundred incidents reported in just November 2014, giving an example from November 5, 2014, of the shelling of a school football pitch in Donetsk that killed two people and one child, while wounding four children.⁴²⁴ Also, on November 14, 2014, the UN said that the shelling of Horlivka killed five civilians, including two children, and wounded twelve others. Furthermore, on November 18, 2014, the village of Toshkivka, in Luhansk region, was shelled with three civilians killed and four wounded, including two children, and the UN stated that on no occasion have any of the armed groups or the Government taken responsibility for any civilian deaths.⁴²⁵

In November 2014, the UN reported that between September 9 and October 28, 2014, the number of children killed in the regions of Donetsk and Luhansk increased by 28 percent, from 28 to 36 deaths, and the number of wounded increased by 82 percent from 56 to 102 cases.⁴²⁶ On November 6, 2014, Amnesty International said that the killing of a schoolboy and an 18-year-old during shelling in the city of Donetsk on November 5, 2014, highlights a larger pattern of indiscriminate attacks which could amount to war crimes.⁴²⁷

In September 2014, the UN said that between the start of the conflict in mid-April and September 16, at least 3,517 people, including at least 36 children, were killed, and at least 8,198 wounded, of which at least 82 were children.⁴²⁸

In July 2014, the UN reported that despite the announcement of a Peace Plan by the President of Ukraine on June 20, 2014, a 10-day ceasefire was reportedly breached at least 108 times, and at least 9 people not involved in the fighting were also killed, including an 11-month old child.⁴²⁹ The UN said according to the Ministry of Health, as of July 10, 2014, 478 civilians had been killed, including 7 children, and 1,392 injured, 14 children, since the fighting began in mid-April.⁴³⁰ The UN reported that between July 10 and report publication on July 15, 2014, there were at least 44 more civilian casualties, including 2 children, for a total of 522 people killed, as reported by civil medical establishments and regional administrations in the Donetsk and Luhansk regions.⁴³¹ Furthermore, in Stanista-Luganskaya and Staraya Kondrashovka, at least 11 people were killed, including 2 children on July 2, 2014, and in Krasny Liman, shelling hit the Railway Hospital, killing the chief surgeon and wounding three others.⁴³²

The UN's July 2014 report also cited other examples of killing and maiming of children, including the shelling of the village of Maryinka and of the Petrovskiy district of Donetsk on July 11 and 12, 2014, when at least 16 people were killed, including 1 child. An airstrike on the town of Snizhne in the Donetsk region on July 15, 2014, killed eleven people from shrapnel wounds and wounded eight more, including one child.⁴³³ Finally, the UN mentioned in

⁴²³ OHCHR, "Report on the Human Rights Situation in Ukraine 17 August 2014," August 29, 2014, <http://www.ohchr.org/Documents/Countries/UA/UkraineReport28August2014.pdf> (accessed December 29, 2016), para. 28.

⁴²⁴ OHCHR, "Report on the Human Rights Situation in Ukraine 15 December 2014," December 15, 2014, http://www.ohchr.org/Documents/Countries/UA/OHCHR_eighth_report_on_Ukraine.pdf (accessed December 29, 2016), para. 38.

⁴²⁵ *Ibid.*

⁴²⁶ OHCHR, "Report on the Human Rights Situation in Ukraine 15 November 2014," November 20, 2014, http://www.ohchr.org/Documents/Countries/UA/OHCHR_seventh_reportUkraine20.11.14.pdf (accessed December 29, 2016), para. 29.

⁴²⁷ Amnesty International, "Eastern Ukraine: Both Sides Responsible for Indiscriminate Attacks," November 6, 2014, <https://www.amnesty.org/en/latest/news/2014/11/eastern-ukraine-both-sides-responsible-indiscriminate-attacks/> (accessed December 29, 2016).

⁴²⁸ OHCHR, "Report on the Human Rights Situation in Ukraine 16 September 2014," October 8, 2014, http://www.globalsecurity.org/military/library/report/2014/ukraine-rights-report06_ohchr.pdf (accessed December 29, 2016), para. 25.

⁴²⁹ OHCHR, "Report on the Human Rights Situation in Ukraine 15 July 2014," July 28, 2014, http://www.ohchr.org/Documents/Countries/UA/Ukraine_Report_15July2014.pdf (accessed December 29, 2016), para. 10.

⁴³⁰ *Ibid.*, para. 28.

⁴³¹ *Ibid.*, para. 29.

⁴³² *Ibid.*, para. 32.

⁴³³ *Ibid.*, para. 33.

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its report that the group of 16 children and 2 chaperones who were allegedly abducted and transferred to the Russian Federation territory by armed groups on June 12, 2014, were returned back to Ukraine on June 13, 2014; the children were returned through the active cooperation between Ombudspersons of Ukraine and the Russian Federation.⁴³⁴

In September 2014, the UN said its monitoring mission in Ukraine registered an average of at least 11 persons killed daily between mid-April and mid-July 2014, and an average of 36 persons per day between July 16 and August 17, 2014.⁴³⁵ It further stated that as of September 3, 2014, at least 2,905 people, including 28 children were estimated to have been killed and 7,640 wounded since mid-April 2014, excluding the 298 victims of the Malaysian Airlines-MH 17 plane crash.⁴³⁶

In the same report, the UN noted with grave concern the situation of the most vulnerable persons, including children in institutional care in Donetsk and Luhansk regions, as the efforts by the Ukrainian authorities to evacuate the children have been hindered by armed groups which have repeatedly illegally transferred institutionalized children to the Russian Federation.⁴³⁷ In particular, the UN noted that the sixty children were abducted from the Luhansk orphanage on July 26, 2014, and eight children with cerebral paralysis were kidnapped from the same facility on August 8, 2014, while previously on June 12, 2014, armed representatives of the so-called Donetsk "peoples' republic" abducted sixteen institutionalized children and two accompanying persons and took them to the Russian Federation. In the end, all the children were returned.⁴³⁸

Finally, the UN said that according to Donetsk Regional State Administration, in the period between May 9 and 30, 2014, seven children were wounded as a result of the armed groups' illegal activities, and that credible reports received by the UN showed that fourteen children from the children's institution in Slovyansk were evacuated from the city.⁴³⁹ The UN said that one non-governmental organization in Kharkiv expressed concern that no evacuation plans existed for persons with disabilities living in closed institutions, and on June 7, 2014, the Ministry of Social Policy informed the UN that of 1,494 children who were in closed institutions in Donetsk region, such as children's institutions and shelters, 663 were evacuated, and that in Luhansk region, of 760 children, 464 have been evacuated.⁴⁴⁰

On June 2, 2014, the UN children's agency said that seven children sustained gunshot and shrapnel injuries during violent clashes in eastern Ukraine since May 9, 2014, and that in one instance, a 15-year-old was shot while in a car at a roadblock and wounded in the abdomen and intestines.⁴⁴¹ Earlier in May 2014, the UN expressed deep concern about the unrest in Ukraine and its damaging impact on the lives of children, stating that it knew of children's involvement in violent demonstrations and that it was examining reports of children killed and injured in Odessa.⁴⁴² Finally in February 2014, the UN children's agency expressed growing concern about the impact of heightened violence in Ukraine on children and their families, saying there have been reports of children being caught up and injured in the violence in Kyiv.⁴⁴³

⁴³⁴ Ibid., para. 49.

⁴³⁵ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Ukraine (A/HRC/27/75), September 19, 2014, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/167/38/PDF/G1416738.pdf?OpenElement> (accessed December 29, 2016), para. 14.

⁴³⁶ Ibid.

⁴³⁷ Ibid., para. 19.

⁴³⁸ Ibid.

⁴³⁹ UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Ukraine (A/HRC/27/75), para. 222.

⁴⁴⁰ Ibid.

⁴⁴¹ "UNICEF raises alarm about children caught up in Ukraine violence," UNICEF statement, June 2, 2014, https://www.unicef.org/media/media_73680.html (accessed December 29, 2016).

⁴⁴² "Children swept up in violence in Ukraine, says UNICEF," UNICEF statement, May 15, 2014, https://www.unicef.org/media/media_73507.html (accessed December 29, 2016).

⁴⁴³ "UNICEF statement on the impact of the violence in Ukraine," UNICEF statement, February 20, 2014, https://www.unicef.org/media/media_72688.html (accessed December 29, 2016).

On July 24, 2014, HRW reported on a July 12 attack occurring at about 4:00 pm when multiple Grad rockets hit a residential area in Petrovskiy district in the western part of Donetsk region. During the incident, one rocket struck a house and garage, killing an entire family of two adults and two children.⁴⁴⁴

Attacks on Schools and Hospitals

In May 2016, the UN children's agency said that in 2014, the military conflict in Donetsk and Luhansk affected the educational sphere, as children were killed and education infrastructure was attacked, destroyed, damaged, and used by fighting forces.⁴⁴⁵ In February 2016, the UN children's agency said that at least 1 out of 5 schools has been damaged or destroyed two years since the start of Ukraine's conflict.⁴⁴⁶

In its June 2014 report, the UN indicated several incidents of attacks on hospitals, namely that during the fighting around Donetsk airport on May 26, 2014, a man was killed and six people wounded, including a 7-year-old boy who was at home, as a result of an incoming explosion near the Children's Hospital.⁴⁴⁷ The UN reported that in Slovyansk, Krasnyi Lyman, and Krasnoarmiysk, 62 schools and 46 kindergartens were not functioning, affecting 21,700 students and 5,600 children, respectively.⁴⁴⁸ The UN further said that on May 28, 2014, it was reported that during fighting in Slovyansk, two school buildings were damaged, but nobody was injured.

On November 6, 2014, the UN children's agency expressed sadness that at least two children were killed and four injured as a result of shelling of a school sports field in Donetsk city on the day prior.⁴⁴⁹

In a November 2014 report on Crimea, HRW reported that on June 24, 2014, 30 armed men, including police and Federal Security Service (FSB) agents, forcibly entered an Islamic school and conducted an extensive search examining, among other things, the school library and students' personal possessions. HRW said that according to a Spiritual Directorate of the Muslims of Crimea (DUMK) press release, law enforcement broke the front door and several windows in the school. According to the deputy mufti of DUMK, thirteen children and two teachers were on the school premises at the time.⁴⁵⁰

On August 5, 2014, HRW said that medical personnel at the children's hospital in Sloviansk told the organization that a shell had struck the hospital on May 30, 2014; HRW confirmed the front wall of the hospital was partially destroyed during a visit.⁴⁵¹ According to HRW, all patients had been evacuated at the time of the attack, and that it had no information that there were armed fighters present at the Sloviansk children's hospitals at the time.

In its September 2015 report, the UN expressed concern regarding the continued damage caused by the armed hostilities to medical facilities, often in violation of international humanitarian law, noting that this also constitutes one of six grave violations against children during armed conflict.⁴⁵² The UN said that according to information available at the time, more than 150 health care facilities had been partially or completely destroyed as a result of indiscriminate shelling.

⁴⁴⁴ HRW, "Ukraine: Unguided Rockets Killing Civilians," July 24, 2014, <https://www.hrw.org/news/2014/07/24/ukraine-unguided-rockets-killing-civilians> (accessed December 29, 2016).

⁴⁴⁵ UNICEF, "Out of School Children in Ukraine, A Study on the Scope and Dimensions of the Problem with Recommendations for Action," p. 8.

⁴⁴⁶ "Two Years On, Ukraine Conflict Affects over Half a Million Children – UNICEF," UNICEF news note.

⁴⁴⁷ OHCHR, "Report on the Human Rights Situation in Ukraine 15 June 2014," June 18, 2014, <http://www.ohchr.org/Documents/Countries/UA/HRMMUReport15June2014.pdf> (accessed December 29, 2016), para. 170.

⁴⁴⁸ *Ibid.*, para. 244.

⁴⁴⁹ "UNICEF statement on deaths of children in Donetsk, Ukraine," UNICEF statement, November 6, 2014, https://www.unicef.org/media/media_76938.html (accessed December 29, 2016).

⁴⁵⁰ HRW, "Rights in Retreat: Abuses in Crimea," November 17, 2014, <https://www.hrw.org/report/2014/11/17/rights-retreat/abuses-crimea> (accessed December 29, 2016).

⁴⁵¹ HRW, "Ukraine: Insurgents Disrupt Medical Services," August 5, 2014, <https://www.hrw.org/news/2014/08/05/ukraine-insurgents-disrupt-medical-services> (accessed December 29, 2016).

⁴⁵² OHCHR, "Report on the Human Rights Situation in Ukraine 16 May to 15 August 2015," para. 104.

Watchlist on Children and Armed Conflict

122 East 42nd Street, Suite 1620 - New York, NY 10168 - 1289 • Phone: 212.972.0695 • Fax: 212.972.0701

Email: watchlist@watchlist.org • Website: www.watchlist.org