



Strengthening Implementation of the UN's Children and Armed Conflict Agenda

The Liechtenstein Institute on Self-Determination at Princeton University (LISD), the non-governmental organization Watchlist on Children and Armed Conflict, and the Permanent Mission of the Principality of Liechtenstein to the United Nations convened a workshop on Children and Armed Conflict on December 12-13, 2013, at Princeton University. The workshop brought together representatives of UN member states, including members of the Security Council, as well as the United Nations Office of the Special Representative for Children and Armed Conflict, the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, members of the International Criminal Court, academics, and NGOs to discuss strengthening Security Council action on violations and abuses committed against children in situations of armed conflict.

The workshop comprised a public session on Thursday, December 12, to introduce a wider audience to the plight of children affected by armed conflict, and three closed sessions on Friday, December 13. In the first session on Friday, experts explored ways in which they could support the joint campaign of the Special Representative of the Secretary-General for Children and Armed Conflict (SRSG-CAAC) and the United Nations Children's Fund (UNICEF) to end the recruitment and use of children by government security forces in conflict by 2016. The second session discussed the role of partners in promoting and implementing the UN's Children and Armed Conflict Agenda. The third session examined other violations and abuses committed against children, focusing in particular on attacks on schools and hospitals.

Though participants did comment on accountability for perpetrators, it was not the main topic of the workshop. Detailed recommendations on accountability as related

to the Children and Armed Conflict Agenda are available in the report of the first Princeton Children and Armed Conflict Workshop, "How to Deal with Persistent Perpetrators?" which was circulated to the General Assembly and the Security Council on March 15, 2013, at the request of the Permanent Representative of Liechtenstein to the United Nations (A/67/794, S/2013/158).

The present report summarizes the discussions in the workshop sessions and, based on these discussions, provides recommendations for strengthening Security Council action on violations and abuses committed against children in situations of armed conflict.

CAMPAIGN TO END THE RECRUITMENT AND USE OF CHILDREN BY GOVERNMENT SECURITY FORCES IN CONFLICT BY 2016

The first session of the workshop concentrated on the SRSG-CAAC/UNICEF joint campaign to end the recruitment and use of children by government security forces in conflict by 2016. The joint campaign will be formally launched on March 6, 2014, during the UN Security Council Presidency of Luxembourg.

Workshop participants from the Office of the SRSG-CAAC discussed the intention to launch the joint campaign and discussed key aspects of it. There are eight government security forces listed by the UN Secretary-General in his annual report on children and armed conflict for the recruitment and use of children: Afghanistan, Chad, Democratic Republic of Congo, Myanmar, South Sudan, Somalia, Sudan, and Yemen. Of these eight governments, two—Sudan and Yemen—have yet to sign action plans with the UN to end and prevent the recruitment and use of children. Six government security forces

are also “persistent perpetrators,” having been listed for five or more years in the annexes to the Secretary-General’s annual reports on children and armed conflict: Chad, Congo, Myanmar, Somalia, South Sudan, and Sudan.

Participants took as a starting point for discussion an overview of progress made by each of the eight governments toward the signing and implementation of action plans with the UN to end and to prevent the recruitment and use of children by their security forces. Noting that there was considerable goodwill among perpetrators to end and prevent violations, and that not all perpetrators would respond similarly to the same options, participants sought to identify appropriate tools to support the joint campaign. Recommendations for action, summarized below, were identified in the following areas: sustained political pressure, national capacity-building processes, and sufficient and predictable resources.

Participants unanimously expressed their support for the joint campaign. However, participants also noted that the perpetrators listed in the annexes to the Secretary-General’s annual report on children and armed conflict, in vast majority, are armed non-state actors rather than state security forces. Participants therefore implored the Office of the SRSG-CAAC to promote action plan adoption and implementation with armed non-state actors as well.

SUSTAINED POLITICAL PRESSURE

Participants highlighted the need to ensure sustained and coordinated action by all actors in encouraging the adoption and implementation of action plans to end and prevent the recruitment and use of children. The following recommendations were made:

- The Secretary-General and his SRSG-CAAC should consider ways to highlight government progress made toward ending and preventing violations committed against children in situations of armed conflict within his annual report on children and armed conflict.

- The Security Council, or its Working Group on Children and Armed Conflict, could request specific briefings by the SRSG-CAAC on progress made in terms of action plan implementation.
- The Security Council, or its Working Group on Children and Armed Conflict, could request the Resident Coordinator or Special Representative of the Secretary-General for a specific country to consistently raise the issue of children and armed conflict with national authorities, and brief the Council or its Working Group on progress made in terms of action plan implementation.
- Member states should promote action plan adoption and implementation through bilateral diplomacy at the country level. The establishment of a diplomatic “group of friends” in the Democratic Republic of Congo was noted as a positive example that could be replicated in other situations.
- Member states should mainstream the Children and Armed Conflict Agenda within foreign ministries, ministries of defense, and development cooperation agencies, encouraging in particular the use of bilateral diplomacy and conditionality on military assistance to listed parties to spur action plan adoption and implementation. The United States’ Child Soldier Prevention Act (2008) was noted as an influential example in this regard.
- Following the positive example of the UN Human Rights Due Diligence Policy, which stipulates that support by UN entities to non-UN security forces must be consistent with the organization’s commitments to international humanitarian, human rights and refugee law, the UN Department of Peacekeeping Operations should consider developing a policy prohibiting armed forces listed for violations against children in situations of armed conflict to contribute troops to UN peacekeeping operations.

NATIONAL CAPACITY-BUILDING PROCESSES

Participants noted that in order to sustainably end the recruitment and use of children, governments must put in place a number of measures which will prevent future recruitment. Ending violations cannot happen without investment or capacity building in the areas of rule of law and security sector reform. The UN and donors should support the development of child protection legislation that includes the criminalization of child recruitment and use. The UN and donors may also need to assist in strengthening national judicial capacities where the criminal justice system does not have the capacity to effectively investigate and prosecute allegations of child recruitment and use. Long-term assistance may also be needed to establish national processes for birth registration, to ensure that each child has an independently verifiable proof of age. In this regard, participants welcomed a national census in Myanmar, planned to take place in 2014, which will allow for comprehensive birth registration. Furthermore, the security sector bears the responsibility to establish effective processes to verify the age of each new recruit. The following recommendations were made:

- Establish an informal technical reference group at the global level to share best practices on action plan implementation. Invite UN agencies, concerned member states, regional and subregional organizations and arrangements, donors, non-governmental organizations, and academics to participate in the reference group.
- In addition, promote bilateral cross-country learning on action plan implementation, for example through facilitating inter-country visits between governmental child protection focal points.
- Use a mid-term review to evaluate progress toward action plan implementation. Participants noted the important role of a mid-term review, where members of government could meet with members of the UN Country Task Force on Monitoring and Reporting (CTFMR) and evaluate prog-

ress made toward action plan implementation. The outcome of the mid-term review may be used as a “road map” toward finalization of the action plan.

- Develop road maps for all countries that have signed action plans with the UN to end and to prevent the recruitment and use of children. Short, action-oriented road maps were recently developed in Chad and Afghanistan, in an effort to establish clear, measurable benchmarks toward action plan implementation, allowing donors, governments, and UN country teams to prioritize and focus interventions.
- On the side of the concerned government, establish an inter-ministerial committee to coordinate action plan implementation.
- On the side of the concerned government, establish a child protection focal point within the security forces to facilitate communication with the UN CTFMR and coordinate follow-up on action plan commitments and their implementation.

SUFFICIENT AND PREDICTABLE RESOURCES

Participants noted that sustainably ending and preventing grave violations against children required sufficient and predictable resources. In this regard, the following recommendations were made:

- The donor community must address the critical need for sufficient and predictable resources to end and prevent violations and implement action plans. For example, consider the establishment of a “trust fund for action plan implementation” as a flexible funding mechanism, at either the global or the country level, that provides funding to concerned governments, UN agencies, and non-governmental organizations upon action plan adoption.

- The donor community could also connect with multilateral funding agencies, including the World Bank, to discuss funding options specifically targeting release and long-term reintegration of children formerly associated with armed security forces and armed groups.
- At the country level, the donor community could support national information campaigns, organized by concerned governments, with a view to widely disseminating action plan commitments among the military rank and file and the general population.

THE ROLE OF PARTNERSHIPS IN PROMOTING THE CHILDREN AND ARMED CONFLICT AGENDA

The second session of the workshop focused on the role partners play in promoting and implementing the UN's Children and Armed Conflict Agenda. First, participants discussed the role of regional and subregional organizations and arrangements. The growing involvement of these organizations and arrangements in conflict mediation and peacekeeping operations brings to the fore a wide range of child protection challenges, from ensuring that troops uphold international humanitarian law in the conduct of military operations, to handling children associated with armed forces and armed groups. The European Union discussed its commitment to children and armed conflict, including its development and use of EU Guidelines on Children and Armed Conflict as a basis for a coordinated approach across all EU instruments including development aid, humanitarian assistance, and EU external action including civilian and military missions executed under the Common Security and Defense Policy. In September 2013, the Peace and Security Department of the African Union Commission signed a declaration of intent with the SRSG-CAAC to step up measures to protect children affected by armed conflict. Other regional and subregional organizations and arrangements that are potential future partners include the Arab League, the Organization of Islamic

Countries, and the Association of Southeast Asian Nations. Participants explored ways to improve protection of children through partnerships with regional and subregional organizations and arrangements. The following recommendations were made:

- Encourage regional and subregional organizations and arrangements to develop guidelines to protect children affected by armed conflict, as well as a program of work and a high-level focal point, with the aim of mainstreaming the protection of children in all actions, and in particular, all peace and security activities. The program of work should also include an effort to align domestic legislation with regional and international child rights.
- Because regional and subregional organizations and arrangements are increasingly involved in peacekeeping operations and civilian or military training missions, the development of improved and harmonized training programs on child protection for troop contributing countries should be a priority.
- Encourage cooperation between UN CTFMR and other international entities engaged in ending violations against children present in the country concerned, such as but not limited to the International Labor Organization, the UN Educational, Scientific and Cultural Organization and the World Health Organization, with a view to including them in the task forces.
- Encourage cooperation between UN CTFMR and delegations of regional and subregional organizations and arrangements present in the country concerned, such as but not limited to the European Union, the African Union, the Association of Southeast Asian Nations, and the Organization of Islamic Countries.

In the second half of the session, Watchlist focused on the role national partners, including member states not affected by the issue, can play in promoting the UN's

Children and Armed Conflict Agenda. One suggestion was to encourage member states to adopt specific commitments, for example to provide financial support for action plan implementation or child protection training for troop contributing countries. Then, bearing in mind the differences between Resolution 1325 (2000) on Women, Peace and Security and Resolution 1612 (2005) on Children and Armed Conflict, Watchlist explored the scope for using 1325 National Action Plans (NAPs) as a strategy to promote the implementation of the UN's Children and Armed Conflict Agenda. In 2004, the Security Council welcomed "the efforts of member states in implementing Resolution 1325 at the national level, including through the development of national action plans."¹ Any country, including those not directly affected by the issue, can develop a NAP as a basis for a coordinated approach across its various governmental departments.

Regarding the NAPs, participants noted that there was a distinct added value in finding ways to engage member states not directly affected by the issue. Participants noted that 1325 NAPs raised the level of coordination and information exchange between governmental departments. This was considered a vital step, allowing commitments to turn into action. Many countries also involve civil society in the formulation of the NAPs, thus offering a platform for continuous civil society engagement. However, participants also noted that NAPs are often perceived as burdensome, bureaucratic processes. Other flaws include the absence of specific and realistic goals, objectives and priority actions, clear timelines, or a dedicated budget. These flaws have contributed to slowness in implementation at the country level.

Participants also discussed the Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups and the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, on the disarmament, demobilization, and reintegration of children associated with

armed groups. During the seventh anniversary Ministerial Follow-Up Forum to the Paris Commitments and Paris Principles, additional countries can be encouraged to endorse the Commitments and Principles, and to support the joint SRSG-CAAC/UNICEF campaign to end the recruitment and use of children by government security forces in conflict by 2016.

ADDRESSING OTHER VIOLATIONS: ATTACKS ON SCHOOLS AND HOSPITALS

The third session of the workshop looked at ending other grave violations committed against children in situations of armed conflict, focusing specifically on attacks on schools and hospitals. In 2011, the Security Council expanded the triggers of the UN-led Monitoring and Reporting Mechanism to include such attacks. First, the Office of the SRSG-CAAC informed on guidance under development on the implementation of Resolution 1998 (2011). The International Committee of the Red Cross presented the project it is leading on Health Care in Danger. Finally, the Global Coalition to Protect Education from Attack introduced the draft Lucens Guidelines on the military use of schools. These draft guidelines have been drawn up with the aim of reducing the use of schools by parties to armed conflict in support of their military efforts, and to minimize the negative impacts that armed conflict has on students' safety and education. They are intended to serve as guidance for those involved in the planning and execution of military operations, in relation to decisions over the use and targeting of institutions dedicated to education. Participants then discussed how to support these efforts in encouraging parties to conflict to end and prevent attacks on schools and hospitals, and made the following recommendation:

- Member States should consider endorsing the draft Lucens Guidelines on the military use of schools, and where appropriate, integrate the guidelines into military training manuals and standard operating procedures.

1. United Nations, "Statement by the President of the Security Council," October 28, 2004. S/PRST/2004/40.

RECOMMENDATIONS

Based on the discussions in the three sessions of the workshop, the following key recommendations were identified by the conveners of the workshop for taking action to strengthen the implementation of the UN's Children and Armed Conflict Agenda:

RECOMMENDATIONS TO THE SECURITY COUNCIL AND ITS WORKING GROUP ON CHILDREN AND ARMED CONFLICT

- Request specific briefings by the SRSG-CAAC on progress made in terms of action plan implementation.
- Request the Resident Coordinator or Special Representative of the Secretary-General for a specific country to brief on progress made in terms of perpetrators active in the country and action plan implementation. Request the Resident Coordinator or Special Representative of the Secretary-General for a specific country to consistently raise the issue of children and armed conflict with national authorities.
- Request the SRSG-CAAC to continue promoting action plan adoption with armed non-state actors.

RECOMMENDATIONS TO THE SECRETARY-GENERAL AND HIS SPECIAL REPRESENTATIVE ON CHILDREN AND ARMED CONFLICT

- Consider ways to highlight government progress toward ending and preventing violations committed against children in situations of armed conflict within the Secretary-General's annual report on children and armed conflict.
- Mainstream the use of mid-term reviews to evaluate progress made in terms of action plan implementation.

- Mainstream the use of road maps with clear, measurable benchmarks to expedite action plan implementation for all countries that have signed action plans with the UN to end and prevent the recruitment and use of children.
- Establish an informal technical reference group at the global level to share best practices on action plan implementation and promote cross-country learning.
- Following the example of the UN Human Rights Due Diligence Policy, consider developing a UN Department of Peacekeeping Operations policy prohibiting government security forces listed for violations against children in situations of armed conflict from contributing troops to peacekeeping operations.

RECOMMENDATIONS TO MEMBER STATES

- Mainstream the Children and Armed Conflict Agenda within foreign ministries and related government agencies, encouraging in particular the use of bilateral diplomacy and conditionality in military assistance to spur action plan adoption and implementation.
- Establish a group of friends at the country level in all countries with parties listed, in particular in all eight countries with government security forces listed for recruitment and use of children, to support action plan adoption and implementation through bilateral diplomacy.
- Support national efforts to strengthen capacity for the protection of children, including the development of legislation criminalizing violations against children, strengthening investigative and prosecutorial capacities, and promoting birth registration and age verification processes.
- Consider endorsing the draft Lucens Guidelines on the military use of schools, and where appro-

priate, integrate the guidelines into military training manuals and standard operating procedures.

RECOMMENDATIONS TO REGIONAL AND SUBREGIONAL ORGANIZATIONS AND ARRANGEMENTS

- Develop guidelines and a program of work to mainstream the UN's Children and Armed Conflict Agenda in all actions, and in particular, with the aim of including the protection of children in all relevant peace and security activities.
- Establish a high-level focal point on children and armed conflict in all regional and subregional organizations and arrangements.
- Prioritize the development of improved and harmonized training programs on child protection for troop contributing countries.

RECOMMENDATIONS TO DONORS

- Address the critical need for sufficient and predictable resources to implement action plans. Consider, with the UN, the establishment of a trust fund for action plan implementation as a flexible funding mechanism at the global or at the country level which provides funding upon action plan adoption.



LIECHTENSTEIN INSTITUTE
ON SELF-DETERMINATION
AT PRINCETON UNIVERSITY

Liechtenstein Institute on Self-Determination
Woodrow Wilson School of Public
and International Affairs
Princeton University
Princeton, New Jersey 08544 USA

Electronic Mail: lisd@princeton.edu
Telephone: (609) 258-6200
Facsimile: (609) 258-5196
Website: lisd.princeton.edu



Watchlist on Children and Armed Conflict
122 East 42nd Street, Suite 1620
New York, New York 10168 USA

Electronic Mail: watchlist@watchlist.org
Telephone: (212) 972-0695
Facsimile: (212) 972-0701
Website: watchlist.org



PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK

Permanent Mission of the Principality of Liechtenstein
to the United Nations, New York
633 Third Avenue, 27th Floor
New York, New York 10017 USA

Electronic Mail: mission@nyc.rep.llv.li
Telephone: (212) 599-0220
Facsimile: (212) 599-0064
Website: www.newyork.liechtenstein.li