



**Issue:** Implementing measures to preserve the human rights of children in conflicts

**Forum:** Special Conference 2

**Position:** Chairs

**Name:** Niels Bosman, Meryem Çelik

## Introduction

Every war involves many human rights violations. A war in itself is actually a violation of human rights, but worst of all are the human rights violations against children. Common violations are child sexual exploitation and the recruitment of child soldiers. When people think of child soldiers, they usually associate them with terrorist groups and conflicts that involve militant groups in Africa. It is true that the highest numbers of children actively involved in armed conflict are seen in the Middle-East and in Sub-Saharan Africa, but the problem extends beyond that. In 2018, seven government armed forces have been named by the UN as using child soldiers, and another 56 non-state armed forces. In 2017 alone, 203 cases of suicide bombings were confirmed to have been carried out by children in name of Boko Haram. These figures are staggering, and although many recent attempts to fight child recruitment have decreased the number of child soldiers, it continues to be a problem. In fact, certain regions have only seen an increase of children involved in armed conflict and the issue stretches out beyond conflict areas. In Europe, there are more government armed forces that still allow minors in than in Africa. And whereas there is no association between European armed forces and child sexual exploitation, it is still very common in most conflict areas, not to mention all other children's rights violations. And there are 240 million children in areas affected by violent conflict.

## Definition of Key Terms

### **Children's rights**

Children's rights refers to the human rights of minors (anyone below the age of 18, by international law). They specifically emphasise the need for special protection and care, because of the vulnerability of children. In case of conflict, the most endangered rights are the right to life, education, basic needs such as shelter and food, healthcare and freedom from discrimination.

### **Child soldiers**

A child soldier is any minor that is associated with a military organisation. This also includes functions that do not involve combat, such as cooking or transferring messages.

## **Child sexual exploitation**

Child sexual exploitation is a very broad and complicated issue, but in this case of conflict situations, the main part consists of sexual actions forcibly committed by or on minors. This includes rape and other kinds of sexual violence performed by adults.

## **Conflict situation**

In this report, conflict situation will refer to every instance of sustained armed conflict between two or more military organisations that affects a population that is not directly involved in battle. This means that there must be regular clashes between combatants of different parties in an area that inhabits non-combatants.

## **Military organisation**

Military organisations will be divided into two categories; state's armed forces, or (para-)military forces, and non-state armed forces. Both armed forces usually include all relevant components beside combatants. They would include medical personnel and support personnel for example.

## **PTSD**

Post-Traumatic Stress Disorder, PTSD in short, is a mental health condition that is common with soldiers and others that have seen themselves in combat situations or other terrifying and traumatising events. PTSD severely limits people in their ability to adapt to normal life again and to function properly in society and since it can come with many different consequences and symptoms, getting over it is a serious challenge, even with a doctor.

## **Combat**

Seemingly very obvious, combat in general only means a fight between two armed forces. The term is generally used exclusively in cases of fighting during war but can also be used more broadly for a violent clash between multiple parties.

## **General Overview**

Human rights of children in conflict situations clearly a very broad issue that consists of many different aspects. In order to provide somewhat of an in-depth analysis of the topic at hand, this report will focus mainly on child soldiers. This is not to discourage to discuss and investigate other elements relevant for children's rights in general, but to clearly show the complexity of all parts of the problem. In doing so, this report will provide an explanation of how to approach and think of the situation of children in conflict areas and come up with a range of solutions that cover various aspects, even though only one aspect has been explained on forehand. Covering it all in this report would just make it too lengthy.

Children have been used in battle since antiquity, although also in active combat, it has mostly been in supportive roles. Many young boys acted as aides or arms-bearers during battles, as a way to make it into the army one day themselves. Perhaps the earliest war that saw extensive use of children in active combat was World War I. Just like in the Second World War, teenagers were recruited, quickly trained and then sent to the front, and younger children were used for propaganda. At that time, no international rules were set to determine when one was a minor and nothing prevented countries from using them in their armies.

Since then, with the creation of the United Nations and the Declaration of Human Rights, international law has developed and the phenomenon of child soldiers has been extensively addressed. It has been described as an issue that needs to be resolved, but as of 2017, the use of child soldiers has in fact been rising as a consequence of the uprising of several militant groups throughout Africa, the Middle-East and Asia. Groups like Boko Haram have used children to carry out suicide bombings, and so-called Islamic State used them as fighters and human shields. In the yearly UN 'children and armed conflict report' seven countries have been criticised for using child soldiers in their armies (Afghanistan, Myanmar, Somalia, South-Sudan, Sudan, Syria and Yemen) and other parties in these countries, as well as in the Central African Republic, Colombia, Democratic Republic Congo, Iraq, Mali, Nigeria and the Philippines. Child Soldiers International furthermore has created a so-called 'Child Soldiers World Index', which shows the contemporary status of the signatures and ratifications of the 'Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict' (OPAC), the minimum age to enter the armed forces and whether countries host conflicts that involve child soldiers. It aims to get all UN member states to sign and ratify the treaty, raise the minimum age for military service to 18 (as a part of the Straight-18 Standard) and to eradicate all child involvement in armed conflicts. The index clearly shows how much progress there is yet to be made, and how little progress has been made in the past couple of years:



(2012)



(2016)

If we focus on the process that takes place for children to become a child soldier, we best look at Boko Haram. There are two possibilities for children to join the terrorist group; either they are forced to join, or they join voluntarily. Note that voluntarily in this case means that the children feel like they have no other option to survive and get a future than to join the terrorist group. They often face the loss of one or two parents, some siblings and other relatives, don't have a chance at a bright future because of the conflict and believe they can make money with the armed forces.

Needless to say, the conflicts they get involved in cause casualties, and these children have a high risk of not surviving combat. Especially the ones used as human shield or as suicide attackers will certainly not have a chance at a future at all. The ones that do survive and are able to return home after the conflict, or after they are released from the ranks, face a variety of challenges. First of all, cases are known where a state wanted to try children in court for committing war crimes. Even though children under international law cannot be sentenced to death or life in prison, this has happened sometimes and if it doesn't, they can still face long prison sentences. Luckily, a lot of organisations and states try to defend these children and fight for them not to be seen as perpetrators, but rather as victims themselves, no matter how vicious their crimes. They in some cases even try to provide psychological support to these children, which is very much needed. The psychological challenges they face after demobilisation include - just like with adult soldiers - post-traumatic stress disorder (PTSD), higher risk of violence and higher risk of ending up in criminal circuits. This is the case for children in any relation to armed forces and armed conflict.

For child soldiers, but also for all other aspects of children's rights in conflict situations, the difficulty of finding a solution can be divided in three categories. First of all, there is the start of the conflict. The armed conflicts that involve or affect children are going on in very different regions of the world, and are born out of very different situations. The circumstances of all these conflicts in which children are affected are so vastly different that it is hard to compare their problems at all. Secondly, there is the part where children get involved in the conflict. This as well is very much dependent on the type of conflict and the way they get involved. Solving the issue of child soldiers will require very different solutions than ensuring their education, or preventing their harm in cross-fire or air strikes for example. Finally,

there is the aspect of providing care for those children that were not shielded from the negative consequences of armed conflict. The combination of all these factors makes the protection of children's rights extremely complicated in situations of armed conflict. It will be important however, that when discussing this topic the focus will be on all aspects of these difficulties, and on all the aspects of children's rights.

## Major Parties Involved

### **Child Soldiers International**

Is a Non-Governmental Organization established in 1998 by leading human rights organizations such as Amnesty International, Human Rights Watch and Save the Children. It was formerly known as 'the Coalition to Stop the Use of Child Soldiers'. Their ambition is to work for a world where children are not used in war. To accomplish this they build resistance to child recruitment in communities, they empower the effective reintegration of children who have been demobilised and they support and persuade governments and armed groups to end child recruitment.

### **United Nations International Children's Emergency Fund (UNICEF)**

UNICEF started as an organisation to provide emergency food and healthcare to children in countries that had been devastated by World War II. Now, it's the biggest organisation devoted to the welfare of children all around the globe, which also includes fighting child recruitment. UNICEF supports many organizations to save children in conflicts.

### **War Child**

War Child reaches out to the children when a conflict breaks out and supports them. Their four main areas are: 1. Protection, 2. Education, 3. Livelihoods and 4. Advocacy. They help child soldiers reunite with their families, reintegrate them back into society and educate and train them so that they have a chance at a bright future. 47.929 former child soldiers were supported through projects by War Child.

### **Amnesty International**

Amnesty International is the biggest organization focussed on the human rights. They also help to preserve the human rights of children in conflicts.

### **Save the Children**

Save the Children is another big organization that helps children. Their main purpose is to give children a healthy start in life, the opportunity to learn and protection from harm. They help over 115 million children over 120 countries from all around the globe.

### **United Nations High Commissioner for Refugees (UNHCR)**

The UN Refugee organisation helped with the advocacy work during the drafting process that led to the adoption of the Optional Protocol to the Convention of the Rights of the Child on the involvement of children under 18 in armed conflict.

## Timeline of Key Events

Date	Description of Events
1765	Sir William Blackstone recognised three parental duties to the child: maintenance, protection and education
1924	The League of Nations adopted the <i>Geneva Declaration of the Rights of the Child</i> .
1948	The United Nations Universal Declaration of Human Rights recognised the need of motherhood and childhood to 'special protection and assistance' and the right of all children to 'social protection'
1949	Additional Protocols I and II of the four Geneva Conventions set the age at 15 for involvement in armed conflict
1959	The United Nations General Assembly adopted the <i>United Nations Declaration of the Rights of the Child</i> .
1989	The United Nations adopted the Convention on the Rights of the Child (CRC).
1997	Jenny Kuper published a book named ' <i>International Law Concerning Child Civilians in Armed Conflict</i> ' this book describes all the injustice that children face in conflicts.
2000	The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) was created to protect children from all sorts of military engagements.
2001	The Security Council announced that the recruitment of child soldiers would not be tolerated.
2014	UNICEF and the Special Representative of the Secretary-General for Children and Armed Conflict launched a new campaign, aimed to spread awareness on a global consensus that child soldiers should not be used in conflicts.

## Previous attempts to resolve the issue

Most of the previous attempts to resolve this issue are already stated in the timeline. Some of them are further clarified here.

### **Red Hand Day**

This is an international day that not only draws attention to the harm of child soldiers, but also supports those affected by it. This is every year on 12 february, since 2002.

### **United Nations Convention on the Rights of the Child (UNCRC)**

This is the basis of all of UNICEF's work. The convention covers all the human rights of the child, with no exceptions. Since 1992, the UNCRC puts a lot of effort for the

rights of the child. In May 25th 2000, the General Assembly adopted one of the 'Optional Protocols'. These protocols are not mandatory but optional for every country. The one adopted in 2000 is 'the Optional Protocol on the involvement of children in armed conflicts', which was supported by many countries.

### **Resolution 1612**

The Security Council adopted a resolution on children and armed conflicts on 26 July 2006.

### **Resolution A/RES/51/77**

This Resolution focuses mostly on the rights of the child, but also the rights of children in conflicts.

### **Children, Not Soldiers**

This campaign is an initiative of the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF aimed to bring global consent that children should not be used as soldiers in armed conflicts. This campaign gained many supporters such as Member States, NGOs and regional organisations.

The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) was created to protect children from all sorts of military engagements. OPAC was the world's first international treaty wholly focused on ending the military exploitation of children. The treaty prohibits the conscription of children under the age of 18 and their participation in hostilities. It also prohibits the voluntary recruitment of children by non-state armed groups, although it allows state armed forces to recruit from age 16, as long as the children recruited are not sent to war.

## **Possible Solutions**

Saving children from being harassed or used as soldiers is a very complex issue. People do the craziest things in times of war, even neglecting the human rights. The best measure to preserve the human rights of children in conflicts is to end war. If there is no war, there are no human rights of children violations in conflicts. Another possible solution is to save the children as soon as possible from conflict areas. The biggest factor that has to be kept in mind is that children must NOT be separated from their parents! This is very bad for the development of the child.

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