

### ***Week in Review: Children and Armed Conflict***

The topic of children and armed conflict is of special interest to Global Action to Prevent War, as it addresses two overlapping areas of our work—disarmament and human security. The past week at the UN saw a flurry of events and briefings touching on specific topics within the larger issue of children in armed conflict. Germany has taken the lead on this issue in their capacity as Chair of the Security Council Working Group on Children and Armed Conflict. The week's events were also pushed by the Special Representative to the Secretary General on Children in Armed Conflict, Radhika Coomaraswamy, in an effort to give this issue the exposure it deserves while keeping in mind the coinciding UN Year of the Youth. The events of the week brought together youth speakers, former child soldiers, UN diplomats, academics and other experts from diverse backgrounds as part of a collaborative effort for forming recommendations, spreading awareness, strengthening commitments and forging consensus about how to better tackle this ongoing issue.

On June 23 2011, the German Mission hosted a Children and Armed Conflict event, as part of the UN International Year of Youth. The briefing was moderated by Chantal Walker from the Permanent Mission of Canada to the UN and featured diverse, poignant and insightful voices such as Grace Akallo, Mahmud Johnson, Rosalie Azar and Susanne Fries-Gaier. The event's voices echoed much of what is recommended in the Machel Study 10-Year Strategic Review on children in armed conflict, namely: ending impunity for violations against children, strengthening monitoring and reporting, supporting communal reintegration strategies and working toward universal compliance with international norms and standards. Also mentioned was the importance of the development of strategies before, during and post-conflict, education as a key factor for the inclusion of children into communities and better inclusion of children in peace-building operations. Grace Akallo, a former LRA child soldier in Uganda and founder of United Africans for Women and Children Rights, affirmed "the importance of education, care and protection from member states to save children and youth from conflict". Mahmud Johnson, a student involved in the 'I'm Here Liberia Project,' called for greater education, recreation and rehabilitation of young men as a means to combat socio-economic conditions that he believes are at the root of child violence and armed conflict. Despite successes and accomplishments on this issue, it is clear that many challenges remain. There seemed to be consensus on the necessity of achieving long-term programs to re-integrate former child soldiers into society and greater implementation and mobilization in the international community.

The second conference (29 June 2011) elaborated on the issue of accountability in situations where children are involved in armed conflict. Organized by the Office of the SRSG for Children and Armed Conflict and led by Joseph Rikhof, Senior Counsel of the Crimes against Humanity and War Crimes Section in the Department of Justice of Canada, the conference highlighted the legal and moral opacity of prosecution and accountability in dealing with war crimes and atrocities committed by children in armed conflict. The question was posed: Should the international community and justice systems view such children as criminals or victims? The general consensus was that the legal accountability should be on those responsible for involving the children in the conflict. But on the issue of direct participation in hostilities by children in armed conflict, the consensus was less clear. Although the legal grounds to prosecute children for war crimes are certainly possible, the lack of specificity on this issue in the Rome Statute or international law makes it a difficult path to navigate. The preamble of the Rome Statute states that the legal concern is directed towards those responsible for involving the children in the conflict. Regardless, no such children have been prosecuted to this date (the youngest charged with an atrocity crime was 23 years of age) and the legal foundation is extremely weak on this issue. Touching on examples from across the legal spectrum, the speakers did identify provisions in international humanitarian law and refugee law

that deals with protocol of trying child soldiers. But despite small references to the issue in disparate statutes, a proper mechanism to deal with such cases and development of standards of practice are extremely inchoate. The session left all in attendance grappling with the morality of prosecuting 15 year-olds as mass murderers.

On June 30, 2011, the Office of the Special Representative of the Secretary General and the Permanent Mission of Germany hosted a panel discussion on “Children and Armed Conflict: Attacks on Schools and Hospitals in Armed Conflict,” reflecting on the timeliness of this particular issue of children in armed conflict. Recently, attacks on schools and hospitals in Libya and South Sudan have demonstrated the imperative need for a comprehensive solution to children intentionally targeted in armed conflict. Diplomats and non-governmental organizations participated in the lively discussion on how best to prevent and prosecute attacks on schools and hospitals. Several topics were debated, including: Should this issue be of concern in the Security Council? Where should sanctions and punitive action take place? Is it the responsibility of the General Assembly? Secretary General Ban Ki-Moon, whose presence marked the importance of this issue, noted it is “essential to protect children from those who seek to deny children their rights.” Representatives of states and non-governmental organizations called for stronger reporting mechanisms to track the progression and effect of attacks on schools and hospitals. Sheikha Moza Bint Nasser, representing Qatar, underscored the effect of armed violence on education and development and called for greater international commitment to end attacks on schools and hold perpetrators accountable. According to Ms. Nasser, 42 percent of children not in school are living in countries affected by armed violence. Other notable remarks came from Robert Young of the ICRC who elaborated on the legal implications of attacks on schools and hospitals. Deliberate attacks constitute what is defined as a war crime under international humanitarian law, but too rarely do such crimes go punished. His call for greater respect for international law, better reporting mechanisms, more accountability and greater action by the Security Council mirrored similar statements from across the panel.

A discussion of children and armed conflict will continue in the form of a thematic debate at the Security Council this month, where Germany intends to submit a resolution that will include attacks on schools and hospitals when naming perpetrators in the Secretary General’s annual report on Children and Armed Conflict. The week’s events certainly brought together many bright figures contributing to important discussion, passionate debate, worthy recommendations and tangible steps forward, but whether or not these efforts will truly lead to measurable results on the ground, the jury is still out.