

## Children and Armed Conflict



A Palestinian girl looks out of a classroom window at a UN-run school sheltering displaced Palestinians in Jabaliya refugee camp in the northern Gaza Strip August 3, 2014. (Reuters Photo/Mohammed Salem)

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This is Security Council Report's seventh Cross-Cutting Report on Children and Armed Conflict, continuing a series that began in 2008. These reports track Security Council involvement with children and armed conflict over the years, highlighting trends since the issue first emerged as a separate thematic agenda item in 1998. The present report covers relevant developments at the thematic level during 2014 and into the first half of 2015. It analyses Council decisions on country-specific situations relating to children and armed conflict in 2014, as well as the output of the Working Group on Children and Armed

Conflict and the activities of the Office of the Special Representative for Children and Armed Conflict. In addition, it covers issues related to sanctions and peacekeeping. The report discusses Council dynamics and outlines possible options to advance the children and armed conflict agenda. One of the main conclusions of the report is that while the children and armed conflict agenda managed to stay on track, with some progress made in refining the agenda, there is a need to find ways of responding more quickly to new crises as well as to the deterioration of situations already being considered. •

## Summary and Conclusions

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In 2014 the Security Council faced a mix of old and new complex crises and a high level of demand for its attention. Many of these challenging situations had devastating effects on children. Deteriorating security and political situations in the Central African Republic (CAR), Iraq, South Sudan, Syria and Yemen saw children directly affected by hostilities between rival parties and an increase in the recruitment and use of children by armed groups. Activities of extremist non-state armed groups such as Boko Haram, the Islamic State of Iraq and al-Sham (ISIS), and the Al-Nusra Front led to large-scale abduction of children. The eruption of hostilities between Israel and Palestine in the summer of 2014 saw an increase in attacks on schools, as well as children killed in airstrikes and shelling. In long-standing conflicts in Afghanistan, the Democratic Republic of Congo (DRC) and Somalia, children remained vulnerable, with both government and non-state parties continuing to be involved in violations against children. While the Council attempted to address multiple crises at once, it was clear that often it did not have the capacity, flexibility or unity to act rapidly and effectively.

Against this backdrop, the Security Council largely kept the children and armed conflict agenda on track. Key to this was its Working Group on Children and Armed Conflict. Following several divisive years on this issue, 2014 was a period when steady progress was made in refining the children and armed conflict agenda. Led by Luxembourg, the Working Group in 2014 continued with its work of responding to country-specific reports on children and armed conflict. It adopted four conclusions and held ten formal meetings, as well as numerous informal meetings, where reports were discussed in detail and draft working group conclusions negotiated.

The Working Group also showed flexibility and embraced innovation, for example by receiving briefings from the field by video teleconference and holding meetings with the AU and the International Criminal Court (ICC). Compared to the last few years, the overall composition of the Council in 2014 was generally more supportive of the children and armed conflict agenda, making it possible to cautiously move the agenda forward. Still, there is an increasingly urgent need for the Working Group to find ways of responding more quickly to new crises as well as to the deterioration of

situations already being considered.

We have shown in our cross-cutting reports (this is our seventh), how over the past ten years the issue of children and armed conflict has been integrated into the Council's country-specific work. While there has been some push-back on human rights and protection issues in recent years, there appears to be general acceptance of the inclusion of children and armed conflict language in relevant country-specific resolutions and presidential statements. In the last three years, about 70 percent of relevant country-specific resolutions have had some language on children and armed conflict. In 2014, we also found that in most relevant resolutions and presidential statements there was increasing attention paid to making the language more consistent and more specific to the particular crisis. Much of this is due to the diligent and systematic manner in which Luxembourg brought language on children and armed conflict to the negotiating table.

Significantly, the incorporation of protection of children provisions into peacekeeping missions with a protection mandate, as well as inclusion of protection of children designation criteria in new sanctions regimes on situations with a child protection dimension, has become common practice. Relevant peacekeeping and political mission mandates now often have adequate language for stronger child protection activities on the ground. However, there are clearly problems implementing these more robust child protection mandates in some situations, such as Mali. Further discussion and thinking on how best to match mandates and needs on the ground may be needed.

Still, Council dynamics on country-specific issues have clearly impacted the output of the Working Group. There is a direct correlation between sensitivity of an issue in the Council and the level of difficulty the Working Group is likely to encounter in adopting conclusions to the Secretary-General's reports on children and armed conflict on the same country-specific situation. This was clearly seen in the length of time it took to reach agreement about the conclusions on the report on children and armed conflict in Syria. Less obviously, however, a number of members of the Working Group have specific concerns that relate to policy priorities or national interest sensitivities, which can affect positions on less controversial situations.

Unlike other protection issues, children

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## Summary and Conclusions (con't)

and armed conflict has been led by an elected member since 2008, when France gave up the chairmanship of the Working Group. Since then Mexico, Germany, Luxembourg and now Malaysia have taken on the chairmanship and the pen for this issue, displaying commitment and devoting impressive resources to the work. While continuing to take forward the established issues of this agenda, each chair has also chosen to promote particular areas of interest. While this has resulted in new initiatives, it is important that with each change of chairmanship there is follow-through. For example, the issues of non-state armed groups and the need to put pressure on parties that had been included in the annexes to the Secretary-General's reports for a long time, known as persistent perpetrators, were a key focus in 2011 and 2012. (The Secretary-General's annual reports since 2002 have contained "naming and shaming" annexes of parties to armed conflict: its Annex I lists armed conflict situations that are on the Council's agenda, while Annex II consists of armed conflict situations not on the Council's agenda but that are situations of concern regarding children. The four violations that can trigger an inclusion in the annexes are recruitment, sexual violence, killing and maiming and attacks on schools and hospitals. A party must sign and implement an action plan to be taken off an annex.) Less attention was paid to non-state armed groups and persistent perpetrators in

the last two years. However, with the March 2015 debate on children and armed conflict focusing on child victims of non-state armed groups, there may be an increased focus on these issues in the coming year.

The Office of the Secretary-General's Special Representative for Children and Armed Conflict focused much of its attention on the campaign "Children, Not Soldiers", launched in March 2014 with the aim of ending the recruitment and use of children by armed forces by 2016. Seven of the eight armed forces in the Secretary-General's annexes have signed action plans. As a result of the campaign, recruitment by government forces and progress on action plans to end recruitment were given considerable attention in the Special Representative's press releases and relevant Council outcomes. This was also a key focus of field visits by the Special Representative. So far it has resulted in one new action plan signed by the Yemen government and several commitments. However, the deterioration in situations such as South Sudan and Yemen are likely to make it difficult for these governments to move swiftly to implement their action plans to stop recruitment and use of children. Little attention has been paid to getting parties involved in other violations, such as sexual violence, killing and maiming or attacks on schools and hospitals, to sign action plans.

It is worth noting that although the focus has been on government forces, in 2014 non-state armed groups in the CAR, Darfur, Mali,

South Sudan and Syria committed to take measures against violations against children and issued command orders or launched internal sensitisation campaigns on the protection of children, particularly in relation to the prohibition of their recruitment and use.

The increased focus on attacks on schools and hospitals and on the use of schools has raised the profile of these violations. However, this has not yet led to any action plans by parties involved in such attacks or use to stop or prevent these acts. Looking ahead, if abduction of children is added as a new trigger, it may be useful to have a focused discussion on the challenges in getting action plans on the different violations.

Chad's speedy implementation of an action plan to prevent the recruitment of children in its armed forces in order to participate in the peacekeeping mission in Mali illustrates the importance of political will combined with incentives in galvanising a government to act on child violations. A better understanding of what might motivate a party to strive to be taken off the Secretary-General's annexes could prompt fresh thinking about approaches to non-state armed groups as well as governments. While such motivation can be used in the future to incentivise countries to implement or sign action plans, care needs to be taken to ensure that reforms are genuine before removing parties from the annexes.

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## Key Developments at the Thematic Level

### Security Council Activity on Children and Armed Conflict

#### *7 March 2014 Open Debate and Resolution*

On 7 March, the Security Council held an open debate on children and armed conflict with the overall focus on how to achieve progress on the full implementation of the children and armed conflict agenda (S/PV.7129).

The Minister of Foreign and European Affairs of Luxembourg, Jean Asselborn, presided, and there were briefings by Secretary-General Ban Ki Moon, Special Representative for Children and Armed Conflict Leila Zerrougui, Executive Director of the UN

Children's Fund (UNICEF) Anthony Lake and Under-Secretary-General for Peacekeeping Operations Hervé Ladsous, as well as Alhaji Babah Sawaneh, a former child soldier from Sierra Leone. Besides the 15 Council members, 44 other member states and a representative from the EU spoke.

Ahead of the debate, Luxembourg, the chair of the Working Group on Children and Armed Conflict, circulated a concept note outlining issues related to the full implementation of this agenda, including a lack of capacity and resources for the implementation of action plans and the mechanism for monitoring and reporting on the ground (S/2014/144). Other

areas covered by the concept note included the "Children, Not Soldiers" campaign, aimed at eliminating child recruitment and use by government forces by 2016, launched on the day of the debate by the Office of the Special Representative and UNICEF. Preventive measures, such as the establishment of legal frameworks and age-verification mechanisms, and security and justice reform were also addressed. The use of schools for military purposes, the effects on children's right to education and the threat of pupils becoming military targets were also highlighted as a new challenge. Mirroring the issues raised in the concept note, a number of speakers also called for ending the military use

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## Key Developments at the Thematic Level (con't)

of schools and condemned attacks on schools.

At the start of the debate, the Council adopted resolution 2143, with all 15 members voting in favour. While reiterating a number of key issues, the resolution contained some new elements, including references to the use of schools by armed forces, encouraging member states to establish a vetting mechanism to ensure those who have committed violations against children are not included in army ranks, recommendations for child protection training for peacekeepers and military personnel, support for the “Children, Not Soldiers” campaign and the role of child protection advisers in integrating child protection into the work of the UN missions. The importance of security sector reform in mainstreaming child protection, including through age-assessment mechanisms to prevent underage recruitment and establishment of child protection units in national security forces, were also new elements. The draft resolution also focused on the role regional organisations can play in child protection and the need to incorporate child protection provisions in peace agreements.

In contrast to negotiations on outcome documents for children and armed conflict in recent years, discussions on the 2014 draft text were generally not contentious. This may have been partly due to Luxembourg’s decision not to focus on issues such as persistent perpetrators and non-state actors, which have been particularly controversial, as well as the change in the composition of the Council. Some members with strong views about such issues as the Special Representative’s mandate and the scope of the agenda were no longer on the Council. Still, there were a number of issues that required compromises, including on the ICC, military use of schools and whether to include a request for more information on the process for removing or delisting parties from the Secretary-General’s annexes.

The most difficult issue was reaching agreement about the language on military use of schools. The first draft urged member states to support the development of guidelines for protecting schools from military use during conflict. The reference to any sort of guidelines was unacceptable to the US and possibly at least one other permanent member. As a result there was no reference to guidelines in the final draft. The US appears to have had some legal concerns

with language in the draft text on attacks and use of schools and insisted on inserting the phrase “in contravention of applicable international law” in relation to this issue. Some of the other members were disappointed as they had hoped for language that would go beyond international humanitarian law and include more specific language on the use of schools, particularly by the military.

Another area that required some negotiation was the language on the ICC. Rwanda apparently wanted to use the language on the ICC that had been agreed to in the 21 February 2014 rule of law presidential statement where reference is made to the international justice system, rather than specifically to the ICC (S/PRST/2014/5). Eventually, Rwanda accepted highlighting how the fight against impunity for crimes against children has been strengthened by the work of the ICC and other tribunals.

A further contentious issue was related to a request by Russia to add language from previous resolutions and presidential statements requesting the Special Representative to brief the Council on the process for removing parties from the annexes and progress made. A compromise was found by including this as part of a request for the Special Representative to inform the Council about the campaign “Children, Not Soldiers”. However, Russia indicated in its statement during the debate that the issue had not been properly reflected in the resolution that had just been adopted.

Discussions on the draft resolution signalled that Council members were willing to move ahead on this agenda and focus on areas that had not been given much attention in the past, such as the military use of schools and hospitals, which had been added as a trigger in resolution 1998 but on which there had been little progress in terms of action plans. Statements made during the debate also showed that the majority of speakers were very supportive of the children and armed conflict agenda, with only a handful criticising specific aspects such as the inclusion of “situations of concern” in the Secretary-General’s annual report and the need for clearer criteria for listing and delisting purposes.

### *8 September 2014, Open Debate and Presidential Statement*

The year’s second open debate on children and armed conflict was held on 8 September

(S/PV.7259). Zerrougui and Ladsous briefed, joined by Deputy Executive Director of UNICEF Yoka Brandt, Forest Whitaker as UNESCO’s Special Envoy for Peace and Reconciliation and Sandra Uwiringiyimana, a young victim of the conflict in the DRC. In addition to Council members, 59 member states spoke, as did representatives from the EU and the League of Arab States. In presenting the latest report on children and armed conflict (S/2014/339), Zerrougui highlighted the impact on children of such groups as ISIS in Iraq and Boko Haram in Nigeria, as well as the Gaza conflict’s toll on children.

Many member states also focused on emerging threats, such as ISIS and Boko Haram and the situations in Syria and Gaza. Speakers highlighted abductions in Iraq and Nigeria in particular. The need for accountability was brought up by a number of speakers who raised the issues of persistent perpetrators, support for targeted measures against violators and the need for child protection provisions in peace negotiations and agreements. Child protection advisers and training for peacekeepers, as well as the need for a UN peacekeeping policy banning countries listed in the annexes from contributing troops to peacekeeping missions until action plans have been signed and implemented, also featured in the debate. The “Children, Not Soldiers” initiative was highlighted, and progress in some countries was noted.

The majority of speakers were supportive of the children and armed conflict agenda, but a few members, including China and Russia, flagged issues that have been of concern to them for several years, such as the need for clear procedures for inclusion in and removal from the annexes, the primary responsibility of national governments for the protection of children and the need to ensure that the Special Representative stays within her mandate.

### *25 March 2015, Open Debate*

On 25 March, the Security Council held an open debate on children and armed conflict focused on child victims of non-state armed groups (S/PV.7414). There were briefings by the Secretary-General, Zerrougui and UNICEF’s Brandt. The field perspective was provided by the child protection advisor from Save the Children in the CAR, Julie Bodin. Junior Nzita Nsuami, a former child soldier

## Key Developments at the Thematic Level (con't)

from the DRC who is president of the NGO Paix pour l'enfance, shared his experiences as a child soldier and goodwill ambassador for the implementation of the action plan on child recruitment in the DRC. Seventy-one member states participated and statements were delivered on behalf of the Association of Southeast Asian Nations, AU, EU, NATO, the Nordic countries and the Human Security Network.

The Secretary-General covered the growth of terrorist groups, abductions and the “Children, Not Soldiers” campaign in his briefing. Zerrougui spoke of the challenges of intensifying conflicts and the growth of armed groups, particularly those with extremist ideology. Like the Secretary-General, she noted that mass abductions had increased in several conflict areas. Other issues that were covered included attacks on schools and hospitals by non-state armed groups, girl victims, detention, reintegration and the “Children, Not Soldiers” campaign. Mediation and peace processes as an entry point for securing commitments from non-state armed groups were also highlighted.

A number of member states focused on the issue of abduction of children, citing the recent abduction of school girls by Boko Haram and of Kurdish boys in Syria and Yazidi children in Iraq by ISIS, as well as abductions by groups in the CAR, DRC and Yemen. Several states, including Council members Angola, Chad, France, Lithuania, Malaysia, Spain and the UK, supported adding abduction of children as an additional trigger for listing groups in the Secretary-General's annexes.

The issue of attacks on and the use of schools and hospitals, which was key in resolutions 1998 and 2143, was also raised by some Council members, including Chile, France, New Zealand and Nigeria, and several non-Council members. Issues related to peacekeeping and political missions, including training for peacekeepers and provision of child protection personnel in mission mandates, were also raised. Accountability for violations against children, and disarmament, demobilisation and reintegration (DDR) issues were also highlighted.

France, which had chosen to hold this debate during its presidency, had stressed that it wanted concrete proposals from member states on how to prevent and respond to grave violations against children by non-state armed groups. While members covered

the increase in violations against children by non-state armed groups and raised the issues flagged above in their statements, there were few new proposals for how to deal with the long-standing issue of non-state armed groups. One new suggestion was for guidance for peace mediators, which France, Malaysia and New Zealand called for. Other suggestions included strengthening communication between the Working Group and the sanctions committees and NGOs, and getting national legislatures to adopt and include guidelines for protecting schools against attacks and recruitment and use of children in armed conflict.

There was no outcome from the debate but France circulated a non-paper in its national capacity containing a summary of the different proposals and ideas expressed by participants during the debate. (It had originally wanted to issue the key suggestions from the open debate as an official document but faced objections from Russia, which made it clear that such a document would require agreement from all Council members.) The aim of the non-paper was to facilitate a follow-up on some of the issues raised in the debate during the next debate on children and armed conflict, expected under Malaysia's presidency in June 2015.

### Application of International Law in International Courts and Trials

#### ICC

Established by the Rome Statute, which came into force on 1 July 2002, the ICC has jurisdiction over crimes against humanity, war crimes (including the use of child soldiers), genocide and the crime of aggression. The ICC has opened investigations into nine situations: the CAR (I and II), Côte d'Ivoire, the DRC, Kenya, Libya, Mali, Sudan and Uganda.

Of significance to the issue of children and armed conflict is that war crime charges relating to the conscription, enlistment and active participation of children under the age of 15 in hostilities are key charges against members of armed groups in the DRC and Uganda. (The Rome Statute, in Article 8 [2b-xxvi and 2e-vii], describes a child soldier as a child under the age of 15 years and disallows the recruitment or conscription of such a child into the military.)

Under the current ICC Prosecutor, Fatou Bensouda, there has been increased attention to crimes against children. Since 2012, the Office of the Prosecutor (OTP) has had a special adviser on children affected by armed conflicts to provide input on policies and training regarding children. In 2015, the OTP is expected to develop a policy to prioritise crimes against children.

#### ICC Trial Judgments

In its first judgment on 14 March 2012, the ICC found Thomas Lubanga Dyilo guilty of the war crime of conscripting and enlisting children under the age of 15 into the Forces patriotiques pour la libération du Congo (FPLC) during the conflict in the eastern DRC between September 2001 and August 2003. On 10 July 2012, Lubanga was sentenced to 14 years in prison for using children in the FPLC. The decision by the Trial Chamber also accepted that “conscription” and “enlistment” were both forms of recruitment and applied a broad interpretation of the term “participate actively in hostilities” to include those on the front line as well as children involved in roles supporting the combatants. On 1 December 2014, the Appeals Chamber confirmed the guilty verdict and Lubanga's sentence of 14 years of imprisonment.

The ICC's second judgment was on Congolese militia leader Mathieu Ngudjolo Chui, tried jointly with Germain Katanga for war crimes and crimes against humanity. The case centred on an attack on the village of Bogoro in the Ituri region of the DRC by the Front des nationalistes Intégrationnistes (FNI) and the Force de Résistance Patriotique en Ituri (FRPI) on 24 February 2003. (Chui and Katanga are the alleged commanders of the FNI and FRPI, respectively.) On 18 December 2012, the ICC acquitted Chui of all crimes based on the absence of sufficient evidence to prove his criminal responsibility.

The ICC's third judgment was on Katanga. On 7 March 2014, the Court found Katanga guilty of the crime against humanity of murder and the war crimes of wilful killing, intentional attacks against the civilian population, pillaging and destruction of property. However, he was acquitted of charges of sexual slavery and rape as well as of using child soldiers. In 2012 the judges changed the mode of liability against Katanga to being liable as an accessory to the conflict rather than principal perpetrator as it

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## Key Developments at the Thematic Level (con't)

was felt that the prosecution had not proved its original charge. The ICC judges found that while there were children in Katanga's militia, the majority concluded that there was insufficient evidence to prove beyond reasonable doubt that Katanga was responsible for this crime. On 23 May 2014, the Court sentenced Katanga to 12 years in prison. While there were some negative reactions in the international community to the sexual violence acquittal, there was a more muted response to the acquittal over child soldiers.

### *Pending Cases*

**Bosco Ntaganda:** On 18 March 2013, Ntaganda voluntarily surrendered at the US embassy in Kigali, Rwanda, and asked to be transferred to the ICC. Ntaganda is the alleged former deputy chief of staff and commander of operations of the FPLC and, at the time of his surrender, was the leader of the M23 rebel group.

He faces seven charges of war crimes and three charges of crimes against humanity. The ICC first indicted Ntaganda in 2006 for allegedly recruiting child soldiers between September 2002 and September 2003 in the DRC. His first arrest warrant lists three counts of war crimes on the basis of criminal responsibility under Article 25(3) (a) of the Rome Statute: enlistment of children under the age of 15, conscription of children under the age of 15 and using children under the age of 15 to participate actively in hostilities.

Additional charges of war crimes and crimes against humanity, including rape and sexual slavery, murder, persecution based on ethnic grounds and the deliberate targeting of civilians, were added in July 2012 as a result of evidence given during the Lubanga trial. In his first appearance in court on 26 March 2013 Ntaganda pleaded not guilty to the 18 counts of war crimes and crimes against humanity. His trial is expected to open in June 2015. In March, the judges trying the Ntaganda case suggested having the trial open in Bunia, northeastern DRC, where his alleged crimes were committed.

**Jean-Pierre Bemba Gombo:** Former Vice President of the DRC Jean-Pierre Bemba Gombo's trial began on 22 November 2010. Bemba was the alleged president and commander-in-chief of the Mouvement de libération du Congo (MLC). This was the first ICC case featuring sexual violence as a central

issue and the first major prosecution involving rape as a weapon of war under Article 8(2) (e) (VI) of the Rome Statute. Bemba, who was arrested on 24 May 2008, faces three counts of war crimes and two counts of crimes against humanity for allowing the MLC to commit murder, pillage and rape in the CAR between 25 October 2002 and 15 March 2003.

The trial has been slowed down by a number of witness issues. On 14 August 2012, the defence team began presenting evidence, with almost 50 witnesses expected to be called to testify for the defence. However, in September and October 2012, proceedings were suspended for three weeks due to the disappearance and non-appearance of two witnesses. On 13 December 2012 the trial was suspended to allow the defence to prepare for a possible legal re-characterisation of facts by the judges. Proceedings resumed on 25 February 2013 but were suspended again in May due to the non-availability of witnesses.

The trial resumed on 5 June 2013, and the defence concluded its presentation of evidence in November 2013. However, the case has been further complicated by an arrest warrant issued for Bemba, the lead defence counsel and the case manager, together with two others, in Belgium for witness tampering. The alleged crimes include producing and filing false or forged documents, instructing witnesses to give false testimony and transferring money to several defence witnesses.

Closing oral statements were made on 12 and 13 November 2014, but a second trial now appears imminent. Judges have been named to try Bemba and the other four for influencing witnesses.

### *New ICC Preliminary Examinations and Investigations*

During the period covered by this report new preliminary investigations were opened into two situations with particular relevance to children and armed conflict: the CAR and Occupied Palestinian Territories. In February 2014, Bensouda opened a new preliminary examination to assess whether her office should proceed with a second investigation in the CAR with respect to crimes allegedly committed since 2012. The transitional government of CAR decided to refer the situation to the OTP on 30 May 2014 with a request to investigate alleged crimes falling within ICC jurisdiction

committed since 1 August 2012. As the information from the preliminary examination provided a reasonable basis to believe that both the Séléka and the anti-balaka rebel groups had committed crimes against humanity and war crimes, Bensouda formally opened an investigation in September 2014 with respect to crimes committed since 2012.

In January 2015, the ICC opened a new preliminary examination into alleged violations "in the occupied Palestinian territory, including East Jerusalem, since June 13, 2014", focusing on the war in Gaza in summer 2014.

### **Optional Protocols to the Convention on the Rights of the Child**

In May 2010, the Office of the Special Representative began a campaign called "Zero under 18", aimed at achieving universal ratification of the two Optional Protocols to the Convention on the Rights of the Child (Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and Optional Protocol on the Involvement of Children in Armed Conflict) by the tenth anniversary of their entry into force in 2012. The campaign ended in 2012, generating 21 new ratifications over the two years. Since then there have been 16 ratifications for the two Optional Protocols. So far, 159 countries have ratified the Optional Protocol on the Involvement of Children in Armed Conflict, 15 countries have signed but not ratified the Protocol, and 22 countries have neither signed nor ratified. In terms of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, 169 parties have ratified, nine states have signed but not ratified and 15 states have neither signed nor ratified.

On 19 December 2011, the General Assembly adopted a new Optional Protocol to the Convention on the Rights of the Child that established a communications procedure for violations of children's rights. This quasi-judicial mechanism applies to any violation of any right in the Convention and its protocols, including the Optional Protocol on the Involvement of Children in Armed Conflict. On 14 April 2014 this Optional Protocol entered into force following ratification by the required ten countries.

# Office of the Special Representative of the Secretary-General for Children and Armed Conflict

## “Children, Not Soldiers” Campaign

Since the start of the campaign in March 2014, the Office of the Special Representative has focused much of its attention on getting governments to sign and implement action plans to stop the recruitment and use of children. By spotlighting government forces in the Secretary-General’s annexes and providing more focused attention on what is needed to implement action plans, the campaign hopes to provide an incentive for governments to work towards being removed from the Secretary-General’s annexes.

Since the campaign began, Yemen has signed an action plan and Chad was delisted last year, having fully implemented its action plan. Out of the seven situations in which government armed forces are listed for recruitment and use of children, six (Afghanistan, the DRC, Myanmar, Somalia, South Sudan and Yemen) have signed action plans; only Sudan has not. Although there have been gains, the deterioration of situations such as South Sudan and Yemen illustrates the difficulties of implementing action plans when a crisis erupts in situations where there are violations against children. (See section below on action plans for more details on progress made.)

## Press Releases

In 2014 the Special Representative issued 42 press releases. The majority of these reflected the activities and concerns of the Office of the Special Representative: the “Children, Not Soldiers” campaign, signing of action plans and field visits by the Special Representative.

As has been the case in recent years, a number of press releases highlighted the impact on children as a conflict deteriorated. An example of this was the press statement on Gaza issued on 30 July 2014 prompted by the attack on a UN school in Gaza. The press statement contained far stronger language than the Council’s presidential statement issued on 28 July 2014 after the same incident (S/PRST/2014/13). The press statement by the Special Representative specified that the school had been hit by Israeli shelling, while the presidential statement simply emphasised that civilian and humanitarian facilities, including that of the UN, should be “respected and protected”.

In issuing two press releases on the

abduction of girls in Borno State, Nigeria, the Office of the Special Representative reacted faster than the Council. The first press release was a joint statement with Special Representative of the Secretary-General on Sexual Violence in Conflict Zainab Hawa Bangura, UN Women Executive Director Phumzile Mlambo-Ngcuka and High Commissioner for Human Rights Navi Pillay on 17 April following the 14 April abduction of 276 school girls by Boko Haram. The four also jointly reached out to the Nigerian government asking them to ensure the safe return of the girls. In the second statement on 6 May, the Special Representative expressed concern over the fate of the girls and reports of new abductions. In contrast the Council first mentioned the abduction of the girls on 9 May 2014, three weeks after it occurred, in a press statement prompted by further terrorist attacks by Boko Haram in Gamboru Ngala, Nigeria (SC/11387). In the statement, Council members condemned the abduction, expressing their outrage and demanding the girls’ release. Council members also expressed their intention to actively follow the situation and consider appropriate measures against Boko Haram. The abduction of the girls became a high-profile issue following a social media campaign to get them released. However, neither the Special Representative nor the Council issued a statement after over 30 boys from a state college in north-eastern Nigeria were burned or slaughtered on 25 February 2014.

The Special Representative also released several other press statements in which she joined forces with other actors, including a letter with humanitarian leaders calling for urgent action to protect children ahead of the Geneva talks on Syria and a news release on a session of the AU Peace and Security Council (PSC) on children affected by armed conflict. In addition, she released a joint press release with UNICEF, the UN Mission in South Sudan (UNMISS) and UNESCO during her visit to South Sudan in June.

Other deteriorating situations that merited press releases in 2014 included the escalation of the conflict in Iraq in June; twin bomb attacks in Homs, Syria, on a school complex that directly targeted children in October; and an attack on a school in Peshawar, Pakistan, in December.

## Field Visits by the Special Representative

Zerrougui made three field visits in 2014. She visited Yemen from 13 to 15 May, South Sudan from 22 to 27 June and Somalia from 16 to 20 August.

### Yemen

Zerrougui went to Yemen for the signing of an action plan between the UN and the government to end recruitment and use of children by government forces. The action plan committed the government of Yemen to criminalise and investigate allegations of recruitment and use of children in the armed forces.

### South Sudan

Zerrougui visited South Sudan to assess how the worsening of the conflict since 15 December 2013 had impacted children. She met with government officials, UN partners and civil society to follow up on the implementation of the action plan to end and prevent the recruitment and use of children by the Sudan People’s Liberation Army (SPLA) signed in 2012. During the visit, the South Sudan government recommitted to the action plan with the UN. The agreement also addressed preventing the killing and maiming of children, sexual violence against children and attacks on schools and hospitals. Zerrougui also visited Bentiu, Bor, Pibor and Gumuruk, where she met with local government officials, met children recruited by the SPLA and armed groups and visited looted hospitals and schools used by the military. She was joined by Irina Bokova, Director-General of UNESCO, and UNESCO Special Envoy for Peace and Reconciliation Forest Whitaker from 22 to 24 June. The focus of the joint part of the visit was to raise support for the importance of education, reconciliation and peacebuilding.

### Somalia and Nairobi

The Special Representative visited Somalia and Nairobi (where the Country Task Force on Children and Armed Conflict is based) to assess the impact of conflict on children and to follow up with the Somali authorities on the implementation of the action plans to end and prevent recruitment and use of children by armed forces and the killing and maiming of children, which were signed in

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2012. She met with Somali President Hassan Sheikh Mohamud; the prime minister; ministers of defence, national security, justice, women affairs and human rights; and other key actors in Mogadishu. In meetings with government officials, Zerrougui called on the Somali Federal Government to implement the action plans and ensure accountability for the perpetrators of grave violations committed against children.

During the visit Zerrougui interacted with the AU Mission in Somalia (AMISOM), the UN Office in Somalia (UNSOM) and the UN Country Team. Zerrougui visited a UNICEF project to reintegrate vulnerable children and children formerly associated with armed forces and groups back into society, as well as the Serendi rehabilitation center. During a field visit to Kismayo, Zerrougui engaged with the leaders of the Interim Juba Administration and civil society members. In Nairobi, she met with the Somalia Country Task Force on Children and Armed Conflict as well as the diplomatic and donor community.

### Briefings by the Special Representative

The Special Representative continued to keep the Working Group updated on changing circumstances for children in situations of armed conflict. With regard to deteriorating situations that impacted children, in 2014 she briefed only once: on Iraq in July, following the takeover of Mosul by ISIS in early June. (This is in contrast to 2013 when she briefed several times on developments in CAR and Mali as those situations deteriorated and to 2012 when her predecessor Radhika Coomaraswamy briefed on the DRC, Libya, Mali and Syria.) In terms of field missions, in 2014, Zerrougui briefed the Working Group on her visits to Yemen and Sudan but did not brief on Somalia.

She briefed the Council on 22 January 2014 following a joint visit to the CAR from 17 to 21 December 2013 with Special Adviser to the Secretary-General on the Prevention of Genocide Adama Dieng and Nancee Oku Bright, senior representative of the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict. The joint visit took place shortly after the sectarian violence of 5–6 December 2013 when more than 1,000 people were killed and large-scale human rights violations were perpetrated by both ex-Séléka and anti-balaka forces, including sexual and gender-based violence, disappearances and torture. The goal of the mission

was to advocate for action by the transitional authorities and obtain their commitment to stopping the violence. In her briefing, Zerrougui talked about the many violations that had been committed against children with extreme brutality, including killing and maiming, beheadings, displacement and attacks on schools and hospitals, as well as recruitment. She also spoke about how both sides had manipulated and divided children along religious lines, forcing them to become both victims and perpetrators of abuse, and stressed the need to send a stronger signal that perpetrators of these crimes would be held accountable. On a more positive note, she informed the Council that there had been some progress in identifying and separating children at ex-Séléka cantonment sites.

### Working with Regional Organisations

Since Zerrougui took up the position of Special Representative in 2012, she has made developing relationships with regional organisations a priority.

#### *African Union*

Following the signing of a declaration of intent between the Office of the Special Representative and the Peace and Security Department of the African Union Commission on 17 September 2013 to integrate child protection mechanisms into all peace and security activities of the AU in partnership with UNICEF, a joint programme of work is being developed with the support of a child protection adviser. The Special Representative briefed at the AU PSC's first open session on children affected by armed conflict in May 2014 and attended the AU's fifth high-level retreat on promotion of peace and stability in Africa in October 2014.

#### *European Union*

The Special Representative briefed parliamentarians on the "Children, Not Soldiers" campaign in a December 2014 meeting of the European Parliament Committee on Foreign Affairs and Subcommittee on Human Rights. In her briefing, she highlighted progress made and ways the EU could support the objectives of the campaign. Also in December, the European Parliament created an Intergroup on Children's Rights to integrate children's needs and protection across all parliamentary committees. The EU is also finalising pre-deployment child protection training for civilian

and military personnel and working with the International Labour Organization and UNICEF on a project to reintegrate former child combatants in Somalia.

#### *NATO*

Following the 2012 NATO summit in Chicago, NATO has developed military guidelines that seek to integrate resolution 1612 into NATO's operational and exercise activities. At their summit in Wales in September 2014, NATO allies reaffirmed their commitment to integrate child protection in the planning and conduct of missions and decided that they should assess whether NATO is sufficiently prepared to deal with the issue of children and armed conflict. When the Afghanistan Resolute Support mission was set up in December 2014, a child protection adviser was included for the first time in a NATO-led mission. In March, the North Atlantic Council issued a policy paper titled "The Protection of Children in Armed Conflict—The Way Forward" with the aim of enhancing the effectiveness of NATO's military guidelines on children and armed conflict in all future NATO-led missions and operations.

#### *League of Arab States*

There has been progress in developing a framework of cooperation between the Office of the Special Representative and the League of Arab States with the aim of integrating the League's child protection concerns into the Office's policies and programmes, identifying a high-level child protection focal point and encouraging members to ratify the Optional Protocol to the Convention on the Rights of the Child.

#### *Other Activities/Tools*

Following the 2011 adoption of resolution 1998 that added as a new trigger attacks against schools and hospitals, the Office of the Special Representative, together with DPKO and UNICEF, began developing a guidance document for action plans on the matter. The "Guidance Note on attacks against schools and hospitals" launched on 21 May 2014 is being implemented in the field. Guidance documents on killing and maiming and sexual violence as a trigger for inclusion in the Secretary-General's annexes were developed following the adoption of resolution 1882 (2009) and are currently being used in the field.



# Analysis of Council Action in Specific Cases

## Working Group on Children and Armed Conflict

### *Information Gathering by the Working Group*

The Global Horizontal Note (GHN), which is developed between the Office of the Special Representative and UNICEF and presented by UNICEF at the Working Group's formal meetings, has been one of the ways members are updated on situations being considered by the Working Group as well as emerging situations of concern. It is meant to provide updates every two months. However, Council members appear to have found the GHN less useful over the years. In 2014, the information in the GHNs presented in formal meetings was often about five to six months late. For example, the October to December 2013 GHN was presented at the 1 May meeting of the Working Group and the January to March 2014 GHN at the 7 July meeting. The original purpose of the GHN was to keep members up-to-date as the cycle between the Secretary-General's reports on children and armed conflict in specific situations lengthened. However, in 2014 it appeared that the GHN was no longer meeting this need. This was partly due to a lack of capacity in the Office of the Special Representative and increasingly bureaucratic practices in the development of the GHN.

Over the last few years, we noted that it had become a common practice for the Special Representative to keep the Working Group updated on rapidly changing situations for children in armed conflict through regular briefings, usually during the Working Group's formal meetings. As noted above in 2014, in terms of providing updates on a deteriorating situation that impacted children, Zerrougui briefed only on Iraq. She also briefed the Working Group on her visits to Yemen and Sudan but did not brief on her visit to Somalia.

The Working Group in 2014 showed willingness to explore new ways of keeping abreast of developments. It had a joint briefing from the AU Commissioner for Peace and Security and the Special Representative on 6 June, focusing on the AU's efforts to integrate children and armed conflict into its activities. On 20 June 2014, the ICC Prosecutor Bensouda briefed members of the Working Group on the work of the Court in relation to children and armed conflict.

Citing the Lubanga case, she noted that the fate of children in armed conflict had become a cornerstone of the Court's early jurisprudence. She also informed the Working Group that her office was drafting a new policy paper on children.

An innovative development with regard to briefings was the Working Group's decision to hold a video teleconference on 2 June with Hilde Johnson, then Special Representative and head of UNMISS; and the two co-chairs of the South Sudan Task Force (Deputy Special Representative and UN Resident and Humanitarian Coordinator Toby Lanzer; and UNICEF's Resident Representative, Jonathan Veitch). At the time the Working Group was anticipating that the report on South Sudan would be published soon and had in mind a possible visit to South Sudan at the end of the year following adoption of conclusions on the report. (The report was eventually delayed, and as a result the Working Group also postponed the visit.) The main focus of the briefing was on how children had been affected by the outbreak of violence in December 2013. The members of the Task Force said that all parties to the conflict in South Sudan had been committing violations and abuses against children and that it would continue to strengthen the monitoring and reporting mechanism for grave violations against children.

The Chair of the Working Group issued a press statement after its briefing by the Special Representative and the South Sudan task force on 5 June 2014 (SC/11429). This was the Working Group chair's first press release following a briefing on a country-specific situation since 2007. (In the early years of the Working Group, France, which was then the chair, regularly issued press releases and briefed following meetings.) In 2010, following a briefing on the DRC, Ambassador Claude Heller (Mexico), as chair of the Working Group at the time, made remarks to the press on behalf of the Working Group but had not been able to get agreement to issue a press statement in his capacity as the Chair of the Working Group. Knowing the difficult dynamic on this issue, recent chairs have not pushed to use this tool. However, it appears that there was little resistance to having a press statement following the briefing on South Sudan.

These briefings on specific issues provided

a useful exchange of information but did not feed into any specific work being done by the Working Group in 2014.

### *Reports Published and Working Group Conclusions*

The main task of the Working Group is to review the Secretary-General's reports on children and armed conflict in country-specific situations and adopt conclusions with recommendations addressed to parties involved in the conflict.

Four Secretary-General's reports on children affected by armed conflict were published in 2014: Syria on 27 January (S/2014/31), Mali on 14 April (S/2014/267), DRC on 30 June (S/2014/453) and South Sudan on 11 December (S/2014/884). (In 2013 two reports were published, and in 2012, three.)

In recent years the number of reports produced each year by the Office of the Special Representative and issued as Secretary-General's reports have not come close to covering all the situations listed in the Secretary-General's annexes as originally intended. Some have suggested that this has been done to align the publication of reports to the progress of the Working Group in adopting conclusions while others believe the problem is a result of lack of capacity either on the ground or in the Special Representative's Office. Having reports published closer to when they are taken up by the Working Group can be useful as they are likely to capture the latest developments. However, there have been times when the Working Group has had a period of time with no report to consider. An important consideration is that a longer gap between reports will make it even more difficult to follow up on conclusions and put pressure on groups listed in the annexes. The situations in the country-specific reports considered in 2014 had last been considered between three and four years previously. The reports the Working Group will likely be considering in 2015 were all published in either 2011 (Afghanistan, Chad, Iraq, South Sudan) or 2010 (Somalia), giving it a four- to five-year gap.

### *Working Group Conclusions*

In 2014, conclusions were adopted on reports on the DRC, Mali, the Philippines and Syria. The gap between publication of a report and adoption of conclusions was about 5.8

## Analysis of Council Action in Specific Cases (con't)

months, which was marginally shorter than 2013 (6.3 months). However, the average negotiation time was 3.1 months. As has become the established practice, the Working Group negotiated more than one report at a time, which allowed for the DRC and Mali conclusions to be negotiated in parallel with Syria. This is possible because often the issues preventing adoption of the conclusions are specific to one or two Council members. This allows the chair to conduct bilateral negotiations with those members, bringing the draft back to the Working Group as a whole when a compromise is found. However, this working method does mean that the chair of the Working Group needs at least two experts covering the children and armed conflict agenda.

Most of the negotiations on conclusions were relatively smooth, with the exception of the Syria conclusions, which was among the most difficult in recent years. This was the first report of the Secretary-General on children and armed conflict in Syria, and given the difficulty getting outcomes on Syria at the Council level over the last four years, a protracted negotiation was anticipated from the start of the negotiations on 2 April. As the negotiations continued over the year, developments both in Syria, and in the Council on Syria, began to affect the discussions. The adoption of the second humanitarian resolution on Syria in April required delicate negotiations in the Council and influenced some of the language on the draft conclusions being considered at the same time (S/RES/2139).

From the start, Russia was keen to remove blame from the government for any violations against children, a position that was supported by some other members. It also wanted to highlight any measures taken by the government to protect children. This made the negotiations on the recommendations to the Syrian government particularly tricky as direct reference to violations against children was not acceptable to Russia. (The Syrian government forces are listed in the annexes for killing and maiming, sexual violence and attacks on schools and hospitals.) By August it appeared that agreement might be reached, and the text was put under a silence procedure but it was broken by Russia. The rise of ISIS in Syria had an impact on the negotiations. Russia began to push to have the conflict portrayed as a fight against terrorists, a position that was not acceptable to some of the other members. A second attempt to put a draft under silence in October failed as Russia again broke silence, expressing unhappiness over its amendments not being included and over what it perceived as a lack of balance in the text. This led to further negotiations and further amendments from Russia regarding the content of the draft conclusions. Finally, in November a compromise was found by cross-referencing in the recommendations to the government the public statement addressing all parties in the Syrian conflict. (The public statement references the various violations against children by all parties in the Syrian conflict “as described in the Secretary-General’s report”.)

### Working Group Conclusions: Analysis and Observations

Over the years, the Working Group conclusions have become increasingly detailed and specific. In 2014, the conclusions paid greater attention to issues that had been highlighted in recent Council resolutions and presidential statements on children and armed conflict, including DDR, the need for child protection advisers and training on child protection for troops. The conclusions last year in several cases also contained more forceful language and more specific demands.

The children and armed conflict agenda has for some time become increasingly politicised at the Working Group level. When an issue is at an impasse in the Council, it is almost guaranteed that discussions on a children and armed conflict report about the same situation will encounter similar difficulties. Less obviously, however, several members of the Working Group have specific concerns that relate to policy priorities or national interest sensitivities that can affect positions on less controversial situations. For example, there were red lines for Rwanda on language on the ICC and some aspects of the DRC situation. The US quite frequently had legal concerns that resulted in amended language and further negotiations at a late stage. Issues around detention have been a cause of concern for a few members while remaining impartial among all parties and respecting national sovereignty continues to be important to such members as China and Russia.

### GAP BETWEEN PUBLICATION OF REPORTS AND ADOPTION OF WORKING GROUP CONCLUSIONS

Situation	Date Report Published	Date Report Introduced to WG	Date Negotiations Started	Date Conclusions Adopted	Interval from Publication to Adoption	Negotiation Time
DRC	30 June 2014	7 July 2014	11 August 2014	18 September 2014 (S/AC.51/2014/3)	2.5 months	1 month
Mali	14 April 2014	1 May 2014	9 May 2014	7 July 2014 (S/AC.51/2014/2)	3 months	2 months
Philippines	12 July 2013	25 October 2013	22 November 2013	9 February 2014 (S/AC.51/2014/1)	7 months	2.5 months
South Sudan	11 December 2014	6 February 2015	13 February 2015	8 May 2015 (S/AC.51/2015/1)	5 months	3 months
Syria	19 December 2013	14 February 2014	2 April 2014	26 November 2014 (S/AC.51/2014/4)	11 months	7 months

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The lag time between publication of a country-specific report on children and armed conflict has narrowed, but in some cases, such as the Philippines, the report that was published in July 2013 contained information from December 2009 to November 2012 that did not capture some important developments in the peace process between the government and the Moro Islamic Liberation Front (MILF). The Working Group included these developments in its conclusions, but the resistance from some members to using sources of information other than the report underlines the importance of having up-to-date information in the reports and prompt issuance of conclusions

### Working Group's Visiting Missions

In 2014, the Working Group continued to use visiting missions as a tool to put pressure on parties to the conflict. Members of the Working Group visited the DRC from 30 November to 4 December 2014. The Working Group delegation chaired by Luxembourg included Australia, France, Lithuania, Russia, Rwanda, the UK and the US. Besides Kinshasa, the delegation visited Goma to meet with actors in the field. During the visit, members of the delegation met Special Representative of the Secretary-General Martin Kobler as well as the Country Task Force on the Monitoring and Reporting Mechanism. They also held meetings with officials from relevant government ministries, NGOs and children formerly associated with armed groups.

The main aim of the visit was to assess progress in the implementation of the action plan signed in 2012 by the government and the UN country task force on monitoring and reporting. The visit was also an opportunity to present the Working Group's conclusions on children and armed conflict in the DRC that had been adopted on 4 October 2014, and to highlight key recommendations to the different parties.

Another stated aim of the visit was to sharpen the formulation of recommendations on the situation of children and armed conflict in the DRC in future conclusions. Such an aim is laudable, but with reports now apparently on a four-year cycle, it is unlikely that any of the members of the Working Group delegation who went on this visit will still be a member of the Working Group when it next drafts conclusions on the DRC.

Therefore, it is important that following a visit like this, any lessons learnt be conveyed in a way that they become part of the Working Group's institutional memory.

### Progress on Action Plans

Twenty-three action plans have been adopted by 22 parties since resolution 1539 (2004) called upon parties to prepare concrete, time-bound action plans to halt recruitment and use by parties to a conflict (The SPLA signed twice, first as a non-state actor and then as a state actor.) As new triggers for parties to be listed on the Secretary-General's annexes were added, the action plans were expanded to include halting killing and maiming, sexual violence and attacks on schools and hospitals by parties to a conflict.

Of the action plans, 22 are to stop recruitment and use of children in conflict. Two have references or an annex on sexual violence. There is also one action plan on killing and maiming, which was signed by the Transitional Federal Government of Somalia on 6 August 2012. There are none on the newest trigger, attacks on schools and hospitals. So far, nine parties have fully complied with their action plans and have been subsequently delisted.

### Parties that Have Signed Action Plans

Of the parties currently on the annexes, seven parties have signed action plans. Six are national armed forces and one, MILF, is a non-state party. The last time a non-state party signed an action plan was 2009. Of the groups that have signed, five are considered persistent perpetrators (have been in the Secretary-General's annexes for more than five years).

Progress made by parties that have signed action plans is summarised below and the table that follows contains the details of each party's action plan.

#### *Afghanistan*

The government recommitted in August 2014, endorsing the "Road Map Towards Compliance", which details 15 measures to fully implement the action plan signed with the UN in 2011.

#### *Chad*

Completing all requirements under its action plan allowed Chad to be removed from the

annexes of the Secretary-General's 2014 annual report on children and armed conflict. In 2013, Chad worked closely with the Office of the Special Representative and UNICEF to implement the action plan as it was keen to provide peacekeepers to the new UN mission in Mali, set up in April 2014. It had been serving with the African-led International Support Mission in Mali (AFISMA) but in order to be re-hatted into the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), it needed to comply with the 2012 UN Policy on Human Rights Screening of UN Personnel ("Human Rights Screening Policy"), designed to prevent individuals who have committed violations of international humanitarian or human rights law from serving with the UN. As a result, the Chadian government was galvanised to implement its action plan.

#### *Democratic Republic of the Congo*

The government continued to implement its action plan, giving the UN access to military facilities and universal screening of recruits. It also appointed a personal advisor to the country's president on the prevention of sexual violence and child recruitment.

#### *Myanmar*

During 2014, 376 children were released from the ranks of the government forces known as Tatmadaw Kyi. The government has also announced that it will review its action plan with the UN to develop a work plan towards compliance.

#### *Somalia*

A child protection unit has been established in the Somalia Armed Forces, and mechanisms for the handover to the UN of children found in the ranks of its army have been put in place.

#### *South Sudan*

The government recommitted to the action plan signed in 2012, and a national launch of the campaign was held on 29 October 2014. The SPLA had made progress in ending the recruitment and use of children in its armed forces and had in August 2013 put out a general order forbidding the recruitment or use of children under 18 for any purpose within its operations. However, when the current armed conflict broke out in December 2013,

## Analysis of Council Action in Specific Cases (con't)

child recruitment resumed. Both the government forces led by President Salva Kiir and the opposition forces led by Riek Machar, the former vice president, have recruited and deployed children. UNICEF estimates that parties involved in the conflict in South Sudan have recruited up to 12,000 underage combatants since December 2013. On a more positive note, a peace deal between the South Sudan Democratic Army/Movement Cobra Faction and the government has led to a commitment to release 3,000 children.

### Sudan

The government has expressed its commitment to having a security force without the presence of children, but no action plan has been signed.

### Yemen

The government signed an action plan with the UN in May 2014, committing its national security forces to release all children, reintegrate them into their communities and prevent further recruitment. Other measures include aligning domestic legislation

with international norms and standards prohibiting recruitment and use of children in armed conflict; issuing and disseminating military orders prohibiting the recruitment and use of children below age 18; investigating allegations of recruitment and use of children by the government forces and making sure that those responsible are held accountable; and giving the UN access to monitor the progress of the implementation of the action plan. Shortly after the action plan was signed, however, the situation in Yemen deteriorated and became increasingly volatile over the year as Houthi rebels took over the capital and the president of Yemen, Abd-Rabbu Mansour Hadi, fled south to Aden, finally leaving the country in January 2014 as the country descended into full scale war. As a result, there has been little progress in the implementation of the action plan and the UN has reported a spike in the recruitment of child soldiers by all parties to the conflict.

### MILF, the Philippines

This is the only non-state armed group that

has signed an action plan since 2009. At the end of 2014, UNICEF held a series of orientation sessions with MILF commanders on the action plan to ensure that its command structure adheres to international law.

### Parties that Have Yet to Sign Action Plans

According to the 2014 annual report on children and armed conflict, there are 51 parties in the Secretary-General's annexes that have yet to sign an action plan, including national armed forces in Sudan and Syria.

A table below provides details on each of the parties. It is worth noting that a number of these parties, all of them non-state actors, have committed to take measures against violations against children and issued command orders or launched internal sensitisation campaigns on the protection of children, particularly related to the prohibition of their recruitment and use.

### Central African Republic

The ex-Séléka leadership disseminated command orders among its ranks, with the release

### PARTIES THAT HAVE SIGNED ACTION PLANS

Situation	Parties	Violation	Year Action Plan Signed	Persistent Perpetrator
Afghanistan (Annex I)	Afghan National and Local Police	Recruitment and Use	January 2011	
DRC (Annex I)	Armed Forces of the Democratic Republic of the Congo	Recruitment and Use, Sexual Violence	October 2012	Yes
Myanmar (Annex I)	Tatmadaw Kyi, including integrated border guards forces	Recruitment and Use	June 2012	Yes
Philippines (Annex II)	Moro Islamic Liberation Front	Recruitment and Use	July 2009	Yes
Somalia (Annex I)	Somali National Armed Forces/ Transitional Federal Government	Recruitment and Use, Killing and Maiming, Sexual Violence	July 2012 (Recruitment and Use) August 2012 (Sexual Violence)	Yes
South Sudan (Annex I)	Sudan People's Liberation Army (SPLA)	Recruitment and Use	November 2009 (as non-state actor)  March 2012 (as state actor following independence)	Yes
Yemen	Government forces, including the Yemen Armed Forces, the First Armoured Division, the military police, the special security forces, the Republican Guards and pro-Government militias	Recruitment and Use	May 2014	

## Analysis of Council Action in Specific Cases (con't)

and separation of more than 70 children as a result. The Special Representative's Office has established dialogue with field commanders of anti-balaka units, which has resulted in the identification and separation of children from their troops.

### Darfur

A community-based strategic plan was initiated by Sheikh Musa Hilal and endorsed by the leaders of five tribes in north Darfur. The plan was designed to curb the use of children as fighters in inter- and intra-ethnic clashes. Sheikh Hilal had issued a command order on 26 July 2014 to prohibit the use of children as fighters in which he also condemned sexual violence against children, abduction, killing and maiming of children and attacks against schools and hospitals.

### Mali

The joint leadership of the Mouvement national pour la libération de l'Azawad and the Mouvement arabe de l'Azawad signed command orders prohibiting the six grave violations against children and granted screening access to the UN.

### South Sudan

Mini Minnawi, leader of a faction of the Sudan Liberation Army, which signed an action plan in 2011, put in place a mechanism to end the recruitment and use of children. Riek Machar issued a communiqué on preventing conflict-related sexual violence on behalf of the Sudan People's Liberation Movement/Sudan People's Liberation Army In Opposition on 18 December 2014. These orders prohibit sexual violence through the

chain of command and reinforce the respective military justice systems. In addition Machar's communiqué facilitates the monitoring of sexual violence in the framework of the Cessation of Hostilities Agreement.

### Syria

In June the Free Syrian Army (FSA) issued a communiqué pledging to issue command orders to units banning the recruitment and use of children and to enforce disciplinary measures against child recruiters. It also indicated that it was ready to engage with the Special Representative and enter into an action plan with the UN to end and prevent underage recruitment, and that it was ready to work with the Special Representative to end the military use of schools and hospitals.

### PARTIES THAT HAVE YET TO SIGN ACTION PLANS

Situation	Party	Violation	Persistent Perpetrator
Afghanistan (Annex I)	1. Haqqani Network	Recruitment and Use, Killing and Maiming	Yes
	2. Hezb-e-Islami of Bulbuddin Hekmatyar	Recruitment and Use, Killing and Maiming	Yes
	3. Taliban forces, including the Tora Bora Front, the Jamat Sunat al-Dawa Salafia and the Latif Mansur Network	Recruitment and Use, Killing and Maiming, Attacks on Schools and Hospitals	Yes
CAR region (Annex I)	1. Lord's Resistance Army (LRA)	Recruitment and Use, Killing and Maiming, Sexual Violence	Yes
CAR (Annex I)	1. Ex-Séléka coalition and associated armed groups <ul style="list-style-type: none"> <li>• Convention des patriotes pour la justice et la paix (CPJP)</li> <li>• Convention des patriotes pour la justice et la paix fondamentale (CPJP fondamentale)</li> <li>• Front démocratique du peuple centrafricain (FDPC)</li> <li>• Union des forces démocratiques pour le rassemblement (UFDR)</li> </ul>	Recruitment and Use, Killing and Maiming, Sexual Violence, Attacks on Schools and Hospitals	
	2. Local defence militias known as the anti-balaka	Recruitment and Use, Killing and Maiming	
Colombia (Annex II)	1. Ejército de Liberación Nacional (ELN)	Recruitment and Use	Yes
	2. Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (FARC-EP)	Recruitment and Use	Yes

# Analysis of Council Action in Specific Cases (con't)

## PARTIES THAT HAVE YET TO SIGN ACTION PLANS

Situation	Party	Violation	Persistent Perpetrator
<b>DRC (Annex I)</b>	1. Allied Democratic Forces (ADF)	Recruitment and Use, Attacks on Schools and Hospitals	
	2. Forces démocratiques de libération du Rwanda (FDLR)	Recruitment and Use, Sexual, Violence, Killing and Maiming	Yes
	3. Front de résistance patriotique en Ituri (FRPI)	Recruitment and Use, Killing and Maiming, Attacks on Schools and Hospitals	Yes
	4. Mayi Mayi Alliance des patriotes pour un Congo libre et souverain (APCLS) "Colonel Janvier"	Recruitment and Use	
	5. Mayi Mayi "Lafontaine" and former elements of the Patriotes résistants congolais (PARECO)	Recruitment and Use	Yes
	6. Mayi Mayi Simba "Morgan"	Recruitment and Use, Killing and Maiming	
	7. Mouvement du 23 mars (M23)	Recruitment and Use, Killing and Maiming	
	8. Mayi Mayi Kata Katanga	Recruitment and Use	
	9. Nduma Defence Coalition (NDC)/Cheka	Recruitment and Use, Sexual Violence	
	10. Mayi Mayi Nyatura	Recruitment and Use	
<b>Iraq (Annex I)</b>	1. Islamic State of Iraq (ISI)/Al-Qaida in Iraq (AQ-I)	Recruitment and Use, Killing and Maiming, Attacks on Schools and Hospitals	Yes
<b>Mali (Annex I)</b>	1. Mouvement national de libération de l'Azawad (MNLA)	Recruitment and Use, Sexual Violence	
	2. Mouvement pour l'unicité et le jihad en Afrique de l'Ouest (MUJAO)	Recruitment and Use, Sexual Violence	
	3. Ansar Dine	Recruitment and Use, Sexual Violence	
<b>Myanmar (Annex I)</b>	1. Democratic Karen Benevolent Army (DKBA)	Recruitment and Use	Yes
	2. Kachin Independence Army (KIA)	Recruitment and Use	Yes
	3. Karen National Liberation Army (KNU/KNLA)	Recruitment and Use	Yes
	4. Karen National Liberation Army Peace Council	Recruitment and Use	Yes
	5. Karenni Army (KNPP/KA) *	Recruitment and Use	Yes
	6. Shan State Army South (SSA-S)	Recruitment and Use	Yes
	7. United Wa State Army (UWSA)	Recruitment and Use	Yes
<b>Nigeria (Annex II)</b>	1. Boko Haram	Killing and Maiming, Attacks on Schools and Hospitals	
<b>Philippines (Annex II)</b>	1. Abu Sayyaf Group (ASG) (recruitment)	Recruitment and Use	Yes
	1. Bangsamoro Islamic Freedom Fighters (BIFF)	Recruitment and Use	
	2. New People's Army (NPA)	Recruitment and Use	Yes

## Analysis of Council Action in Specific Cases (con't)

### PARTIES THAT HAVE YET TO SIGN ACTION PLANS

Situation	Party	Violation	Persistent Perpetrator
<b>Somalia (Annex I)</b>	1. Al Shabaab	Recruitment and Use, Killing and Maiming	Yes
	2. Ahlus Sunnah wal Jamaah (ASWJ)	Recruitment and Use	
<b>South Sudan (Annex I)</b>	1. Sudan People's Liberation Army (SPLA)	Recruitment and Use, Killing and Maiming (Not signed action plan for killing and maiming)	Yes
	2. Opposition armed groups, including former SPLA in opposition	Recruitment and Use, Killing and Maiming	
	3. White Army	Recruitment and Use	
<b>Sudan (Annex I)</b>	1. Government forces, including the Sudanese Armed Forces, the Popular Defence Forces (PDF), the Sudan police forces (Border Intelligence Forces and Central Reserve Police)	Recruitment and Use	Yes
	2. Justice and Equality Movement (JEM)	Recruitment and Use	Yes
	3. Pro-Government militias	Recruitment and Use	Yes
	4. Sudan Liberation Army/Abdul Wahid	Recruitment and Use	Yes
	5. Sudan Liberation Army/Minni Minnawi	Recruitment and Use	Yes
	6. Sudan People's Liberation Movement North (SPLM-N)	Recruitment and Use	
<b>Syria (Annex I)</b>	1. Ahrar al-Sham al-Islami	Recruitment and Use, Killing and Maiming	
	2. Free Syrian Army (FSA) – affiliated groups	Recruitment and Use	
	3. Government forces, including the National Defence Forces and the Shabbiha militia	Killing and Maiming, Sexual Violence, Attacks on Schools and Hospitals	
	4. Islamic State of Iraq and al-Sham (ISIS)	Recruitment and Use, Killing and Maiming	
	5. Jhabat Al-Nusra Front	Recruitment and Use, Killing and Maiming	
	6. People Protection Units (YPG)	Recruitment and Use	
<b>Yemen (Annex I)</b>	1. Al-Houthi/Ansar Allah	Recruitment and Use	
	2. Al-Qaida in the Arab Peninsula (AQAP)/Ansar al-Sharia	Recruitment and Use	
	3. Pro-Government militias, including the Salafists and Popular Committees	Recruitment and Use	

### Parties that Have Implemented Action Plans

Over the years, action plans have been implemented and completed in five situations: Chad (one party), Côte d'Ivoire (five parties), Nepal (one party), Sri Lanka (one party) and Uganda (one party). As a result, nine parties were delisted from the Secretary-General's annexes because they had implemented all

commitments in their action plans to end recruitment and use of children. Chad, the one party removed from the annexes in 2014, was delisted following the compliance by Armée Nationale Tchadienne with the action plan to stop recruitment and use of children. No parties have been delisted as a result of complying with action plans other than recruitment.

Burundian rebel group Forces nationales

de libération (FNL) was delisted in 2010 following the release of all children associated with the FNL in April 2009. The FNL is one of the few examples of a party being delisted without having signed an action plan. There have also been cases of parties that no longer exist, such as the Liberation Tigers of Tamil Eelam, or parties that have merged. Those parties are also no longer listed.

## Analysis of Council Action in Specific Cases (con't)

### PARTIES THAT HAVE IMPLEMENTED ACTION PLANS

Situation	Party	Violation	Year Action Plan Signed (all on Recruitment and Use and use)	Action Plan Implemented	Year Delisted
Chad	National Army of Chad	Recruitment and Use	June 2011	2014	2014
Côte d'Ivoire (Annex I)	Forces armées des Forces nouvelles (FAFN)	Recruitment and Use	November 2005	2007	2009
	Front de libération du Grand Ouest (FLGO)	Recruitment and Use	September 2006	2007	2009
		Recruitment and Use	September 2006	2007	2009
	Mouvement Ivoirien de Libération de l'Ouest de la Côte d'Ivoire (MILOCI)	Recruitment and Use	September 2006	2007	2009
	Alliance patriotique de l'ethnie Wè (APWè)	Recruitment and Use	September 2006	2007	2009
	Union patriotique de résistance du Grand Ouest (UPRGO)	Recruitment and Use	September 2006	2007	2009
Nepal (Annex I)	Unified Communist Party of Nepal – Maoist (UCPN-M),	Recruitment and Use	December 2009.	2010 (with discharge of verified minors)	2012
Sri Lanka (Annex II)	Tamil Makkal Viduthalai Pulikal (TMVP)	Recruitment and Use	2008		2012
Uganda (Annex II)	Uganda People's Defense Force (UPDF)	Recruitment and Use	January 2009	2009	2009

### Cross-Cutting Analysis

Since we began covering the inclusion of children and armed conflict among topics addressed in resolutions and presidential statements, there has been a steady increase in language both in terms of quantity and quality to a point where references to protection of children in armed conflict have become the norm in relevant resolutions and presidential statements. In fact, in the last three years the percentage of relevant resolutions with children and armed conflict language has been essentially the same. This has largely been due to a greater awareness of the importance of integrating the issue of children and armed conflict into the Council's country-specific work as well as into its decisions on relevant thematic issues. Significantly, adding relevant language during negotiations has come to be seen as an essential responsibility of the chair of the Working Group on children and armed conflict. This was particularly evident in 2014 when Luxembourg, as chair, made a determined effort during negotiations of relevant

resolutions and presidential statements to ensure that language on key issues relating to children and armed conflict were included.

Our statistics are based on resolutions and presidential statements that we could reasonably expect to address child protection issues and those that actually did so. As in our previous six Cross-Cutting Reports, we excluded from the count technical resolutions (such as a roll-over mandate extension) and the extensions of panels or groups of experts assisting sanctions committees not reasonably expected to address child protection issues, as well as non-proliferation issues. While over the years we have not seen language on child protection in resolutions on Cyprus, Bosnia and Herzegovina, Guinea-Bissau and Western Sahara, we have continued to include these situations in our statistical analysis for consistency. For the thematic resolutions, we excluded such issues as non-proliferation and international tribunals.

For the first time in three years, both Council decisions and activity registered

a significant uptick in 2014. The Council adopted 91 decisions, the highest number since 2008. There were 63 resolutions and 28 presidential statements. (The increased activity of terrorist groups such as Boko Haram and ISIS, the outbreak of Ebola and a focus on the humanitarian aspects of the Syrian crisis contributed to the increase in decisions.)

In examining resolutions and presidential statements in 2014 for language on children and armed conflict, we noted greater consistency in formulations describing the violations and the inclusion of all six violations that are being monitored in relevant situations. There was also consistency in the issues related to children that were addressed in a number of resolutions, including DDR, pre-deployment training and security sector reform. This can be largely attributed to the efforts of Luxembourg, who as chair of the Working Group also played an active role in integrating the protection of children issues into the Council's country-specific decisions in a targeted and systematic fashion.



## Analysis of Council Action in Specific Cases (con't)

### Country-Specific Resolutions

In 2014 the Security Council adopted 63 resolutions, 47 of them country-specific resolutions. We found that 41 resolutions on country-specific situations could be reasonably expected to contain references to children. The actual number of relevant resolutions with references to children was 30, or 73.2 percent, almost exactly the same as 2013 (73.7 percent).

*Did resolutions renewing peacekeeping and political mandates or setting up a new peacekeeping mission contain strong language on child protection issues?*

There were 24 resolutions in 2014 either renewing the mandate of a peacekeeping or political mission or setting up a new mission. (The missions in Abyei, the Golan Heights and South Sudan had two mandate renewals and the CAR had one resolution renewing the UN Integrated Peacebuilding Office in the CAR [BINUCA] and another to set up the Multidimensional Integrated Stabilization Mission in the Central African Republic [MINUSCA].) Of these resolutions, only those renewing the missions in Guinea-Bissau, the Golan Heights and Lebanon did not contain any language on protection of children. Resolutions renewing the mandates of the DRC and Afghanistan missions continued to include strong child protection language as they have for some years. Missions that had only minimal language on child protection include Burundi, Iraq, Liberia and Libya.

Particularly strong language on protection of children was found in the resolutions setting up the mission in the CAR (S/RES/2149), renewing MINUSMA (S/RES/2164) and UNMISS (S/RES/2155). All three were set up or strengthened as a result of deteriorating

peace and security conditions and with strong protection of civilians mandates.

### Central African Republic

On 10 April 2014 the Council adopted resolution 2149 setting up the new mission in the CAR and transferring authority from the African-led International Support Mission in the CAR (MISCA) to MINUSCA on 15 September. The Council had authorised the deployment of MISCA and Opération Sangaris by France, in resolution 2127 on 5 December 2013, but in the first few months of 2014 the breakdown of state authority, security and law and order in the CAR continued. The multidimensional peacekeeping operation was established in the midst of a deteriorating security, humanitarian and human rights situation in the CAR. Among the key tasks of the new mission—which would incorporate the existing mission, BINUCA—were protection of civilians, support to the transitional political process and restoration of state authority, facilitation of humanitarian assistance and support for security sector reform and DDR efforts.

Language on protection of children included demands for armed groups to immediately release children from their ranks and to issue clear orders prohibiting all violations and abuses committed against children. In addition, there was language on the need to consider children who had been released from armed groups as victims; deployment of child protection advisors; MINUSCA's role in monitoring, investigating and reporting on violations against children, including all forms of sexual violence; and the need to pay attention to children in DDR. It also stressed the importance of child protection as a cross-cutting issue, signalling the importance of coordination on this

issue between different areas in the mission.

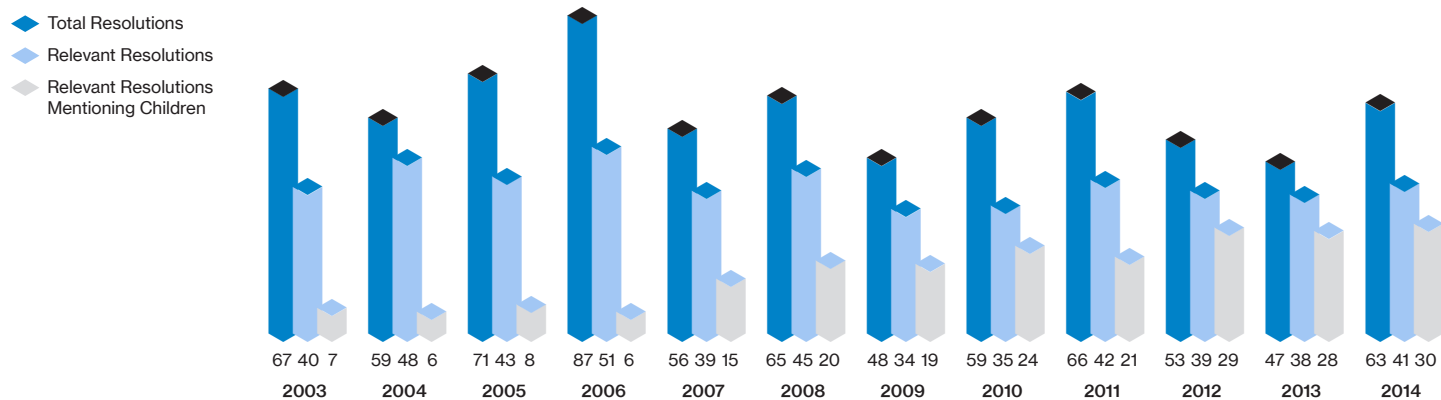
### Mali

On 25 April 2013, the Council adopted resolution 2100, establishing MINUSMA. The mandate was renewed on 25 June 2014 through resolution 2164, keeping its key components regarding the protection of civilians, including monitoring, helping to investigate and reporting to the Council specifically on violations and abuses against children. It also included language on DDR of children and the deployment of child protection advisers. There was also language on the importance of MINUSMA's mitigating risks to civilians, particularly children, when undertaking activities with the Malian Defence and Security Forces. This language related specifically to the robust rules of engagement of the mission, which allows for all necessary means in addressing threats to the implementation of the mandate. The resolution, however, did not address specific problems that the mission has had in deploying an adequate number of child protection advisers or in monitoring violations and abuses against children in the volatile north of Mali, where most of the violations are taking place.

### Darfur, South Sudan, Sudan

The mandate of the mission in South Sudan was renewed through resolution 2155 adopted on 27 May 2014, ahead of its expiry on 15 July, as the Council wanted to appropriately address the security, humanitarian and political crisis in South Sudan. The resolution narrowed the UNMISS mandate to focus on four key tasks: protection of civilians, monitoring and investigating human rights, creating enabling conditions for the delivery of humanitarian assistance and supporting the

### COUNTRY-SPECIFIC RESOLUTIONS



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## Analysis of Council Action in Specific Cases (con't)

implementation of the cessation of hostilities agreement. The narrower mandate was a departure from the previous mandate, which included several statebuilding tasks. This change reflected several Council members' view that UNMISS could not support a government that had been accused of serious human rights violations.

The resolution had clear provisions for child protection, reporting and monitoring, and called for the inclusion of child-related considerations in peace negotiations as well as for child protection advisers in UNMISS and action plans by the parties to the conflict. There was also language strengthening the monitoring and reporting mechanism for grave violations against children, which was directly related to the increase in violations against children following the outbreak of violence in December 2013. This is an example of language that can be particularly useful as it allowed the mission to adapt its child protection activities in response to the changed situation on the ground. Resolution 2187 renewing the UNMISS mandate on 25 November retained much of the same language as the May renewal resolution. In contrast, the AU-UN Mission in Darfur (UNAMID)'s mandate renewal resolution had less thorough language. The UN Interim Force for Abyei (UNISFA) mandate renewal resolution did not contain any child protection language in its operative paragraphs.

*Are child protection concerns reflected in resolutions renewing relevant sanctions regimes or Panel of Experts' mandates?*

Sanctions have in the last few years become a tool the Council has resorted to with increased frequency and at press time there were a record 16 sanctions regimes. The Council in 2014 adopted 12 resolutions renewing, modifying or establishing a sanctions regime or renewing Panel of Experts' mandates, with six containing language on children. We assessed the resolutions on the renewal of the Panel of Experts' mandates of the Democratic People's Republic of Korea (DPRK) (S/RES/2141) and Iran (S/RES/2159), and the resolution that renewed the arms embargo on non-state actors, targeted travel ban, mandate of the Liberia Panel of Experts and the asset freeze on former Liberian President Charles Taylor, his family and associates (S/RES/2188) as unlikely to contain language on children and armed conflict.

Resolution 2140 of 26 February 2014 established the Yemen sanctions regime. It expressed concern over the recruitment and use of children and called for national efforts to end such practices, referring to the action plan to prevent recruitment and use that had been signed by the Yemeni government. Its designation criteria included undermining the successful completion of the political transition, impeding the implementation of the final report of the National Dialogue Conference or being responsible for human rights abuses in Yemen. It did not explicitly include violations against children as designation criteria, as might have been expected given that there are three parties in Yemen listed for recruitment in the annexes of the Secretary-General's annual report.

There were general references to child protection issues in the sanctions-related resolutions on CAR, Côte d'Ivoire, DRC and Darfur. Both the Libya and Somalia/Eritrea sanctions regimes had two resolutions in 2014, and in each case there was language in one of the two. The resolution extending the 1988 Taliban sanctions regime only referred to the link between terrorism and the threat to children. Given the focus on violations against children by the Taliban in the UNAMA resolution, more specific language might have been expected in the sanctions renewal resolution.

Some of the more specific references to sanctions and children are highlighted below:

### *Central African Republic*

Resolution 2134, which extended BINUCA's mandate on 28 January 2014, also expanded the CAR sanctions regime to include targeted sanctions (travel ban and assets freeze) on individuals that hinder the political process, violate international humanitarian law and human rights law or violate the arms embargo. It also specified as designation criteria the recruitment and use of child soldiers, attacks on schools or hospitals, acts involving sexual violence, abductions and obstruction of humanitarian access.

### *Côte d'Ivoire*

Resolution 2153 adopted on 29 April 2014 lifted the diamond embargo and partially lifted the arms embargo. It also renewed for a year the financial and travel measures on targeted individuals as well as the sanctions on arms and lethal materiel and renewed for 13 months the mandate of the Group of Experts

assisting the 1572 Côte d'Ivoire Sanctions Committee. The resolution requested the Special Representatives for both children and armed conflict and sexual violence to "continue sharing relevant information" with the Committee. This is the only example of a request in a resolution for interaction between a sanctions committee and the Special Representative. (For more information on this, see section on sanctions below.)

### *Darfur*

Resolution 2138 adopted on 13 February 2014 extended for 13 months the mandate of the Panel of Experts assisting the 1591 Sudan Sanctions Committee. It requested the Darfur Panel to assess in its interim and final reports progress towards reducing violations of international humanitarian law and abuses of human rights, including grave violations and abuses against children.

### *Democratic Republic of the Congo*

The DRC sanctions regime and Panel of Experts assisting the 1533 DRC Sanctions Committee were renewed by resolution 2136 adopted on 30 January 2014. The resolution stressed that those who were involved in violence or abuses against children should be "swiftly apprehended, brought to justice and held accountable". It also recalled that its sanctions applied to individuals and entities operating in the DRC and "involved in planning, directing, or participating in the targeting of children or women in situations of armed conflict, including killing and maiming, rape and other sexual violence, abduction, forced displacement and attacks on schools and hospitals".

### *Libya*

Resolution 2144, which extended the mandate of the UN Support Mission in Libya (UNSMIL) as well as the 1970 Libya Sanctions regime and the Panel of Experts on 14 March 2014, called for those responsible for serious violations of human rights, including sexual violence and violations and abuses against children, to be held accountable and urged the end of impunity for these violations. The second resolution in 2014 on Libyan sanctions, resolution 2174 of 27 August, did not have any protection of children language. It modified the sanctions regime, strengthened the exemption procedure to the arms embargo and expanded the designation criteria of the sanctions regime to

## Analysis of Council Action in Specific Cases (con't)

apply to individuals and entities determined by the 1970 Libya Sanctions Committee to be obstructing or undermining the successful completion of its political transition. The resolution also decided that the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, to Libya must be approved in advance by the Committee. It is likely that issues related to children and armed conflict were not addressed in this resolution because its main aim was to put pressure on those undermining the successful completion of the political transition.

### *Somalia/Eritrea*

Resolution 2142, re-authorising a partial lifting of the arms embargo on Somalia in March 2014, did not contain any children and armed conflict language. Resolution 2182, which covered a wide range of issues including the authorisation of naval interdiction of illicit charcoal and illicit arms and renewal of the partial lifting of the arms embargo for the FGS and renewed authorisation for AMISOM, also renewed the mandate of the 751/1907 Somalia/Eritrea Sanctions Committee's Panel of Experts on 24 October. It condemned all violations and abuses committed against children and it also requested the FGS and AMISOM to protect and treat children that have been released or otherwise separated from armed forces and armed groups as victims, including through full implementation of standard operating procedures for the protection and handover of these children. This was new language apparently suggested by Luxembourg during the negotiations. As resolution 2142 was focused on re-authorising an exemption from the general arms embargo for the FGS, it is possible there was less inclination to include wider protection issues.

*Is more attention being paid to the most recent trigger, attacks on schools and hospitals?*

Since resolution 1988 was adopted in June 2011, there has been a steady increase in references in Council resolutions to attacks on schools and hospitals. In 2014, resolutions on Afghanistan, CAR, DRC, Mali, South Sudan and Syria contained some language on attacks on schools and hospitals. All these situations have parties included in the annexes of the Secretary-General's 2014 annual report for

attacks on schools and hospitals. Iraq stands out as a situation in which there are parties listed for attacks on schools and hospitals but there is no language in the relevant resolution. Only the UNAMA resolution and the Syria resolution on humanitarian access contained substantive language on attacks on schools and hospitals. In the other cases the reference was generally within a broader list of violations against children.

### *Afghanistan*

For several years, both the UNAMA and International Security Assistance Force (ISAF) resolutions have contained references to the targeting of schools, with specific reference to "attacks by illegal armed groups targeting girls' education, including the Taliban". Resolution 2145, which renewed UNAMA on 17 March 2014, reiterated the Council's condemnation of attacks on schools and education and health facilities and elaborated on specific activities, including the burning and forced closure of schools and the intimidation, abduction and killing of education personnel, once again highlighting attacks by illegal armed groups, including the Taliban, targeting girls' education. (In 2014 there was no ISAF resolution as its authorisation had been extended the year before until 31 December 2014, after which it expired.)

### *Syria*

The three Syria humanitarian resolutions are interesting examples of the difficulties of getting human rights language into resolutions when negotiations are sensitive. The adoption of resolution 2139, the first Syria humanitarian resolution on 22 February 2014, had followed several weeks of intense negotiations that required compromise on a number of issues. The resolution demanded that all parties, in particular the Syrian authorities, allow humanitarian access across conflict lines, in besieged areas and across borders, and expressed the Council's intention to take further steps in case of non-compliance. It included substantive language on attacks on schools and hospitals, including the need to demilitarise medical facilities and schools. Luxembourg and Australia, which took the lead in drafting the resolution, had a strong interest in the issue of attacks on and use of schools and hospitals and made sure there was language on this issue in the original draft.

In addition, the recently published Secretary-General's report on children and armed conflict provided concrete information on violations against children that could be used to argue for language in resolution 2139.

Resolution 2165, the second Syria humanitarian resolution, was adopted on 14 July 2014 and authorised cross-border and cross-line access for the UN and its partners to deliver humanitarian aid in Syria without state consent. In negotiating this resolution, members who had pushed for strong protection of children language in the first Syria humanitarian resolution decided that there was no need to include some of the language of resolution 2139 as it could reopen sensitive human rights and humanitarian negotiations, possibly weakening what had been obtained in that earlier resolution. As a result, children and armed conflict references are found only in the pre-ambular paragraphs, and there is nothing on attacks on schools and hospitals. In resolution 2191 adopted in December, which extended until 10 January 2016 the humanitarian access provisions of resolution 2165, there is specific mention of legal obligations, including by ceasing attacks on schools and hospitals and all grave violations against children.

*How are implementation and signing of action plans reinforced through relevant country-specific resolutions?*

### *Afghanistan*

Resolution 2145 renewing UNAMA welcomed progress made on the implementation of the action plan and its annex on children associated with the Afghani National Security Force, particularly the endorsement by the government of a roadmap to accelerate compliance with the action plan. It also called for the full implementation of the action plan. The 2013 resolution renewing UNAMA also contained reference to the action plan, but the focus was on progress made.

### *Central African Republic*

There were no references to action plans in the resolution setting up the new mission in the CAR. Several groups were listed in the annexes for a range of violations. The Convention des patriotes pour la justice et la paix and Union des forces démocratiques pour le rassemblement, which are part of the ex-Séléka coalition and associated armed groups,

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## Analysis of Council Action in Specific Cases (con't)

are listed for recruitment and use of children, killing and maiming, sexual violence and attacks on schools and hospitals, while the anti-balaka are listed for recruitment and killing and maiming. None of them are government forces, but it might have been expected that given the serious violations over the last few years in the CAR by these groups, there might have been some reference to trying to get these groups to sign action plans.

### *Democratic Republic of the Congo*

In 2014 the DRC government was making a concerted effort to meet the criteria needed to get its armed forces off the Secretary-General's lists, which may explain the attention paid to action plans in resolutions renewing both the DRC sanctions and UN Organization Stabilization Mission in the DRC (MONUSCO) mandates.

Resolution 2136, which renewed targeted sanctions in the DRC on 30 January 2014, urged the DRC government to follow through on its commitments made in the action plan signed with the UN to release and reintegrate children and prevent further recruitment, as well as to protect girls and boys from sexual violence. Resolution 2147 renewing MONUSCO on 28 March 2014 also made specific reference to the action plan to prevent and end recruitment and use of children and sexual violence by Forces Armées de la République Démocratique du Congo (FARDC). It encouraged President Joseph Kabila to swiftly appoint the proposed presidential adviser on the prevention of sexual violence and recruitment of children. (A presidential adviser was appointed on 14 July 2014.)

### *Sudan/Darfur*

Unlike in 2013, the 2014 resolution extending UNAMID's mandate, (resolution 2173 of 27 August 2014), had strong language demanding that the parties to the conflict develop and implement action plans to end and prevent recruitment and use of children, and requested the Secretary-General to ensure continued dialogue with the parties to the conflict towards development and implementation of the action plans. More forceful language may have been deemed necessary, as among the government forces listed in the annexes, the Sudan government is the only one that has not signed an action plan. (There are also five other Sudanese groups that are listed for recruitment.)

### *Somalia*

Resolution 2158 of 29 May 2014 renewing UNSOM's mandate used the same language as the mandate renewal resolution in 2013 to indicate that its mandate includes assistance to the government of Somalia in implementing relevant action plans. (The Somali government signed two action plans in 2011, one on recruitment and use and the other on killing and maiming.) It added new language urging the government to implement action plans on children and armed conflict, including bringing perpetrators to justice. Resolution 2182 adopted on 24 October, an omnibus resolution covering a number of sanctions issues, renewing the authorisation for AMISOM and the mandate of the 751/1907 Somalia/Eritrea Sanctions Committee's Panel of Experts, included a reference in a preambular paragraph to the two action plans as an example of the government's efforts to address violations and abuses of human rights. However, it did not go further to urge the government to implement the plans more rapidly.

### *South Sudan*

Resolution 2155, adopted on 27 May 2014 renewing UNMISS's mandate, urged the government to fully and immediately implement its action plan to end and prevent child recruitment and also urged opposition forces to implement their commitment to end grave violations against children. (During her visit to South Sudan in May 2014, Zerrougui signed a commitment agreement with opposition leader Riek Machar to end grave violations against children, provide assistance to children and appoint a high-level focal point.)

### *Yemen*

Resolution 2140 adopted on 26 February 2014 established a sanctions regime, a sanctions committee and a four-member panel of experts. At the time, the UN was close to signing an action plan with the Yemeni government, and the resolution called for continued national efforts to end and prevent the recruitment and use of children, including through the signing of an action plan to halt recruitment and use of children in the government forces of Yemen.

*Has DDR of children become a consistent feature in relevant resolutions?*

More language on DDR than in previous years was found in resolutions in 2014, with four situations—CAR, Côte d'Ivoire, DRC and Mali—containing DDR language with some reference to children. For the most part, however, the DDR language is related to supporting the respective governments in DDR rather than the specific DDR needs of children. Only the DRC resolutions have references to demobilisation and reintegration related to children. While there is an increased awareness that children are an important part of the DDR processes, it appears that specific language on DDR for children has yet to become a norm.

### *Central African Republic*

Resolution 2134 adopted on 28 January 2014, which renewed and updated BINUCA's mandate, emphasised the mission's role in advising on and providing technical assistance in DDR as well as the government's role in devising a DDR strategy for combatants and repatriation of foreign combatants, including children associated with armed forces and groups. It also demanded that all parties protect and consider children released by or separated from armed forces and armed groups as victims, and asked that they pay particular attention to the protection, release and reintegration of these groups. Both these DDR-related elements were also found in resolution 2149 of 10 April, which set up MINUSCA.

### *Côte d'Ivoire*

Resolution 2162 adopted on 25 June 2014 renewed UNOCI's mandate and made clear that UNOCI was to assist the government in implementing the national DDR programme and that among the "rights and needs" to be taken into account were that of children and women.

### *Democratic Republic of the Congo*

Besides language on supporting the DRC government's design and implementation of DDR plans, the two resolutions on the DRC had more specific reference to DDR and children. In both resolution 2147 renewing MONUSCO's mandate on 28 March 2014 and resolution 2136 renewing the DRC sanctions regime on 30 January 2014, the Council demanded that the FDLR, ADF, Lord's Resistance Army and various Mayi Mayi groups demobilise children from their ranks. This is language that Luxembourg

## Analysis of Council Action in Specific Cases (con't)

had proposed and worked on getting into both resolutions. Resolution 2147 also references the need for Rwanda to ensure that special attention is paid to demobilising children from the combatants that fled from the DRC into Rwanda in March 2013. The DRC sanctions resolution ties adjustment of the measures on the DRC with progress in “disarming, demobilising, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups, with a particular focus on children”. It also urges the government to follow through on commitments in the action plan to release and reintegrate children associated with the Congolese armed forces.

### Mali

As noted earlier, resolution 2164 renewing the mission in Mali on 25 June 2014 included language related to DDR. In particular, it asked that MINUSMA take into account the specific needs of demobilised children in supporting the Malian authority’s efforts to develop DDR programmes.

*Are the conclusions of the Working Group reinforced through relevant country-specific resolutions?*

The Working Group’s conclusions are found only in the resolution renewing UNAMA, which recalls the Working Group’s 2011 conclusions on the Secretary-General’s report on children and armed conflict in Afghanistan. While there were more references to conclusions of the Working Group in the past, in 2014 it appears that there was less inclination to try to include these references. This may be because conclusions in many of the

relevant country-specific reports are now several years old.

*Where were unexpected references found to protecting children?*

Resolutions on Burundi and Haiti, which are not situations covered in the Secretary-General’s 2014 annual report, included language on children. Resolutions on Haiti have over the years shown consistent references to the need to protect children in detention from sexual violence and from criminal gang violence although Haiti has never been listed in the Secretary-General’s annexes. Burundi was delisted from the Secretary-General’s annexes in 2010, but resolutions on the UN missions in Burundi have continued to include language on children, tying protection of children into the larger promotion and protection of human rights.

*Have references to the need for child protection advisers increased or become more specific?*

A request for child protection advisers when setting up a mission is crucial in providing the basis for including child protection advisers in a mission. Also useful is having more specific language that allows for the appropriate number of child protection advisers as this can influence decisions about the use of available resources. In 2014 resolutions extending BINUCA’s mandate, setting up the new UN mission in CAR and renewing the mandates of MINUSMA and UNMISS included language on the deployment or provision of child protection advisers in relation to monitoring violations against children or action plans. Only the BINUCA resolution

makes more specific reference to the need to deploy an “adequate number” of child protection advisers. For example, it proved difficult to get more than five child protection advisers (including local staff and UN Volunteers) during the budget negotiations for MINUSMA. Specific language in the resolution might have helped the Secretariat argue for what it deemed the appropriate number.

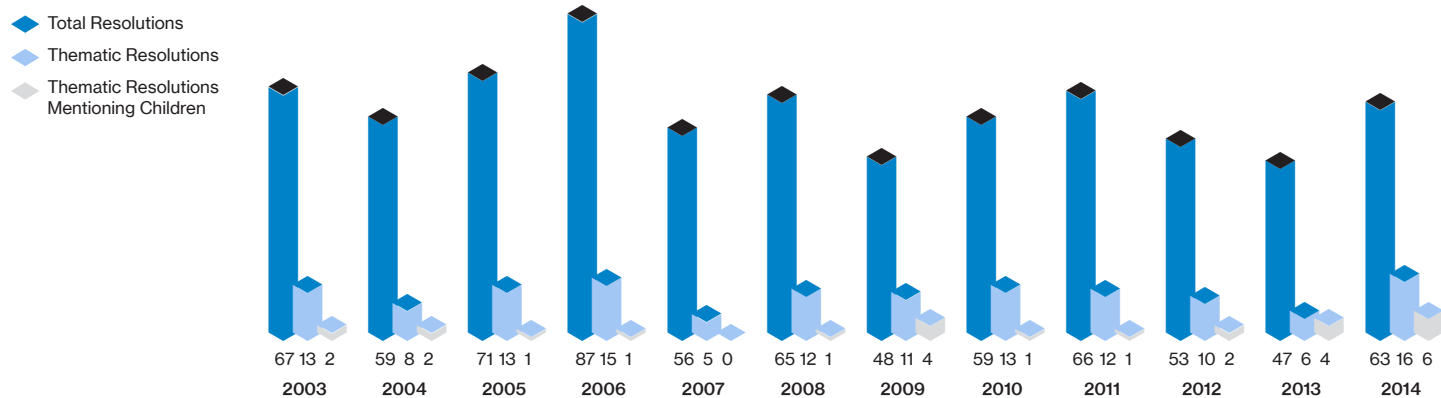
The UNAMA resolution, as in 2013, asked the Secretary-General to give “priority to child protection activities and capacity in UNAMA.”

### Thematic Resolutions

In 2014 there were an unusually high number of thematic resolutions. The Council adopted 16 resolutions compared to six in 2013, with ten having some reference to child protection. The increase can be largely attributed to a higher number of thematic resolutions on counter-terrorism and resolutions on Ebola, the genocide in Rwanda and the award of a medal of courage. There were two resolutions on peacekeeping—one focusing on regional and subregional organisations and the other on police. In addition, there were resolutions on protection of civilians, children and armed conflict, security sector reform and the mandates of the International Criminal Tribunal for the former Yugoslavia and International Criminal Tribunal for Rwanda. Of the 16 resolutions, the two on the tribunals, on Ebola and the Captain Mbaye Diagne Medal for Exceptional Courage (for UN personnel who demonstrated exceptional courage in the face of extreme danger) were issues where we did not expect to see content regarding children and armed conflict.

Issues related to children featured strongly

### THEMATIC RESOLUTIONS



## Analysis of Council Action in Specific Cases (con't)

in the two peacekeeping resolutions. The resolution focusing on regional and subregional issues, contained references to child protection activities by the AU and EU and encouraged further mainstreaming of the issue into regional organisations. The peacekeeping resolution focusing on the police included language on pre-deployment and in-mission training on child protection as well as on monitoring and reporting on violations committed against children. It also highlighted the importance of coordination between the police components and child protection advisers. The security sector reform resolution had language on incorporating child protection when undertaking security sector reforms. This is an issue that was addressed in resolution 2143 and that Luxembourg tried to ensure would be included in relevant country-specific and thematic resolutions.

There was increased activity on counter-terrorism in the Council, with four resolutions adopted related to countering terrorism as well as one renewing the mandate of the Ombudsperson and Panel of Experts of the Al-Qaida Sanctions Committee. Of the four counter-terrorism resolutions (S/RES/2133, S/RES/2170, S/RES/2178, S/RES/2195), the two related to foreign terrorist fighters had mentions of violations against children, but the other two—on kidnapping for ransom and terrorism and transnational crime—made no mention of violations against children. The impact on children as a result of terrorist activities was a theme highlighted by the Special Representative over the year, but it appears that the attention of the Council was on other areas, such as foreign terrorist fighters and the financing of terrorism.

Similarly, the Al-Qaida sanctions renewal resolution, might have been expected to contain some reference to the impact of the activities of Al-Qaida on children, particularly given

that groups such as Al-Qaida in the Arabian Peninsula and ISIS are listed in the Secretary-General's annexes, but did not contain language on children and armed conflict.

### Analysis of 2014 Presidential Statements

Although presidential statements are not binding, they are considered formal decisions and are very thoroughly negotiated. They require the agreement of all 15 Council members, which has meant that at times compromises are made that result in a weaker document. In general, there is less attention paid to the language of presidential statements as they are seen as having less impact than resolutions.

Since 2010, the total number of presidential statements in a year on all issues has not gone above 30, compared to the mid-2000s when around 50 presidential statements a year was not uncommon. In recent years, press statements, which are not formal decisions but also require consensus, have often been issued instead.

In 2014, the Security Council adopted 28 presidential statements, whereas in 2013, it adopted 22. As we have done in past Cross-Cutting Reports, presidential statements have been differentiated as either country-specific or thematic in nature. In 2014, there were nine thematic and 19 country-specific presidential statements.

### Country-Specific Presidential Statements

We assessed that 14 situation-specific presidential statements in 2014 could reasonably have been expected to address child protection issues. With eight (57.1 percent) relevant presidential statements actually including references, 2014's percentage is lower than 2013's (63.6 percent) but slightly higher in

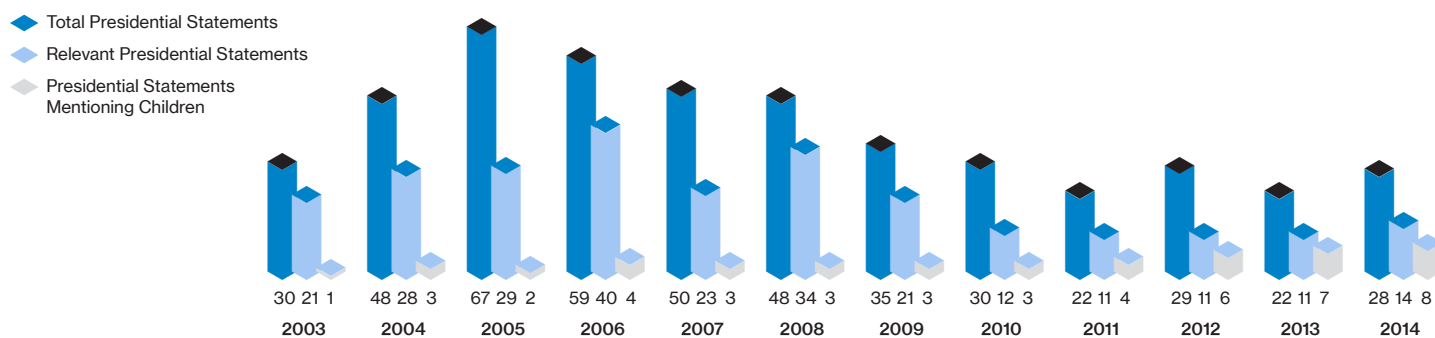
terms of actual references in 2013 (seven).

Our analysis over the years has shown that generally presidential statements that focus on a specific development are unlikely to have substantive language on protection of children. Examples of this type of presidential statement have included the shutting down of missions and conduct of elections. In 2014, examples included the 26 March presidential statement (S/PRST/2014/6) on the end of the mandate of the UN Integrated Peacebuilding Mission in Sierra Leone (UNIP-SIL) and the 29 May presidential statement (S/PRST/2014/10) on the postponement of the Lebanese elections. However, it can be argued that there should be greater scope to include language on protection of children in these types of presidential statements if there are known violations against children taking place. Thus in 2014, the 25 June presidential statement on the second round of elections in Afghanistan (S/PRST/2014/12), the 28 July presidential statement focused on the inter-Malian negotiation process (S/PRST/2014/15) and the 29 August presidential statement (S/PRST/2014/18) welcoming progress on the political process in Yemen while calling on the Houthis to withdraw forces and cease hostilities could have been expected to contain some language on children but did not.

### Afghanistan

In 2014, there were two presidential statements on Afghanistan, both adopted on 25 June following a briefing on UNAMA (S/PRST/2014/11 and S/PRST/2014/12). Russia had originally circulated a draft text on counter-narcotics, which the ISAF countries on the Council felt was too narrowly focused given the other challenges facing Afghanistan. The compromise was to have two presidential statements. As mentioned above, the

### COUNTRY-SPECIFIC PRESIDENTIAL STATEMENTS



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## Analysis of Council Action in Specific Cases (con't)

presidential statement focused on the elections did not have any reference to children but given the challenging security situation could have been expected to do so, as the UNAMA report had highlighted that children had been killed and injured in the crossfire between Afghan forces and anti-government elements. The second presidential statement was on counter-narcotics and included a reference to children being among those threatened by the ongoing Taliban activities.

### *Central African Republic*

Following a briefing on the CAR on 18 December 2014, the Council adopted a presidential statement in light of the stagnation on the security and political fronts, urging the transitional authorities to accelerate preparations for the Bangui forum and elections scheduled for August 2015 (S/PRST/2014/28). The statement included a number of specific references to children. It appealed to all parties, especially the leaders of the ex-Seleka and anti-balaka groups, to release all children from their ranks, called upon the transitional authorities to implement a DDR and repatriation strategy, including for children formerly associated with armed forces and groups, and also affirmed that those responsible for violations of international humanitarian law, including recruitment and use of children, would be held accountable.

### *Central African Region and the Lord's Resistance Army (LRA)*

Two presidential statements were adopted on the LRA in 2014 following briefings on the UN Office for Central Africa, continuing the practice of the previous two years (S/PRST/2014/8 and S/PRST/2014/25). As in previous years, language on protection of children in this context was substantive. The 2014 presidential statements covered many of the same key issues as in the 2012 and 2013 presidential statements. These included the condemnation of violations, encouragement to deploy child protection advisers within the AU Regional Task Force (AU-RTF), implementation of the conclusions of the Working Group and the need for countries affected by the LRA that have not established standard operating procedures for the reception and handover of LRA children to do so. There continued to be language on the ICC

regarding arrest warrants for LRA leaders, particularly Joseph Kony, not being executed. There was new language reflecting new developments. The 12 May presidential statement welcomed the AU-RTF's enhanced operations against the LRA and mentioned the defections of LRA fighters and the rescue of women and children from the LRA's ranks. The 10 December presidential statement highlighted the importance of DDR programmes in encouraging defections and support of the release, return and successful reintegration of men, women and children abducted by the LRA, which had also been in the presidential statement on the LRA adopted on 25 November 2013 (S/PRST/2013/18).

### *Democratic Republic of the Congo*

On 5 November 2014, the Council adopted a presidential statement (S/PRST/2014/22) prompted by the expulsion of the head of the UN Joint Human Rights Office (UNJHRO), Scott Campbell, following the publication of a UNJHRO report on extrajudicial killings and disappearances by Congolese police and other troubling developments. Among the issues covered were lack of progress in the voluntary disarmament process of the FDLR, the repatriation of the former M23 members, the electoral process and lack of progress on security sector reforms, economic reforms and DDR. The statement made reference to the brutal killings of more than 100 civilians, mostly women and children by the ADF, but it was reasonable to also expect some mention of children in reference to the DDR process. Furthermore, the presidential statement did not refer to the conclusions of the Working Group on the situation of children and armed conflict in the DRC or the need to implement action plans and Council decisions, as had been done in two presidential statements on the DRC in 2013 (S/PRST/2013/11 and S/PRST/2013/17). A reference to the Working Group's conclusions would have been timely as they had been adopted on 19 September and the Working Group was planning a mission to the DRC at the end of the year.

### *Iraq*

On 10 January 2014, the Council adopted a presidential statement addressing the security situation in Iraq (S/PRST/2014/1). It condemned attacks by ISIS in Anbar province but did not contain any language on

children. The second statement on 19 September following the formation of the new government in Iraq expressed outrage over the recruitment and use of children by ISIS (S/PRST/2014/20). It seems that there was an attempt to include references to recruitment and use of children by pro-government militia, but it was blocked by a permanent member as this might suggest that the Iraqi government was involved in the recruitment and use of children.

### *Israel/Palestine*

The 28 July 2014 presidential statement asked for a humanitarian ceasefire on attacks in Gaza (S/PRST/2014/13). This presidential statement was adopted shortly after an attack on a UN school, but there was no reference to attacks on schools. Attacks on schools and hospitals are among the violations that could trigger a listing of a group in the annexes of the Secretary-General's annual report. Instead the presidential statement only emphasises that "civilian and humanitarian facilities, including those of the UN, must be respected and protected". Given the political sensitivities, compromises were made so that language in the presidential statement would be acceptable to all members, particularly the US, which has repeatedly vetoed resolutions critical of Israel. As a result, even though the presidential statement was directly prompted by an attack on a school, it was not possible to make a direct reference to the attack.

### *South Sudan*

A presidential statement adopted on 8 August 2014 on the continuing internal conflict between the government and the SPLM (Opposition) condemned human rights violations, specifically mentioning violations against children including recruitment and use of children and attacks on schools, but it did not reference children in relation to sexual violence and enforced disappearances (S/PRST/2014/16). There was no reference to children in the second presidential statement, adopted on 15 December, one year after the eruption of internal conflict in South Sudan (S/PRST/2014/26). Given how children have been affected by this conflict, with reports of increased recruitment and use of children by both the government forces and opposition parties, it was reasonable to expect some language on the need to prevent such violations.

# Analysis of Council Action in Specific Cases (con't)

## Thematic Presidential Statements

There were nine thematic presidential statements in 2014, with seven reasonably expected to address children and five (71.4 percent) actually doing so. The thematic presidential statements came under the following categories: protection, cooperation with regional organisations (AU and EU), rule of law, threats to peace and security caused by terrorist acts, threats to peace and security caused by pandemics (Ebola) and non-proliferation. Of these, only the ones on non-proliferation and the Ebola outbreak were assessed as not having relevance to protection of children in armed conflict.

The two 2014 presidential statements in which we might have expected to see references to children were both on the threat to international peace and security caused by terrorist acts. The 28 July presidential statement was on illicit oil as a source of revenue for terrorists (S/PRST/2014/14). Although the statement focused on limiting access to illicit oil as a source of funding for groups such as Al-Nusra Front and ISIS, some references to children might have been expected given the particularly brutal violations against children carried out by these groups. The second presidential statement on 19 November was focused on the inter-related threats of foreign fighters and violent extremism, where again some reference to children would have been appropriate (S/PRST/2014/23).

There were two thematic presidential statements that overlap with the children and armed conflict agenda: protection of civilians and women, peace and security. The protection of civilians presidential statement could have been expected to contain more substantive language on children (S/PRST/2014/3). The main references were in the updated aide memoire in the annex to the presidential statement. The women, peace and security

presidential statement, which addressed the particular needs of displaced women, had substantive language on the plight of internally displaced and refugee girls, including sexual violence, the need for access to humanitarian assistance and the impact of violent extremism (S/PRST/2014/21).

## Cooperation between the UN and Regional Organisations

Two presidential statements were adopted, one on cooperation with the EU and the other on cooperation with the AU. The 14 February 2014 presidential statement on cooperation with the EU was adopted following a briefing by the EU High Representative, Catherine Ashton (S/PRST/2014/4). The only reference in this presidential statement to children is related to the support of the EU to protecting civilians, “particularly women and children”. The statement contained a reference to peace agreements, which is one area where we might have expected some language on children given that the EU guidelines on children and armed conflict adopted in 2010 state that the EU will ensure that the needs of children will be taken into account in peace negotiations and peace agreements.

The presidential statement on cooperation with the AU was adopted on 16 December 2014 during an open debate, “Peace Operations: The UN-AU Partnership and Its Evolution” (S/PRST/2014/27). This statement contained references to the AU’s role in protection of civilians and the UN’s support for the AU’s efforts to develop policy and training in a number of areas, including child protection. It mentioned the declaration signed in September 2013 by the Office of the Special Representative and the Peace and Security Department of the AU Commission, which was meant to integrate protection mechanisms in AU peace and security

activities. It invited the AU to continue incorporating child protection into its advocacy, policies, programmes and mission planning, as well as to develop and expand its guidelines to protect children affected by armed conflict. In addition, it invited the AU Commission to train its personnel and include child protection staff in AU peacekeeping and field operations while reiterating its call for the establishment of child protection mechanisms, including through the appointment of child protection focal points.

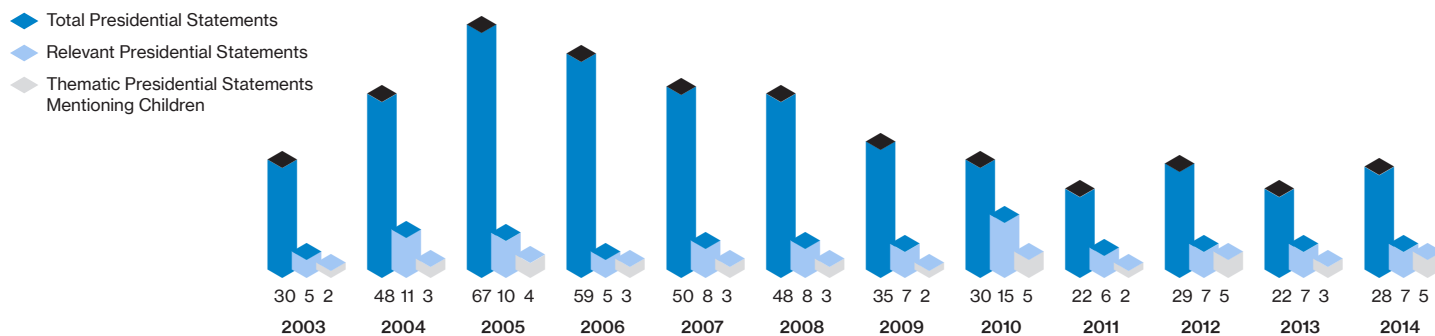
## Rule of Law

Following the rule of law debate on 21 February 2014, the Council adopted a presidential statement focused on strengthening rule of law through peacekeeping and political missions (S/PRST/2014/5). The statement contained a specific expression of concern about sexual and gender-based violence and violations and abuses against children in situations of armed conflict and the need to end impunity for such acts through strengthening police, justice and corrections capacity. It highlighted the need for child protection perspectives in all rule of law programmes and child protection training. Importantly, it reiterated the Council’s intention when establishing and renewing the mandates of UN missions to include provisions for protection of children, including through the appointment of child protection advisers.

## Secretary-General’s Reports

In resolution 1460 adopted in January 2003, the Security Council requested that all the Secretary-General’s reports to the Council on country-specific situations “include protection as a specific aspect”. This year we have chosen to track the reporting in the Secretary-General’s country-specific reports only on situations in Annex 1.

## THEMATIC PRESIDENTIAL STATEMENTS





## Analysis of Council Action in Specific Cases (con't)

In the 2014 reports of the Secretary-General, child protection continued to be part of a larger section under either mandate implementation or human rights. The 2014 reports on the CAR, the DRC, Mali and Somalia all had distinct child protection sections, with the CAR and the DRC coming under mandate implementation and Mali and Somalia under human rights. Children featured in the “Observations” section of the reports on five situations: Afghanistan, the CAR, the DRC, Mali and Somalia. We assessed the reports on Afghanistan, the CAR, the DRC, Iraq and Somalia to have robust reporting. There is a possible correlation between the number of child protection advisers in a mission and better reporting as these missions generally have better staffed child protection units. The Mali reports, on the other hand, showed poor reporting, which may be due both to the difficulty in getting access to areas where violations are being committed and not having an adequate number of child protection advisers. The reporting on Abyei, Darfur and South Sudan showed only minimal references to protection of children. This is not surprising for UNISFA, as the Abyei mission’s mandate does not cover children and armed conflict. The reasons for poor reporting on children and armed conflict issues from the other two missions are likely to be found in the various challenges faced by the two missions in 2014, including strained relations between the Council and the governments of both Sudan and South Sudan and difficulties implementing their protection mandates.

### Security Council’s Visiting Missions

The Council undertook two visiting missions in 2014: the first to Mali and the second to Europe (Belgium and the Netherlands) and Africa (Somalia, South Sudan and Kenya). Resolution 2143 stressed the importance of regular and timely consideration of violations and abuses committed against children in armed conflict and stressed the terms of reference of Security Council field visits when appropriate should incorporate a children and armed conflict dimension. In this section we examine the terms of reference, the stakeholders Council members met and subsequent reporting back to the Council.

#### Mali

The Council visited Mali from 31 January to

3 February 2014. During the visit, which was co-led by Chad and France, Council members spent most of their time in Bamako with a visit to Mopti, 600 kilometres north-east from the capital. With the conclusion of presidential and legislative elections in August 2013, the visit was an opportunity for Council members to meet with elected authorities and impress upon them the need to move forward in the political process following the end of the electoral cycle and the full return of constitutional order. At the time of the visit, Council members were concerned about the deterioration of the security situation in the north and were keen to receive information about it, particularly progress in stabilising the key population centres. With the visit taking place soon after the differences between the government and the leadership of MINUSMA over the preconditions to hold national peace talks, Council members also wanted to highlight the need for an inclusive and credible negotiation process open to all communities of northern Mali. In addition, the mission aimed to assess progress in the reestablishment of state authority, the rebuilding of the security sector and protection of human rights, as well as the deployment of MINUSMA. All these issues are highlighted in the terms of reference adopted ahead of the mission (S/2014/72). The only reference to children is the need to strengthen child protection.

Grave violations against children were a serious problem in the north of Mali from the start of the conflict. Lack of access to the north and limited staffing of the MINUSMA protection section had made monitoring and reporting difficult. While the overall security situation had improved in the year before the Council’s mission in early 2014, children in the north remained particularly vulnerable. The Secretary-General’s 2013 annual report listed Ansar Dine, Mouvement national de liberation de l’Azawad and Mouvement pour l’unicité et le jihad en Afrique de l’Ouest for recruitment and use of children (S/2013/245). In meetings with civil society in Mopti, Ambassador Sylvie Lucas (Luxembourg) raised the issue of violations against children. She also met separately with the officer involved in child protection in MINUSMA. The main concern with the Malian armed forces was the detention of children for their alleged association with armed groups, an

issue that was highlighted by Ambassador Lucas in meetings with government officials during the visit.

At the time of the Council visit to Mali, the first country-specific report on children and armed conflict in Mali was being prepared by the Office of the Special Representative. It was eventually published in April 2014 but this visit might have been an opportunity for Council members to be briefed on some of the potential issues in the report, which covered the period from January 2012 to December 2014. For example, a key difficulty highlighted in the report was the lack of access for monitoring and reporting in the north, which the Council could have taken up with the relevant authorities.

Although detention was raised as an issue in meetings with the authorities and other protection issues were covered during the civil society meeting, there are no references to child protection issues in the report of the Security Council mission to Mali published on 11 March 2014 (S/2014/173). Similarly, there was no mention of issues related to children in the briefing of the co-leads of the mission on 26 February (S/PV.7120).

#### Europe and Africa

The Council visited Europe and Africa from 8 to 14 August 2014. Australia and the UK co-led the Belgium leg of the mission; Chile and Luxembourg co-led the Netherlands portion; the US and Rwanda co-led during the visit to South Sudan; and Nigeria and the UK were the co-leads for the Somalia leg.

The visit to Belgium was to commemorate the centenary of the First World War while the Netherlands stopover was meant to underline the Council’s commitment to the international justice, with visits to courts and tribunals in The Hague. There was unlikely to be a focus on protection of children in the Belgian leg, but individuals who were currently on trial or had been indicted for violations against children among their crimes could have been discussed in meetings with the ICC. However, the only reference appears to have been in relation to the interlocutors of the ICC showing interest in attending thematic debates when issues such as children and armed conflict and sexual violence in conflict are covered.

The South Sudan visit focused on the political, security and humanitarian crisis in

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## Analysis of Council Action in Specific Cases (con't)

South Sudan. Following the outbreak of violence in South Sudan in December 2013, the Council had taken a series of steps to reinforce the protection of civilians mandate in UNMISS and held a number of meetings in late 2013 and early 2014 in order to be kept up-to-date on the situation, but this was its first visit following the outset of the crisis. Ahead of the visit, the Council had issued a presidential statement designed to send to the government of South Sudan and the SPLM in Opposition a strong message of concern and a clear signal of concrete steps it might take (S/PRST/2013/14). There was no mention of children in this presidential statement.

The SPLA, South Sudan's national army since independence in 2011, had made progress in preventing the recruitment and use of child soldiers, but when the current conflict broke out in December 2013, child recruitment by both the government forces and opposition forces led by former Vice President Riek Machar resumed. In June 2014, the Special Representative had obtained commitments from both sides to stop the recruitment and use of children in their forces. In line with this, the terms of reference of the South Sudan leg included a demand that all parties follow up the commitments that had been made in June to the Special Representative.

It seems that Luxembourg raised the question of child recruitment with President Kiir but was unable to get a direct answer about the government's commitment to put an end to child recruitment. When the issue was brought up during the Council's video teleconference with Machar, he denied that there were children among his troops, although he later admitted that there were 15-18 year-olds who saw war as an initiation into manhood. Council members also held a meeting with civil society representatives. Although there was an NGO present that focused on child protection, it seems that the Council members were largely interested in discussing issues related to how women could be better represented in South Sudan's peace talks and did not focus on child protection issues.

The mission to Somalia was the first Council visit since 1994 and, according to the terms of reference, was intended as a sign

of support from the Council to the peace and reconciliation process in Somalia and to UNSOM. In relation to children, the terms of reference reaffirmed the importance of the full implementation of the two action plans signed in 2012 by the government to end and prevent the recruitment and use of children by the Somali national armed forces and to end the killing and maiming of children.

Three Council members raised concerns about the impact of the conflict on children in Somalia as well as child protection in the context of security sector reform. Somali President Hassan Sheikh Mohamud said that the Somali National Army was collaborating with the UN to implement the two action plans signed in 2012 and that with the help of a joint UNSOM-UNICEF task force, efforts were being made to assess whether children were being used in or recruited for combat. If they were, according to Mohamud, they were reintegrated back into society. Council members were also told that the killing and maiming of children occurred in the midst of military operations against the Islamic militant group, Al-Shabaab. Mohamud informed members that a working group had been created to investigate and implement the government's zero-tolerance policy on child recruitment in the armed forces. Zerrougui visited Somalia the week after the Council and in her meeting with Mahamud also called for the full implementation of the action plans.

In Nairobi, which was a brief stop on the way back to New York, the Council delegation met with Kenyan President Uhuru Kenyatta and the Intergovernmental Authority on Development Council of Ministers. Discussions focused on South Sudan, but there appears to have been no specific mention of child protection issues.

Although violations against children and specifically the action plans signed by the government were raised in meetings in both South Sudan and Somalia, this was not brought up by the co-leads for the two legs when they reported to the Council on 19 August 2014 (S/PV.7245).

### Observations from Visiting Missions

In 2014 there was greater awareness of child

protection issues particularly in places where action plans had been signed or commitments made. This is reflected in the terms of reference for the visit to South Sudan and Somalia. There appears to have been less attention paid in formulating the terms of reference for Mali, possibly because of the more political focus of this visit and the fact that the bulk of meetings in Mali were with the Malian authorities and the Malian armed forces are not among the groups listed in the Secretary-General's annexes.

It was reasonable to expect the Security Council to pay attention to the issue of children and armed conflict in both South Sudan and Somalia, given the history of violations in both places. Somalia has been in the Secretary-General's annex as a situation of armed conflict where parties recruit or use children since 2002, when the annex was first created, and South Sudan was added in 2005, when it was part of Sudan. In Mali, as the Council delegation was not going to meet with any of the non-state armed groups that were in the annexes, it may have proved more difficult to bring up specific violations by these groups. However, there was an attempt to discuss the issue with MINUSMA and to raise the concerns of the Council over detention of children by the government.

While having children and armed conflict agenda issues included in the mission's terms of reference is helpful, more significant is the extent to which interested Council members were able to raise their concerns and include a child protection dimension in relevant interactions. Having the chair of the Working Group on Children and Armed Conflict meet separately with those covering this issue in a mission appears to be a useful practice and one that could perhaps be incorporated in future missions. (This was also done in 2013 during the Council's mission to the DRC.) Much of the increased focus on the issue during these Council missions can be attributed to the dedication of Luxembourg in raising it in relevant situations. Field visits are an opportunity for the chair of the Working Group to follow up on implementation of recent conclusions of the Working Group.

## Issues Involving Peace Operations

Council-mandated missions can include peacekeeping operations, special political missions and peacebuilding support missions. Since the adoption of resolution 1612 in 2005, a significant proportion of resolutions establishing and renewing Council-mandated missions have had a clear child protection mandate. In 2014, seven peacekeeping missions and four political missions came under this category out of a total of 27 peace operations. Several of the most recently established peacekeeping missions have a strong child protection mandate as part of their responsibility to protect civilians. In recent years, exceptions to this general trend included the mandates of UNISFA in Abyei deployed in 2012 and the mandate of the short-lived UN Supervision Mission in Syria (UNSMIS), authorised from April to August 2012. There continue to be several, mostly older missions, established prior to the adoption of resolution 1612, whose mandates do not reference children, for example the UNMIK in Kosovo, MINURSO in Western Sahara, UNIFIL in Lebanon, UNDOF in the Golan Heights and until 2011, UNFICYP in Cyprus.

In its resolutions on children and armed conflict since 2000, the Security Council has included provisions for the protection of children in mandates of peace operations and political missions and encouraged the deployment of child protection advisers to peacekeeping missions. In its most recent resolution adopted in March 2014, the Council reiterated that it would continue to include specific provisions for the protection of children in peacekeeping and political mission mandates, encouraged deployment of child protection advisers and called for the number and roles of these advisers to be assessed during preparation and renewal of mandates. Resolution 2143 also stressed the importance of pre-deployment training in child protection.

In April 2014 DPKO launched new specialised training materials on child protection for UN military personnel that can be used for pre-deployment as well as in mission training. DPKO is now developing similar specialised training materials for UN Police. These training standards aim to train 100,000 peacekeepers on their behaviour

towards children in conflict situations and to raise awareness on how to prevent and report violations against children.

### Chad: Action Plan Implementation

Chad's sudden acceleration in implementing its action plan to end and prevent recruitment and use of children in 2013 provides an interesting example of what motivates a party that has signed but not taken steps to implement an action plan to do so.

The issue of protection of children in Chad was first discussed by the Working Group in 2006 amidst rising tensions in eastern Chad and the CAR as a result of the conflict in Darfur. There were serious spillover effects from the Darfur conflict into neighbouring countries, leading to refugee flows, insecurity and displacement in the border areas. The conflict also affected security in Chad, generally as a result of the sanctuary being given in Sudan to Chadian rebels. In 2007, Chad agreed to the deployment of a UN civilian and police operation, the UN Mission in the Central African Republic and Chad (MINURCAT) and an EU military force, EUFOR. In 2009, EUFOR was re-hatted and became part of MINURCAT. However, by 2010 the Chadian government asked the UN to withdraw its peacekeepers.

The situation in Chad has been in the Secretary-General's annexes since 2006, with the Armée Nationale Tchadienne (ANT), the Chadian National Army, listed since 2007. There have been three country-specific reports on children and armed conflict in Chad (S/2007/400, S/2008/532 and S/2011/64) and three sets of conclusions (S/AC.51/2007/16, S/AC.51/2008/15 and S/AC.51/2011/4), all of which show concern over the presence of children in the Chadian armed forces. In 2011 the Chadian government signed an action plan with the UN to end and prevent recruitment of children. In 2013, the presence of the ANT in the Secretary-General's annex for the recruitment and use of children came into the spotlight because Chadian troops were about to be transferred from AFISMA in Mali to MINUSMA, and troops serving in UN missions are expected to conform to UN human rights standards.

Although children were found in the national army, the Chadian government stated that there was no official policy to recruit children into its armed forces. It claimed that any children present had come from armed opposition groups that had been integrated into ANT. However, in spite of signing the action plan, the government failed to put in place reliable mechanisms to prevent the recruitment of children or the means to investigate and prosecute violations against children.

In 2013, spurred on by the desire to be part of the UN peacekeeping force in Mali, the Chadian government began to take action to show that it did not have children among the ranks of its army. In May 2013, during a visit of the Special Representative and UNICEF, the government renewed its commitment to the action plan by signing a 10-point road map with the UN containing five short-term and five long-term measures. It agreed to set up child protection units in its military and conduct age-verification reviews of its troops with the UN. A presidential decree made 18 the minimum recruitment age.

When MINUSMA took over from AFISMA on 1 July 2013, as part of the re-hatting process, troop- and police-contributing countries (TCC/PCCs) were given a four-month grace period to vet troops and ensure they met UN standards of training and respect for human rights. UN child protection experts conducted screenings in eight military security zones throughout Chad to ensure that there were no soldiers under 18 years of age and were able to report that there were no child soldiers amongst those screened.

The prospect of being regarded as a serious peacekeeping nation, combined with being given the attention and assistance needed to implement the road map, allowed for enough progress for Chad to be taken off the Secretary-General's annexes after seven years. The speed at which the necessary reforms were made is a sign that beyond naming and shaming and pressure from the Council, placing the issue of violations against children within the context of national interest is a powerful incentive that could be explored in the context of other governments.

## Developments in the Area of Sanctions

Since the adoption of resolution 1539 on 22 April 2004, the Security Council has consistently signalled, in all its resolutions and presidential statements on children and armed conflict, its willingness to take action against parties violating applicable international law relating to children and armed conflict by imposing targeted and graduated measures on parties to situations of armed conflict that are on its agenda.

Four sanctions regimes authorise targeted measures specifically on the basis of grave violations against children. The 2127 CAR, 1533 DRC, 751 Somalia/Eritrea and 2206 South Sudan sanctions have specific language related to violations against children. The CAR, DRC and Somalia sanctions resolutions did not originally include violations of international humanitarian law or human rights amongst the designation criteria. The assets freezes and travel bans in these situations were later extended to apply to those responsible for serious violations of international law, including leaders responsible for the recruitment or use of children. It is therefore worth noting that resolution 2206 of 3 March 2015, which established the South Sudan Sanctions Committee, included grave violations against children as part of its original designation criteria. It appears that it has become a more established practice to include violations against children as accepted designation criteria in situations where sanctions are related to human rights abuses.

Two other sanctions regimes—on Côte d’Ivoire and on Sudan—do not specifically mention violations against children as grounds for imposing sanctions, but include provisions on human rights and humanitarian law violations, which cover violations against children.

The 1988 Taliban Sanctions Committee has not imposed sanctions specifically for violations against children despite the Taliban’s being in the Secretary-General’s annexes for recruitment of children between 2002 and 2003 and then again since 2007. The Al-Nusra Front, Boko Haram and ISIS are all listed in the Secretary-General’s annexes and also in the 1267/1989 Al-Qaida Sanctions Committee.

However, even when a sanctions regime includes violations against children as designation criteria, actually imposing sanctions on individuals has been a protracted

process. So far only one individual on the 1572 Côte d’Ivoire and 14 individuals on the 1533 DRC consolidated lists have been sanctioned using grave violations against children as one of the justifications. In the DRC, most of the individuals listed were members of the M23 rebel group and FDLR. Both these groups, as well as the Congrès National pour la Défense Du People, have been listed in the Secretary-General’s annexes of his annual report since 2009 and are seen as persistent perpetrators of violations against children. On the other hand, the FARDC, has not been subject to sanctions although it has been included in the Secretary-General’s annexes for recruitment in every annual report since 2003 (when it was the Forces armées congolaises [S/2003/1053]) and for sexual violence since 2011 (S/2011/250). The Secretary-General’s 30 June 2014 report on children and armed conflict in the DRC stated that despite the signing of the action plan in October 2012 to end recruitment and use of children and sexual violence against them, the FARDC had “committed grave violations, whether perpetrated in the context of military operations or by ill-disciplined elements” (S/2014/453). The Office of the Special Representative has been working with the DRC government on the implementation of the action plan on recruitment and use where good progress has apparently been made. However, sexual violence continues to be a serious problem.

The 751 Somalia Sanctions Committee has added four individuals to its consolidated list using the expanded designation criteria, which includes violations against children, in resolution 2002 of 29 July 2011. And the 1591 Sudan Sanctions Committee, which has had violations of human rights and humanitarian law as criteria for targeted sanctions since it was set up in 2005, has only listed four individuals, all of them in 2006 and none because of violations against children.

Besides consistently reiterating its intention to use targeted measures against parties responsible for violations against children, the Council for several years stressed the importance of better communications between the Office of the Special Representative, the Working Group and relevant Security Council sanctions committees. This was seen in resolution 1882 (2009), resolution 1998 (2011) and the presidential statement

adopted in 2010 (S/PRST/2010/10). Resolution 1998 also encouraged the relevant sanctions committees to continue to invite the Special Representative of the Secretary-General for Children and Armed Conflict to brief them on specific information pertaining to her mandate that would be relevant to the work of the sanctions committees. It also encouraged the sanctions committees to bear in mind the relevant recommendations of the Secretary-General’s report on children and armed conflict and for the Special Representative to share specific information from the Secretary-General’s reports with the panels or groups of experts assisting the relevant sanctions committees.

Since 2012 there has been less emphasis on the need for this flow of information. Resolution 2068 (2012) and resolution 2143 (2014) did not contain references to communications between the sanctions committees and the Special Representative. In addition, only one resolution in 2014 made reference to the importance of this communications channel: resolution 2153, which partially lifted the sanctions on Côte d’Ivoire, requested the Special Representatives of both children and sexual violence to “continue sharing relevant information” with the Committee. (This may be changing as resolution 2206, which established the South Sudan Sanctions Committee in March 2015, included this language.)

In 2014, Special Representative Zerrougui briefed two sanctions committees, the 2127 CAR and 1533 DRC Sanctions Committees. Both briefings were done jointly with the Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Hawa Bangura. The CAR briefing took place on 5 May and the DRC briefing on 17 September. This was the first time the Special Representative for Children and Armed Conflict briefed the CAR Sanctions Committee. The DRC Sanctions Committee was last briefed by then-Special Representative for Children and Armed Conflict Radhika Coomaraswamy on 10 May 2010. At the two 2014 briefings, Zerrougui provided the Committee with names of alleged perpetrators of violations against children. While members appeared to find these briefings useful, there have not been any new listings as a result. It remains to be seen if the May 2015 briefing by Zerrougui and Bangura

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## Developments in the Area of Sanctions (con't)

to the South Sudan sanctions committee is a sign of renewed interest in more regular briefings to sanctions committees.

### Sanctions in Working Group Conclusions

While a request to the Council to impose sanctions is a possible tool for the Working Group, it has only rarely been included in the Working Group's conclusions. The DRC is the situation where this tool has been used most regularly. In its first conclusions on the DRC in 2006 (S/2006/724), the Working Group recommended the Council consider and signal to the relevant sanctions committee the Working Group's concern over the repeated violations committed against children by the Congolese Revolutionary Movement. In its next two conclusions in 2007 and 2009, the Working Group reiterated this concern, although the language used was somewhat weaker (S/AC.51/2007/17, S/AC.51/2009/3). In the two most recent conclusions on the DRC, the Working Group highlighted that the Council had requested enhanced communication between the Working Group and relevant sanctions committees, including through providing the

committee with information that could assist in the designation of political and military leaders for sanctions (S/AC.51/2011/1 and S/AC.51/2014/3). It also welcomed the listing of individuals and entities by the sanctions committee and encouraged it to continue designating other individuals and entities.

In 2011 the Working Group issued several conclusions that referred to its intention to submit information to a sanctions committee. In its conclusions on the LRA, the Working Group said that it would consider submitting information on persistent perpetrators to relevant sanctions committees as one of the options to increase pressure on the LRA. This set of conclusions was adopted during a period when there was a strong push from some Council members to find ways of applying pressure on persistent perpetrators.

In its 2011 conclusions on Somalia the Working Group referenced resolution 1882, which requested enhanced communications between the Working Group and relevant Sanctions Committees and proposed that the Special Representative participate in the next meeting of the 751 Somalia/Eritrea Sanctions Committee to exchange

information on individuals and entities committing violations against children. This led to a briefing by the Special Representative on 23 May 2011 where she called for expanding the criteria for sanctions designations in the case of Somalia and Eritrea to include violations against children and suggested the appointment of an expert on child protection to the Monitoring Group. In a significant move for the issue of children and armed conflict in Somalia, on 29 July the Council adopted resolution 2002 expanding its criteria for targeted sanctions on Somalia and Eritrea to include grave violations against children, including recruitment and use of child soldiers, killing and maiming, sexual violence, abductions, attacks on schools and hospitals and forced displacement in Somalia. This decision appears to have been made on the basis of the information provided by the Office of the Special Representative.

The Working Group also invited the Council in 2011 to transmit its Afghanistan and Iraq conclusions to the 1267 and 1989 Al-Qaida Sanctions Committees. For the first time since 2011, a similar request to the Council was included in the Mali conclusions adopted last year (S/AC.51/2014/2).

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## Council Dynamics

Following several years when the composition of the Council made it difficult to advance the children and armed conflict agenda, the overall dynamic on this issue improved considerably in 2014 and in the first months of 2015. Still, the increasingly strained relations between Russia and the US as well as strategic interests of permanent members did have some effect on the dynamics around the children and armed conflict agenda. Notably, the red lines on Syria at the Council level were very much present during the negotiations on conclusions for the report on children and armed conflict in Syria. However, negotiations on resolution 2143, aside from several issues related to strategic interests of some members, were relatively smooth and, with the exception of Syria, adoptions of conclusions were not particularly contentious. Integrating the protection of children issues into country-specific outcomes has become routinely accepted.

The better dynamic among Council members on this issue in 2014 was the result of elected members, who were less open to strengthening the children and armed conflict agenda, moving off the Council, and protection-friendly members such as Australia, Jordan and Luxembourg being on the Council at the same time. Permanent members France, the UK and the US, which have traditionally been friendly towards this issue, were supportive, but as penholder on the majority of country-specific issues at times had other priorities. China and Russia continued to be wary of certain aspects of this issue but mostly did not impede the work that was done last year.

Through strong leadership and a practical approach, Luxembourg during its two years as chair of the Working Group was able to nudge the children and armed conflict agenda forward with small, practical

steps that deepened rather than broadened the agenda. Significantly, it took the issue beyond the Working Group and made sure that children's issues were highlighted during discussions following briefings on country-specific Council agenda items. It also systematically brought children and armed conflict language into negotiations regarding issues with this dimension.

The issue of children and armed conflict is driven by the Working Group and the Secretary-General's reports on children and armed conflict. This unique architecture set up by resolution 1612 has allowed for concrete work to be done on this issue at the working level. However, the time-consuming negotiations on conclusions have recently led some members to question the effectiveness of the Working Group's working methods. Still, there is an overall reluctance to make any radical changes. There is acknowledgment of

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## Council Dynamics (con't)

the need to have a better understanding of the impact of recommendations made in the conclusions but little appetite to take on the challenge of trying to get feedback from the parties addressed in the conclusions.

Looking ahead, the 2015 Working Group membership, with Malaysia as chair, is expected to continue to expand the children and armed conflict agenda. Some of the members that joined the Council in 2015,

notably New Zealand and Spain, seem keen to play an active role on this issue which may allow for some innovations in the work of the Group this year.

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## Observations and Future Options

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In 2005, resolution 1612 created the Working Group and the monitoring and reporting mechanism, providing the tools that have led to some success in getting children released and obtaining commitments from armed forces and armed groups to stop violations against children. It has gone further than any other human rights thematic issue in developing a subsidiary body with its own cycle of work that ensures active consideration of the issue throughout the year.

Over the decade since its establishment, however, as the Working Group's working methods have become more formalised, a certain rigidity has set in. Today's changing conflict landscape, with new threats to children coming from extremist armed groups as well as the rapid deterioration of many conflicts already on the Council's agenda, requires a hard look at the current approach to this issue. There is a need to examine how the Working Group can address fast-changing crisis situations better and consider more efficient ways of developing recommendations and applying pressure on parties. While the mechanisms developed are laudatory and have played an important role in raising the profile of the issue, it may be time to consider how to make the Working Group more nimble. Possible options include:

- The Working Group could hold a retreat to discuss ways that it can better respond to fast-changing situations and build more flexibility into its work. The tyranny of its work programme currently keeps the Working Group almost fully focused on the reports of the Secretary-General, and adoption of conclusions on these reports can take from three months to a year.
- Conclusions could be shortened to reflect only strong key messages that would have the most impact on parties. While having concrete information is useful to push for implementation of action plans or to get

armed groups to cease violations, it may be time for the Working Group to consider alternative formats that could be more easily negotiated, thus cutting down on time spent in getting agreement on the conclusions.

- The Working Group could review the actions taken over the years to put pressure on the parties and discuss possible new forms of pressure.
- The Working Group could receive regular briefings from either the Special Representative or other relevant senior officials from the Secretariat in order to be updated on the impact on children in fast-changing crises where children are affected.
- Have more sessions on specific emerging issues, such as the emergence of extremist non-state actors.
- Discuss ways to ensure that attacks that have a significant effect on children, the impact on children is reflected in Council decisions.
- Reinstigate press stakeouts by the chair of the Working Group following the Working Group's formal meetings. In the early years this was a regular practice but in 2007 it died out, though Ambassador Ramlan Bin Ibrahim, who took over as Malaysia's Permanent Representative on 22 April 2015, held a stakeout encounter on 8 May 2015, following the first meeting of the Working Group he chaired.
- Press releases from the chair of the Working Group could be released on a more regular basis to highlight the impact of new crises on children.
- The Security Council could request the Special Representative to commission a review of the monitoring and reporting mechanism to assess its strengths and weaknesses.

More systematic follow-up of the reaction to Council decisions and the Working

Group's recommendations is essential for a better understanding of what motivates parties involved in violations against children. Among the options for the Council are:

- requesting feedback from parties in order to track the impact of the tools being used (in this regard, inviting representatives from the state being considered in a Secretary-General's report on children and armed conflict to meet with the Working Group following the adoption of conclusions might be useful);
- following up dissemination of letters and requests from conclusions by having video teleconference briefings by the monitoring and reporting task force in the relevant UN mission for feedback on reactions to the requests and any follow-up action;
- requesting that Secretary-General's reports on situations with a clear children and armed conflict dimension include a section containing follow-up to Council and Working Group requests; and
- using Council missions as a means of following up on Working Group conclusions (this can be done by the chair of the Working Group who would brief the Working Group upon returning).

Receiving timely information could help raise the Council's awareness of the impact of conflicts on children in situations on the agenda and allow for further refinement of the language on children and armed conflict in Council decisions. Options towards this goal include:

- asking the Special Representative for Children and Armed Conflict to regularly brief the Council on situations on the agenda that have a children and armed conflict dimension (this could be particularly useful following one of her field missions);
- having the chair of the Working Group raise issues related to child protection in relevant situations during consultations

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## Observations and Future Options (con't)

and using the “any other business” part of the Council consultations to call attention to significant developments in unfolding crisis situations as well as the state of implementation of Council and Working Group decisions;

- including children and armed conflict issues in regular briefings by the Secretary-General, Special Envoys and Special Representatives as well as in briefings by DPA, DPKO and other relevant UN officials (members could use these briefings to ask specific questions about the implementation of the child protection aspects of a mission’s mandate); and
- holding an Arria-formula meeting when there is a crisis with protection of children issues, so that NGOs with in-depth knowledge of conditions on the ground can brief members.

There has been significant progress in incorporating child protection language in Council outcomes over the last few years. However, moving away from a boilerplate approach to more nuanced language could lead to better implementation of the child protection aspects of the mandate. Options that could assist with this include:

- having briefings from the Office of the Special Representative, UNICEF and DPKO/DPA ahead of mandate renewals to the members of the Working Group and relevant Council experts, to provide a better understanding of the type of language that would best fit recent developments;
- improving the quality and timeliness of the Global Horizontal Notes so that they can be used in sharpening the language on children and armed conflict in Council

decisions; and

- having the chair of the Working Group work with the experts drafting resolutions on country-specific situations so that appropriate language on children and armed conflict is included in the initial draft.

In 2014, we saw less focus on the issues of accountability and sanctions. For example, in Council decisions there was only one example of the need for greater communication with sanctions committees, and overall weaker language on sanctions. This may be changing in 2015 as resolution 2206 establishing the South Sudan Sanctions Committee asked the Special Representatives for children and armed conflict and on sexual violence to share information with the Committee. On ICC issues, having the ICC Prosecutor brief the Working Group was a positive step towards cooperation with the ICC on this issue. Following the March debate on child victims of non-state armed groups, there may be renewed interest in taking up accountability issues. Among the options are:

- spelling out violations against children as clear designation criteria for all relevant sanctions committees (all five relevant sanctions committees—1572 Côte d’Ivoire, 1533 DRC, 751 Somalia/Eritrea, 2206 South Sudan and 1591 Sudan—have language that amounts to allowing violations against children to be used as designation criteria; only the DRC, Somalia and South Sudan Sanctions Committees clearly specify children, rather than human rights abuses, as the designation criterion);
- instituting a regular schedule for

interaction between the Working Group, the Special Representative and panels or groups of experts of relevant sanctions committees (a regular exchange of information could also provide useful information to the Working Group on the activities of individuals or groups listed in the Secretary-General’s annexes);

- expanding the designation criteria of the 1267/1989 Al-Qaida and 1988 Afghanistan Sanctions Committees to include violations against children (with a particular effort to include attacks on schools and hospitals as designation criteria for the 1988 Afghanistan Sanctions Committee since the Taliban have been listed in the Secretary-General’s annexes for such attacks; so far the 1988 Sanctions Committee, which is the appropriate vehicle to tackle this violation, has shown no willingness to do so);
- making a concerted effort in the Sanctions Committees to list individuals involved in violations against children (there was little movement in 2014 in terms of new listings);
- developing specific practices in relation to the ICC, such as:
- having the Chair transmit the Working Group’s conclusions of relevant situations to the ICC Prosecutor as a matter of course; as well as
- continuing to have regular briefings by the ICC Prosecutor to the Working Group; and
- harmonising designation criteria for listed individuals in sanctions committees with relevant changes in international justice mechanisms;

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## Annex I: UN Documents and Useful Additional Sources

### SECURITY COUNCIL THEMATIC RESOLUTIONS

#### *Children and Armed Conflict*

**S/RES/2143** (7 March 2014) urged parties to armed conflict to respect the civilian character of schools and to protect schools from attacks and use and covered the mainstreaming of child protection in security sector reforms, child protection training for peacekeepers and military personnel and the need to incorporate child protection provisions in peace agreements.

**S/RES/2068** (19 September 2012) was on children and armed conflict and expressed the Council’s commitment to deal with persistent perpetrators of violations against children.

**S/RES/1998** (12 July 2011) expanded the criteria for listing parties to conflict in the Secretary-General’s report on children and armed conflict to include parties that attack or threaten schools and hospitals.

**S/RES/1882** (4 August 2009) was the children and armed conflict resolution that expanded the trigger

to include killing and maiming and sexual violence.

**S/RES/1612** (26 July 2005) requested the Secretary-General to implement a monitoring and reporting mechanism and set up a working group on children and armed conflict.

**S/RES/1539** (22 April 2004) asked for an action plan for a systematic and comprehensive monitoring and reporting mechanism on recruitment and use of child soldiers.

**S/RES/1460** (30 January 2003) requested specific proposals to ensure more efficient and effective

## Annex I: UN Documents and Useful Additional Sources (con't)

monitoring and reporting on children and armed conflict. It also asked the Secretary-General to include this issue in his country-specific reports.

[S/RES/1261](#) (30 August 1999) condemned the targeting of children in situations of armed conflict, urged parties to armed conflict to take into consideration protection of children and requested states to facilitate DDR.

### Security Council Presidential Statements on Children and Armed Conflict

[S/PRST/2013/8](#) (17 June 2013); [S/PRST/2010/10](#) (16 July 2010); [S/PRST/2009/9](#) (29 April 2009); [S/PRST/2008/28](#) (17 July 2008); [S/PRST/2008/6](#) (12 February 2008); [S/PRST/2006/48](#) (28 November 2006); [S/PRST/2006/33](#) (24 July 2006); [S/PRST/2005/8](#) (23 February 2005); [S/PRST/2002/12](#) (7 May 2002); and [S/PRST/1998/18](#) (29 June 1998).

### Secretary-General's Reports

#### Thematic Reports on Children and Armed Conflict

[S/2014/339](#) (15 May 2014); [S/2013/245](#) (15 May 2013); [S/2012/261](#) (26 April 2012); [S/2011/250](#) (23 April 2011); [S/2010/181](#) (13 April 2010); [S/2009/158](#) (26 March 2009); [S/2007/757](#) (21 December 2007); [S/2006/826](#) (26 October 2006) and [Corr.1](#) (5 December 2006); [S/2005/72](#) (9 February 2005); [S/2003/1053](#) (10 November 2003), [Corr. 1](#) (20 February 2004) and [Corr. 2](#) (19 April 2004); [S/2002/1299](#) (26 November 2002); [S/2001/852](#) (7 September 2001); and [S/2000/712](#) (19 July 2000).

#### Selected Country-Specific Reports on Children and Armed Conflict

[S/2014/884](#) (11 December 2014) was on South Sudan.

[S/2014/453](#) (30 June 2014) was on the DRC.

[S/2014/267](#) (14 April 2014) was on Mali.

[S/2014/31](#) (27 January 2014) was on Syria.

[S/2013/419](#) (12 July 2013) was on the Philippines.

[S/2013/383](#) (28 June 2013) was on Yemen.

[S/2012/365](#) (25 May 2012) was on the Central African Region (CAR, the DRC, Sudan and South Sudan).

[S/2012/171](#) (21 March 2012) was on Colombia.

[S/2011/793](#) (21 December 2011) was on Sri Lanka.

[S/2011/413](#) (5 July 2011) was on Sudan and South Sudan.

### Security Council Meeting Records

#### Debates on Children and Armed Conflict

[S/PV.7414](#) (25 March 2015), [S/PV.7259](#) (8 September 2014); [S/PV.6980](#) (17 June 2013); [S/PV.6838](#)

and [Res.1](#) (19 September 2012); [S/PV.6581](#) and [Res.1](#) (12 July 2011); [S/PV.6341](#) and [Res.1](#) (16 June 2010); [S/PV.6176](#) (4 August 2009); [S/PV.6114](#) and [Res.1](#) (29 April 2009); [S/PV.5936](#) (17 July 2008); [S/PV.5834](#) and [Res.1](#) (12 February 2008); [S/PV.5573](#) and [Res.1](#) (28 November 2006); [S/PV.5494](#) and [Res.1](#) (24 July 2006); [S/PV.5129](#) (23 February 2005) and [Res.1](#) (23 February 2005); [S/PV.4948](#) (22 April 2004); [S/PV.4898](#) and [Res.1](#) (20 January 2004); [S/PV.4695](#) (30 January 2003); [S/PV.4684](#) and [Res.1](#) (14 January 2003); [S/PV.4528](#) (7 May 2002); [S/PV.4423](#) (20 November 2001); and [S/PV.3896](#) (29 June 1998).

### Working Group Conclusions

[S/AC.51/2015/1](#) (12 May 2015) was on South Sudan.

[S/AC.51/2014/4](#) (26 November 2014) was on Syria.

[S/AC.51/2014/3](#) (18 September) was on the DRC.

[S/AC.51/2014/2](#) (7 July 2014) was on Mali.

[S/AC.51/2014/1](#) (19 February 2014) was on the Philippines.

[S/AC.51/2013/3](#) (9 December 2013) was on Yemen.

[S/AC.51/2013/2](#) (16 August 2013) was on Myanmar.

[S/AC.51/2013/1](#) (22 April 2013) was on the Central African region.

[S/AC.51/2012/4](#) (21 December 2012) was on Colombia.

[S/AC.51/2012/3](#) (21 December 2012) was on Sri Lanka.

[S/AC.51/2012/2](#) (11 October 2012) was on South Sudan.

[S/AC.51/2012/1](#) (11 October 2012) was on Sudan.

### Security Council Letters

[S/2013/710](#) (27 November 2013) was the letter conveying the annual report of the activities of the Working Group on Children and Armed Conflict to the president of the Security Council.

[S/2013/158](#) (13 March 2013) was a letter from Liechtenstein transmitting the report from the Princeton Workshop that focused on approaches to increase pressure on persistent perpetrators.

[S/2012/685](#) (6 September 2012) was a letter from Germany conveying the concept note for the 19 September debate on children and armed conflict.

### General Assembly Documents

[A/68/267](#) (5 August 2013); [A/67/256](#) (6 August 2012); [A/66/256](#) (3 August 2011); [A/65/219](#) (4 August 2010); [A/64/254](#) (6 August 2009); [A/63/227](#) (6 August 2008); [A/62/228](#) (13 August 2007); [A/61/275](#) (17 August 2006); [A/60/335](#) (7 September 2005) and [Corr.1](#) (23 November 2005); [A/59/426](#) (8 October 2004); [A/58/328](#) (29 August 2003) and [Corr. 1](#)

(16 January 2004); [A/57/402](#) (25 September 2002); [A/56/453](#) (9 October 2001); [A/55/442](#) (3 October 2000); [A/54/430](#) (1 October 1999); and [A/53/482](#) (12 October 1998) were the reports by the Special Representative to the Secretary-General for Children and Armed Conflict.

[A/RES/51/77](#) (20 February 1997) recommended that the Secretary-General appoint for a period of three years a Special Representative for the impact of armed conflict on children.

[A/51/306.Add1](#) (9 September 1996) was the Machel Report on children and armed conflict.

[A/RES/48/157](#) (7 March 1994) recommended that the Secretary-General appoint an independent expert to study the impact of armed conflict on children.

[A/44/736](#) (17 November 1989) and [Corr.1](#) (20 November 1989) adopted and opened for signature, ratification and accession the Convention on the Rights of the Child.

### Useful Additional Sources

*Expanding the UN's Children and Armed Conflict Agenda*, Watchlist on Children and Armed Conflict, May 2015.

*International Law and Child Soldiers*, Gus Waschefort, Hart Publishing, 2015.

*Using Targeted Sanctions to End Violations Against Children and Armed Conflict*, David S. Koller and Miriam Eckenfels-Garcia, Boston University International Law Journal, 2015.

*Action Plans to Prevent and End Violations Against Children*, Watchlist on Children and Armed Conflict, April 2013.

*A Checklist for Mainstreaming: Children and Armed Conflict-Friendly Security Council Resolutions*, Watchlist on Children and Armed Conflict, March 2013.

*Working Methods 2006-2012: Strengthening the Impact of the Security Council Working Group on Children and Armed Conflict*, Watchlist on Children and Armed Conflict, January 2013.

*Security Council Engagement on the Protection of Children in Armed Conflict: Progress Achieved and the Way Forward*, Ambassador Jean-Marc de La Sabliere, June 2012.

*UN DPKO, Specialised Child Protection Training Materials for UN Peacekeepers: Trainers Guide*, 2014.

*Mainstreaming the protection rights, and well-being of children affected by armed conflict within UN Peacekeeping Operations*, DPKO and DFS, 1 June 2009.

*Machel Study 10-year strategic review, Children and Conflict in a Changing World*, UNICEF, April 2009.



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## Annex II: Methods of Research

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This is Security Council Report's seventh *Cross-Cutting Report on Children and Armed Conflict*. The first report in 2008 examined relevant data from 2003 to 2007 in resolutions, presidential statements, Council missions, Secretary-General's reports, peace agreements and peacekeeping mandates and tried to assess the degree to which the thematic issue of children and armed conflict had been addressed and reflected in the mainstream of the Council's overall work on country-specific situations.

That report also examined the impact of resolution 1612, which in 2005 set up a monitoring and reporting mechanism and established the Security Council Working Group on Children and Armed Conflict.

Our 2008 report also provided a baseline for subsequent reports published in April 2009, June 2010, July 2011, August 2012 and February 2014. These reports built on

the historical background of the issue and analysed data for each of the years following our initial report. They also highlighted key trends and options for the Council and the Working Group on Children and Armed Conflict over those years. This seventh report continues the series by assessing developments in 2014, analysing statistical information on this thematic issue in country-specific decisions of the Council and trends in 2014.

Information was obtained through research interviews with past and present members of the Working Group on Children and Armed Conflict, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, members of the Group of Friends of Children and Armed Conflict and NGOs, as well as from publicly available documents.

Statistical data was obtained from documents of the Council and international legal

documents. In analysing Council statistics, only those decisions that were relevant (i.e. decisions that could reasonably be expected to include some consideration of child protection issues) were assessed, rather than the total number of Council decisions adopted. As a result, several technical and other decisions not relevant to children's issues were excluded from the comparison. In the case of Secretary-General's country-specific reports we focused our analysis on reports of situations that are in the Secretary-General's annexes.

The relatively small number of relevant decisions made in the period studied does not allow for accurate statistical conclusions. Rather, the study uses the numerical data to establish possible evolving patterns in the work of the Council on children and armed conflict.

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## Annex III: Background Information

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### Historical Development of the Issue of Children and Armed Conflict

Beginning in the late 1990s, the Council started to pay sustained attention to the issue of children in war zones. Members expressed concern about the huge rise in the numbers of displaced families and communities, refugee flows across borders and the use of child soldiers—conditions conducive to long-term regional and international instability.

The protection of war-affected children was first spotlighted at the World Summit for Children in 1990. In the follow-up to the World Summit, the General Assembly debates on children and armed conflict continued to draw international attention to the fate of children in war-torn areas.

In 1993, the General Assembly asked the Secretary-General to undertake a study of the impact of armed conflict on children. The Secretary-General appointed Graça Machel, a former minister of education in Mozambique, to conduct it. Her 1996 report, *Impact of Armed Conflict on Children*, laid the foundation for a comprehensive international agenda for action. Among her recommendations was that:

*The Council should therefore be kept*

*continually and fully aware of humanitarian concerns, including child specific concerns in its actions to resolve conflicts, to keep or to enforce peace or to implement peace agreements. (A/51/306, para.282)*

The Machel Report led to the creation of the post of the Special Representative of the Secretary-General for Children and Armed Conflict and the appointment in September 1997 of Olara Otunnu as the first executive. In June 1998 during Canada's presidency of the Council, he was invited to brief the Security Council in what was the Council's first open debate on the subject. The debate gave rise to the first Council decision on the issue, a presidential statement adopted on 29 June 1998, which placed this issue squarely on the international security agenda.

Since 1999, the Council has been actively seized of this issue. Over the years this topic has emerged as the most developed and innovative of the thematic issues. Regular Council debates are held, ten resolutions have been adopted and a Working Group and monitoring and reporting mechanism have regularly provided country-specific reports and recommendations.

### Security Council Resolutions on Children and Armed Conflict

The first two resolutions, 1261 of 1999 and 1314 of 2000, identified areas of concern, such as the protection of children from sexual abuse; the linkage between small arms proliferation and armed conflict; and the inclusion of children in DDR initiatives. At this early stage, the resolutions contained essentially generic statements and had a limited impact.

From 2001 onwards the resolutions included concrete provisions. One of the most ground breaking and controversial was the request in resolution 1379 of November 2001 for the Secretary-General to attach to his report:

*a list of parties to armed conflict that recruit or use children in violation of the international obligations applicable to them, in situations that are on the Security Council's agenda or that may be brought to the attention of the Security Council by the Secretary-General, in accordance with Article 99 of the Charter of the United Nations, which in his opinion may threaten the maintenance of international peace and security...*

Nevertheless, there was little evidence on

## Annex III: Background Information (con't)

the ground that these measures were successful in getting armed groups and governments to stop violations of international norms. In light of this, in 2003 in resolution 1460, the Council endorsed the Secretary-General's call to move into an "era of application". The Secretary-General was asked:

- to report on the progress made by parties in stopping the recruitment or use of children in armed conflict;
- to develop specific proposals for monitoring and reporting on the application of international norms on children and armed conflict; and
- to include protection of children in armed conflict as a specific aspect of all his country-specific reports.

A further decision in 2004, in resolution 1539, requested that the Secretary-General "devise urgently" an action plan for a comprehensive monitoring and reporting mechanism that could provide accurate and timely information on grave violations against children in war zones. The resolution asked for parties listed in the Secretary-General's reports to prepare concrete plans to stop the recruitment and use of children in armed conflict.

A major breakthrough came the following year in resolution 1612 with the establishment of a formal monitoring and reporting mechanism and a Security Council Working Group on Children and Armed Conflict. The Council agreed to set up a mechanism to report on killings, abduction, abuse and sexual exploitation of children in armed conflict, the recruiting of child soldiers and attacks on schools and hospitals. The resolution was partly a response to the lack of accurate information and action plans requested in resolution 1539 and aimed at stopping the use of child soldiers and the exploitation of children in war zones by governments and insurgent armed groups.

Negotiations, led by France and Benin, took months, with many states wary about targeting individual countries. The resolution also reaffirmed the Council's intention to consider imposing targeted sanctions, including arms embargoes, travel bans and financial restrictions, against parties that continued to violate international law relating to children in armed conflict.

Resolution 1882 was adopted on 4 August 2009. It expanded the criteria for identifying state and non-state parties that could be listed in the Secretary-General's annexes to

include killing and maiming and rape and other sexual violence against children. The resolution also called on parties engaged in killing and maiming and sexual violence against children to prepare action plans outlining steps to stop these crimes.

Resolution 1998 was adopted on 12 July 2011. It expanded the criteria for inclusion in the annexes to the report on children and armed conflict to parties that engage in recurrent attacks on schools and hospitals in armed conflicts, as well as recurrent attacks or threats of attacks against schoolchildren and educational and medical personnel. This resolution also asked the Working Group to consider within one year a broad range of options for increasing pressure on persistent perpetrators of violations and abuses committed against children in situations of armed conflict.

Resolution 2068 was adopted on 19 September 2012 by a vote of 11 in favour to none against with four abstentions (Azerbaijan, China, Pakistan and Russia). This was the first time a resolution on children and armed conflict was not adopted unanimously. This resolution has a strong focus on persistent perpetrators and justice and impunity, reiterating concern about persistent perpetrators and calling upon member states to bring to justice those responsible for such violations through national and international justice systems. It reiterated the Council's readiness to adopt targeted and graduated measures against persistent perpetrators. It furthermore reiterated its call to the Working Group on Children and Armed Conflict to consider a range of options for increasing pressure on persistent perpetrators. Significantly, it asked the Secretary-General to continue to submit annual reports to the Council, triggering an annual cycle of reports (Before this resolution, a Council request through either a resolution or presidential state was required to initiate the Secretary-General's annual report.).

Resolution 2143 was adopted on 7 March 2014 with all 15 members voting in favour. While reiterating a number of key issues, the resolution contained some new elements, including references to the use of schools by armed forces, encouraging member states to establish a vetting mechanism to ensure those who have committed violations against children are not included in army ranks, recommendations for child protection training for peacekeepers and military personnel, support

for the "Children, Not Soldiers" campaign and the role of child protection advisers in integrating child protection in mission activities. The importance of security sector reform in mainstreaming child protection, including through age-assessment mechanisms to prevent underage recruitment and establishment of child protection units in national security forces, constituted new elements. The resolution focused also on the role regional organisations can play in child protection and the need to incorporate child protection provisions in peace agreements.

### Secretary-General's Reports on Children and Armed Conflict

The Secretary-General's reports have played a key role in the conceptual development of this issue in partnership with the Council. The early reports began by documenting the problem and describing situations where children were affected by armed conflict. But starting in 2002, the reports of the Secretary-General began to call for a strengthened framework and a move towards action. This sought to address the lack of real progress in stopping groups from recruiting and using children in armed conflict. In 2003, the Council in resolution 1460 endorsed the Secretary-General's call for an "era of application". This was the first step towards a system that would afford a higher degree of accountability for those committing crimes against children.

A controversial aspect of the Secretary-General's reports had been the inclusion since 2002 in the Secretary-General's report "naming and shaming" annexes, lists of parties to armed conflict that recruit or use children in violation of international obligations. The Council in resolution 1379, requested the Secretary-General to create two sets of lists: one for situations on the Council's agenda, and one for situations that could be brought to the attention of the Security Council by the Secretary-General in accordance with Article 99 of the UN Charter. (The latter provision allows the Secretary-General to refer to the Council a situation that in his view may threaten international peace and security.) Having a list, compiled by the Secretary-General and endorsed by the Council, that actually named parties was significant. It was the first step towards putting pressure on those named to stop abusing children, or at minimum, devising plans to reach this goal.

## Annex III: Background Information (con't)

In 2002, the Secretary-General provided the first list of parties involved in recruiting and using children in armed conflict. It was a relatively conservative list and attached only an annex of parties involved in conflict situations that were already on the agenda of the Council. In that report, conflict situations not on the agenda of the Council were mentioned in the body of the report but not listed separately. The following year the Secretary-General's report began the practice of having two annexes, Annex I listing the situations of armed conflict on the Council's agenda in which parties recruit or use children, and Annex II listing situations not on the Council's agenda where parties recruit or use children.

The situations listed in Annex I and Annex II in the Secretary-General's reports since 2002 are tabulated below.

### The Council's Tools

The Council has developed a systematic framework and a concrete set of tools to enable it to pay serious and sustained attention to children and armed conflict.

The Council has:

- a Working Group on Children and Armed Conflict;

- a monitoring and reporting mechanism;
- support from a task force made up of UN agencies including UNICEF, the UN Development Programme and the DPKO focused on gathering information on violations against children in armed conflict; and
- regular Secretary-General's reports containing two annexes of parties to armed conflict that recruit children: Annex I is made up of situations that are on the Council's formal agenda and Annex II contains those not on the Council's agenda.

These tools were developed as a result of resolution 1612 adopted on 26 July 2005. It established the monitoring and reporting mechanism—a procedure for collecting data from the field, organising and verifying information on violations against children in armed conflict and monitoring progress being made on the ground in complying with international norms by groups listed in the Secretary-General's annexes, which in turn feed into his next reports on children and armed conflict.

The Working Group was set up to consider

the regular reports by the Secretary-General for each situation included in the annexes.

The six grave violations used in monitoring and reporting are:

- recruiting and/or use of child soldiers;
- killing and/or maiming of children;
- sexual violence against children;
- attacks against schools and/or hospitals;
- abductions of children; and
- denial of humanitarian access for children.

The determination of the presence of particular type of violation does not, however, automatically place its perpetrator in an annex to the Secretary-General's report. The recruitment of children was the original trigger for placing an armed group in the Secretary-General's annexes. With the adoption of resolution 1882 in August 2009, two additional triggers were added: parties that engage in patterns of killing and maiming of children and/or rape and other sexual violence against children in situations of armed conflict. Resolution 1998 adopted in July 2011 added the fourth trigger, attacks against schools and/or hospitals.

## Annex IV: Field Trips by the Special Representative for Children and Armed Conflict since 2006

SITUATION	VISIT
Afghanistan	June 2008, February 2010, January 2011
Burundi	March 2007
CAR	May 2008, November 2011, December 2013
Chad	May 2008, June 2011, May 2013
Côte d'Ivoire	September 2007
DRC	March 2007, April 2009, November 2013
Iraq	April 2008
Kenya	October 2010
Israel and Lebanon and the occupied Palestinian territories	April 2007, February 2009
Myanmar	June 2007, June 2012
Nepal	December 2008, December 2009

## Annex IV: Field Trips by the Special Representative for Children and Armed Conflict since 2006 (con't)

Philippines	December 2008, April 2011
Sri Lanka*	November 2006, December 2009
Somalia	October 2010, November 2011, August 2014
South Sudan	March 2012, June 2014
Sudan	January 2007, November 2009
Syria (plus neighbouring countries of Iraq, Jordan, Lebanon and Turkey)	December 2012, July 2013
Uganda (LRA)	June 2006, May 2010
Yemen	November 2012, May 2014

\*Sri Lanka was visited by Special Envoys of the Special Representative: Allan Rock visited in November 2006 and Patrick Cammaert visited in December 2009.

## Annex V: Time Gap between the Secretary-General's Reports and Working Group Conclusions

### TIME GAP BETWEEN THE SECRETARY-GENERAL'S REPORTS AND WORKING GROUP CONCLUSIONS

Annex I Situations	Report	Conclusions	Interval
Afghanistan	10 November 2008	13 July 2009	8 months
	3 February 2011	3 May 2011	3 months
Burundi (delisted)	6 November 2006	13 February 2007	3 months
	28 November 2007	5 February 2008	2 months
	10 September 2009	21 December 2009	3 months
CAR Region/LRA	25 May 2012	22 April 2013	11 months
CAR	3 February 2009	13 July 2009	5 months
	13 April 2011	6 July 2011	3 months
Chad (delisted)	3 July 2007	24 September 2007	3 months
	7 August 2008	5 December 2008	4 months
	9 February 2011	3 May 2011	3 months
Côte d'Ivoire (delisted)	25 October 2006	13 February 2007	4 months
	30 August 2007	5 February 2008 and 25 March 2008 (corrigendum)	5 months
DRC	13 June 2006	8 September 2006	3 months
	28 June 2007	25 October 2007	4 months

## Annex V: Time Gap between the Secretary-General's Reports and Working Group Conclusions (con't)

### TIME GAP BETWEEN THE SECRETARY-GENERAL'S REPORTS AND WORKING GROUP CONCLUSIONS

Annex I Situations	Report	Conclusions	Interval
	10 November 2008	13 July 2009	8 months
	9 July 2010	1 March 2011	8 months
	30 June 2014	18 September 2014	3 months
Iraq	15 June 2011	3 October 2011	4 months
Mali	14 April 2014	7 July 2014	3 months
Myanmar	16 November 2007	25 July 2008	8 months
	1 June 2009	28 October 2009	5 months
	1 May 2013	16 August 2013	3 months
Nepal (delisted)	20 December 2006	12 June 2007	6 months
	18 April 2008	5 December 2008	8 months
	13 April 2010	12 November 2010	7 months
Somalia	7 May 2007	20 July 2007	3 months
	30 May 2008	5 December 2008	6 months
	9 November 2010	1 March 2011	4 months
Sudan/Darfur	17 August 2006	1 December 2006	4 months
	29 August 2007	5 February 2008	5 months
	10 February 2009	21 December 2009	10 months
	5 July 2011	11 October 2012	15 months
South Sudan	5 July 2011	11 October 2012	15 months*
	13 December 2014	8 May 2015	5 months
Syria	19 December 2013	26 November 2014	7 months
Yemen	28 June 2013	9 December 2013	6 months

ANNEX II SITUATIONS	REPORT	CONCLUSIONS	INTERVAL
Colombia	21 March 2012	21 December 2012	9 months
	28 August 2009	30 September 2010	13 months
Philippines	24 April 2008	3 October 2008	5 months
	21 January 2010	12 November 2010	10 months
	12 July 2013	19 February 2014	7 months
Sri Lanka (delisted)	20 December 2006	13 June 2007	6 months
	21 December 2007	21 October 2008	10 months

# Annex V: Time Gap between the Secretary-General's Reports and Working Group Conclusions (con't)

## TIME GAP BETWEEN THE SECRETARY-GENERAL'S REPORTS AND WORKING GROUP CONCLUSIONS

Annex I Situations	Report	Conclusions	Interval
	25 June 2009	3 June 2010	11 months
	21 December 2011	21 December 2012	12 months
Uganda (delisted )	7 May 2007	20 July 2007	3 months
	23 June 2008 (additional report)	5 December 2008	5 months
	15 September 2009	16 June 2010	9 months

REPORTS	SITUATIONS OF ARMED CONFLICT WHERE PARTIES RECRUIT OR USE CHILDREN	
	Annex I (situations on the agenda of the Council)	Annex II (situations not on the agenda of the Council)
3rd Report (26 November 2002)	Afghanistan, Burundi, DRC, Liberia, Somalia	
4th Report (10 November 2003)	Afghanistan, Burundi, Côte d'Ivoire, the DRC, Liberia, Somalia	Chechnya, Colombia, Myanmar, Nepal, Northern Ireland, Philippines, Sri Lanka, Sudan, Uganda
5th Report (9 February 2005)	Burundi, Côte d'Ivoire, the DRC, Somalia, Sudan	Colombia, Myanmar, Nepal, the Philippines, Sri Lanka, Uganda
6th Report (26 October 2006)	Burundi, Côte d'Ivoire, the DRC, Myanmar, Somalia, Sudan	Chad, Colombia, Nepal, Philippines, Sri Lanka, Uganda
7th Report (21 December 2007)	Afghanistan, Burundi, CAR, the DRC, Myanmar, Nepal, Somalia, Southern Sudan, Darfur	Chad, Colombia, the Philippines, Sri Lanka, Uganda
8th Report (26 March 2009)	Afghanistan, Burundi, CAR, Chad, the DRC, Iraq, Myanmar, Nepal, Somalia, Southern Sudan, Darfur	Colombia, Philippines, Sri Lanka, Uganda
9th Report (13 April 2010)	Afghanistan, CAR, Chad, the DRC, Iraq, Myanmar, Nepal, Somalia, Southern Sudan, Darfur	Colombia, Philippines, Sri Lanka, Uganda
10th Report (23 April 2011)	Afghanistan, CAR, Chad, the DRC, Iraq, Myanmar, Nepal, Somalia, Southern Sudan, Darfur	Colombia, the Philippines, Sri Lanka, Uganda, Yemen
11th Report (26 April 2012)	Afghanistan, CAR, Chad, DRC, Iraq, Myanmar, Somalia, South Sudan, Sudan, Syria	Colombia, Philippines, Yemen
12th Report (28 June 2013)	Afghanistan, CAR region (LRA) CAR, Chad, DRC, Iraq, Mali, Myanmar, Somalia, South Sudan, Sudan, Syria, Yemen	Colombia, Philippines
13th Report (15 May 2014)	Afghanistan, CAR, DRC, Iraq, Mali, Myanmar, Somalia, South Sudan, Sudan, Syria, Yemen	Colombia, Nigeria, Philippines



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