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United Nations Office of the Special Representative  
of the Secretary-General for

## **CHILDREN AND ARMED CONFLICT**

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### **Human Rights Council**

**Statement by  
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Special Representative of the Secretary-General  
for Children and Armed Conflict**

**Friday, September 29, 2006**

Mr. President, Distinguished members of the Human Rights Council, Excellencies,  
Ladies and Gentlemen,

It is a great pleasure for me in my current capacity as Special Representative for Children and Armed Conflict to stand before a newly-formed Human Rights Council, which is stronger and enjoys an elevated place among the UN institutions. Four years ago, I addressed the Human Rights Commission for the last time as the UN Special Rapporteur on violence against women. Today I come before you representing an equally important mandate but which carries with it a post for high level advocacy within the United Nations Secretariat.

I also make my presentation before a newly formed body with more powers and prestige than its predecessor. Fifty seven years after the creation of the Human Rights Commission, the United Nations has, in the creation of the Human Rights Council, placed human rights on an equal footing with security and economic development – making human rights an equal pillar in the work of the Organization. I am doubly pleased that my current position allows me to address you and to seek an active partnership with the Human Rights Council on an issue which is of prime importance both as a threat to international peace and security but also as a human rights concern which never ceases to shock and horrify – that of children victims of conflict. My predecessor, Olara Otunnu, hit the mark when he stated some time ago that

*"...no group of children is rendered so comprehensively vulnerable as children exposed to war".*

I firmly believe that effective protection of children affected by war must be on based on a rights-based approach to child protection which recognizes the responsibility of all actors to address violations of those most fundamental rights of children. Core to the advocacy of my Office is to seek to identify perpetrators of grave abuses and bring them to task by all means at our disposal, through "destinations for action"; key among them is the Human Rights Council. In order to realize this, we rely very much on our rights-based partners in the field, particularly OHCHR, UNHCR and UNICEF as well as local and international child protection NGOs. We also work closely with member states to ensure compliance with international norms and standards, particularly those relating to their responsibility to protect civilians.

Mr. President,

Next month my office will launch its strategic framework for the next two years after in-depth consultation with our partners, particularly UNICEF. The Framework sets out four main objectives- supporting global initiatives to end grave violations against children affected by armed conflict (CAAC), promoting rights based protection for children in armed conflict, making CAAC concerns an integral part of peacekeeping and peacebuilding, and raising awareness about CAAC issues before, during and after conflict situations. In pursuing these objectives, we will follow the strategies of strict monitoring and reporting of violations, advocating with partners and the general public, mainstreaming the issue in all international efforts and in facilitating research and study in key areas such as international criminal law and the child, the girl child, the needs and concerns of former boy soldiers and transitional justice. Next year will be ten years since the initial ground breaking Graça Machel study on children and armed conflict. In partnership with UNICEF and other UN partners we hope to conduct a multi-stakeholder study on the developments of the past ten years and the

challenges for the future. The report of that study will be placed before the General Assembly.

### **Security Council Resolution 1612 – Fighting Impunity/ Protecting Children**

In the last years my Office has advocated a re-direction of the international community's energies from the elaboration of standards to ensuring their application on the ground. One of our great successes has been to engage the Security Council in a serious consideration of these issues. The Security Council itself has moved from general statements on protection of war affected children to the endorsement of the Secretary-General's monitoring and reporting action plan. This involves the adoption of the monitoring and reporting mechanisms in Burundi, Somalia, Sudan, DRC, and Cote D'Ivoire, Sri Lanka, Nepal in order to provide the Council sufficient timely, objective, accurate and reliable information to call violating parties to task and to take appropriate action, including sanctions, against repeat violators. Of course, this work is done in close partnership with the United Nations country teams in these countries. Security Council Resolution 1612 (2005) also creates a dedicated Security Council Working Group on children and armed conflict, consisting of all its members, to review monitoring reports, consider other relevant information presented to it, and recommend concrete and targeted measures against violators as well as bring monitoring information to the attention of other destinations for action. Under the Chairmanship of France, the Security Council working group has held 5 formal meetings since November 2005; terms of reference of the group have been developed, a yearly work plan developed and two in depth monitoring reports deliberated.

In June this year my office contributed to the report of the Secretary General on the situation in the Democratic Republic of Congo with regard to children and armed conflict. Based on the work of the monitoring and reporting mechanism set up under Security Council resolution 1612, it outlined the violations by several actors including the security forces of the State. As a consequence of this report the Security Council Working Group on Children and Armed Conflict adopted certain conclusions and recommendations including writing to the government of the DRC to ensure that it take effective action against impunity, urging

MONUC to be more proactive in arresting Laurent Nkunda, a gross violator of the rights of children, and in requesting the sanctions committee to take necessary action against the MRC. This was a historic occasion, Mr. President, in that the Security Council has now taken concrete targeted measures against those who continue to violate the rights of children with impunity.

In August this year my office, in close consultation with the UN Country team and partners, contributed to the report of the Secretary General on children and armed conflict in the Sudan. It highlighted incidents and patterns of violations by state and non state actors including the Janjaweed militias, the Sudan Armed Forces, The Sudan People's Liberation Army, Sudan Liberation Army and the Popular Defense Forces. We now await the conclusions and recommendations of the Security Council Working Group on the situation in the Sudan

Mr. President, The establishment of the Security Council working group signals, in a very visceral way, the Council's full intention to deepen its engagement on what it, at its very heart, a human rights protection issue with obvious peace and security elements. Furthermore, the creation of the Security Council working group ensures that the protection of children in armed conflict is no longer left to a once-yearly glance during the Open debate, but a sustained attention to the issue throughout the year.

#### **Need for Sustained Partnerships for the Protection of Children**

Though we have made impressive headway in the provision of timely monitoring and reporting for the Security Council more has to be done to engage human rights bodies and actors on the ground and here in Geneva. It is important to note that the OHCHR mission in Nepal co-chairs the monitoring and reporting mechanism in Nepal and that UNHCR is active in monitoring and reporting on the situation of refugee groups who utilize child soldiers on the Thai border with Myanmar. But this mainstreaming remains isolated and needs to be

further strengthened. Other mandates, such as the UN Relief Works Agency in the middle East has also taken up the challenge and is working with UN agencies like UNICEF on the ground to better bring to light the plight of children affected by armed conflict in that region. Nor is it only at the field level where more should be done to integrate child protection and reporting into the work of human rights institutions, indeed we continue to advocate for high-level child protection specialists in all the Agencies and human rights actors. In the report submitted by my Office earlier this year, we were very clear that we would like to see increased attention to the topic of children affected by armed conflict in the regular work of the Human Rights Council as a key destination for action.

The Human Rights Council should continue to incorporate specific children in armed conflict concerns when considering country-specific and thematic human rights concerns into its discussions and resolutions. Similarly, my Office has been encouraged by the practice of a number of special rapporteurs who have incorporated a section on children affected by armed conflict in their reports. My Office will continue to exchange information on children affected by armed conflict with special procedures as appropriate. It was a great pleasure to be able to address the special procedures at their annual meeting earlier this year, and I hope to maintain a close relationship with the special procedures.

Mr. President,

This has been a terrible year for children in armed conflict. The recent war in Lebanon, where far more children were killed than combatants point to the fact that we have entered a dangerous era where the basic principles of international humanitarian law, the foundation of all our work, is now being called into question. The distinction between civilians and combatants, the principle of proportionality and the refusal to use civilians as human shields are principles that have sustained traditional armies and restrained the brute use of force in a civilized world. In the past, all combatants would create the humanitarian space for the protection of children. Today, we are facing an uphill battle to ensure that these principles remain entrenched. This Council should consider it a primary duty to ensure the protection of civilians during armed conflict, and the vindication of human rights. Impunity should be cast

aside and the independent moral voice of a global community united by the Universal Declaration of Human Rights must reassert itself. Without that reiteration, commitment and conviction all else we seek to do is bound to fail.

Thank You

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