



**General Assembly**

Distr.  
GENERAL

A/HRC/9/3  
27 June 2008

Original: ENGLISH

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HUMAN RIGHTS COUNCIL  
Ninth session  
Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,  
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,  
INCLUDING THE RIGHT TO DEVELOPMENT**

**Annual report of the Special Representative of the Secretary-General  
for Children and Armed Conflict, Radhika Coomaraswamy\***

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\* The annexes to the present document are reproduced as received, in the language of submission only.

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## I. INTRODUCTION

1. The present report is submitted pursuant to General Assembly resolution 51/77 and other subsequent resolutions of the Assembly on the rights of the child, including its most recent, resolution 62/141, in which the Assembly requested the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit an annual report to the Human Rights Council on the progress achieved and the remaining challenges on the children and armed conflict agenda. The present report should be read in the context of the report of the Special Representative to the Assembly (A/62/228), in which she provided a comprehensive account of activities undertaken by the Office of the Special Representative in 2007, and the seventh report of the Secretary-General on children and armed conflict (A/62/609-S/2007/757). The report, which included the findings of a strategic review of a study by Graça Machel of 1996 on the impact of armed conflict on children and the recommendations provided therein, should form the primary basis for discussion by the Human Rights Council of the work of the Special Representative in the period under review.
2. The Office of the Special Representative regards the Council as a crucial “destination for action” which addresses the protection of children affected by armed conflict within its mandate and responsibilities. The Council serves as an important component of and a critical partner in efforts to ensure the application and enforcement on the ground of international norms and standards to protect children’s rights and to end impunity of violating parties to conflict.
3. The Office of the Special Representative welcomes the adoption by the Council of its 7/29 resolution on the rights of the child and its decision that, in addition to its omnibus resolutions every four years, to focus on a specific theme on the rights of the children on a yearly basis in the intervening period. In this regard, the Office of the Special Representative hopes that the report on children and armed conflict submitted annually to the Council will constitute the basis for a review and further effective action by the Council through the adoption of a resolution specifically focusing on children and armed conflict.
4. The rights of children affected by armed conflict should be systematically mainstreamed throughout the work of the Council and examined in the submissions of its thematic and country mechanisms. The Council should ensure that the concluding observations and recommendations made by the Committee on the Rights of the Child on reports submitted by States parties in compliance with article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict also form the basis of the recently launched universal periodic review. The Council should further act as a complementary follow-up mechanism to assess the implementation of these observations and recommendations, particularly with regard to the parties to conflict in all situations of concern addressed in the annual report of the Secretary-General (S/2007/757).
5. The Office of the Special Representative appreciates the Council’s support for the monitoring and reporting mechanism on grave violations against children affected by armed conflict, established pursuant to Security Council resolution 1612 (2005). In particular, the Special Representative is encouraged that the Human Rights Council has reaffirmed its essential role in the promotion and protection of the rights and welfare of children affected by armed conflict, and by its strong commitment to ending the recruitment and use of children and other violations committed against children, including killing and maiming, rape and other forms of

sexual violence, abductions, attacks against schools and hospitals and the denial of humanitarian access to children, in accordance with Council resolution 7/29. The Special Representative calls on the Council and the wider human rights community to continue to make systematic use of information from the monitoring and reporting mechanism, as established by Security Council resolution 1612 (2005), for advocacy and in their activities.

## **II. ISSUES OF CONCERN AFFECTING CHILDREN IN SITUATIONS OF ARMED CONFLICT**

6. The Special Representative reiterates the recommendation by the Secretary-General in his latest annual report on children and armed conflict (S/2007/757), namely that equal weight should be given to all categories of grave violations against children. It is also necessary to recognize that the range of violations and abuses committed against children in armed conflict goes beyond the six categories of violations being considered in the framework of the Security Council.<sup>1</sup>

7. In recent years, new developments in the field of children and armed conflict have given rise to several issues of concern. The changing nature of conflicts, the recruitment of children across borders, forced displacement, an increase in sexual violence and a greater number of children being held in detention have created new dilemmas for the protection of children. The Special Representative strongly urges security forces and armed groups to bring their behaviour into line with international humanitarian law during the conduct of hostilities, and encourages Member States to take all necessary measures, as a matter of priority, to mitigate the impact of conflict on children that inhibits their full and equal enjoyment of all human rights and fundamental freedoms.

8. The blurring of the traditional line between armed conflict and criminal violence, often involving transnational crime, non-traditional warfare and trafficking, is being witnessed in several situations. In Haiti, although most groups are currently essentially criminal in nature, their character and motivations may shift between criminal and political, depending on the specific time and circumstances. These armed groups, however, are involved in the recruitment and use of children and in abductions, and are perpetrating rape and other sexual violence against girls and women extensively. Colombia has seen the emergence of several illegal armed groups over the past year. These groups, largely involved in criminal activities relating especially to drug trafficking, are considered criminal gangs by the Government of Colombia. There are increasing concerns about reported violations and abuses committed against children by these groups, including for recruitment and use in armed combat.

9. Terrorism and counter-terrorism measures pose their own special problems for the protection of children. Suicide bombing, an unacceptable tactic used by some parties to conflict, sometimes sees child victims at both ends; children are used as suicide bombers in certain

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<sup>1</sup> In its resolution 1612 (2005), the Security Council defined the six grave violations as the recruitment and use of children; the killing and maiming of children; rape and other sexual violence; abductions of children; attacks against schools or hospitals; and the denial of humanitarian access to children.

instances, and many children are killed in suicide bombings. The use of children in suicide attacks is a relatively new phenomenon in Afghanistan and Iraq. In Afghanistan, there have been reports that the Taliban have recruited and used children in suicide attacks; in Iraq, children have been used as decoys in suicide car bombings by insurgent group militias. On the other hand, counter-terrorism strategies also raise concern as large-scale military action and the use of disproportionate force result in collateral damage, which sometimes includes the killing and maiming of children.

10. The movement of armed groups across borders to recruit children from camps for internally displaced persons and refugees, such as those in the Great Lakes and Horn regions of Africa, is surging. Along the Sudan-Chad border, both Sudanese and Chadian armed groups are recruiting children from Sudanese refugee camps in eastern Chad, while Chadian refugee children are being recruited by Sudanese rebel groups in Darfur. In 2007, there was a surge in the recruitment and use of Congolese and Rwandan children in North Kivu Province of the Democratic Republic of the Congo by communities in Rwanda on behalf of forces loyal to Laurent Nkunda. There are also reports of the recruitment and use of children by the Lord's Resistance Army from South Sudan, the Democratic Republic of the Congo and the Central African Republic. The act of transporting vulnerable children by Government and rebel groups across borders during armed conflict constitutes one of the worst forms of child trafficking and poses immense challenges for agencies working with these populations.

11. The perpetration of sexual and gender-based violence against girls, and sometimes boys, by both State and non-States parties to conflict is, in many cases, deliberate, targeted and a direct consequence of criminal intent. In the Great Lakes region, particularly in the Democratic Republic of the Congo and Burundi, there are appalling levels of sexual violence perpetrated against girls, in most cases with total impunity. In Darfur, rape is a method of warfare used by certain armed groups to humiliate and to force the displacement of girls and their families.

12. In certain situations, children are being detained for alleged association with armed groups in violation of international standards. Many of the children are detained without charge or trial, usually not separated from adults, and are subjected to ill-treatment and forceful interrogation methods. They are denied family visits and, in some cases, deprived of food and education. In certain situations, some children have been used as guides and informers for Government military operations, usually under coercion. In Iraq and Israel, military administrative detention of children remains a serious concern. The children lack recourse to prompt and appropriate legal assistance. Their imprisonment only hardens attitudes and reinforces the cycle of violence.

13. The issue of forced displacement is another alarming manifestation of a humanitarian situation where children are often denied shelter, access to education and basic social services. The recruitment of children and internal displacement in Colombia, for example, are closely linked, as too often displacement becomes the only avenue left for families in certain areas to avoid the recruitment of their children by illegal armed groups. In the Occupied Palestinian Territory, the most serious consequence of the barrier and its associated regime, and its damaging humanitarian ripple effect, is an increase in forced internal displacement, violations of associated rights and induced poverty, where the majority of affected persons are children. The Special Representative is pleased to note that the Council addressed the issue of forced displacement of children and their families in its resolution 7/29.

### III. SIGNIFICANT DEVELOPMENTS IN THE PROTECTION OF CHILDREN IN ARMED CONFLICT

14. The need to address impunity and bring to justice those responsible for violations of the rights of children in situations of armed conflict continues to be a preoccupation of the Office of the Special Representative. Since the Special Representative's previous report (A/HRC/4/45), there have been several significant developments in the fight to end impunity through the application of international norms and standards for the protection of children. Trials have been held and convictions rendered before national courts in the Democratic Republic of the Congo, and internationally by the International Criminal Court and Special Court for Sierra Leone for the crime of recruitment and use of child soldiers. Such actions are the result of international advocacy efforts by Member States, the United Nations and its partners to ensure that those who perpetrate grave crimes against children are brought to justice. One good example of collaboration is the Belgian-funded effort carried out by the United Nations Development Programme and Child Protection section of the United Nations Organization Mission in the Democratic Republic of the Congo to support the military justice system of the Government of the Democratic Republic of the Congo, to prosecute perpetrators of grave violations of children's rights under national law. Other important examples include:

(a) The trial of Thomas Lubanga Dyilo, President of the Union des patriotes congolais, before the International Criminal Court and that of former Liberian President Charles Taylor before the Special Court for Sierra Leone;

(b) The arrest of rebel leaders from the Ituri District of the Democratic Republic of the Congo - Germain Katanga, commander of the Force de résistance patriotique en Ituri, and Mathieu Ngudjolo Chui, former leader of the National Integrationist Front and Colonel in the Congolese National Army - and their transfer to the International Criminal Court;

(c) The convictions and sentencing of Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu of the Armed Forces Revolutionary Council and Allieu Kondewa of the Civil Defence Forces militia by the Special Court for Sierra Leone.

15. The Office of the Special Representative however considers that pressure must be maintained on all 16 persistent and recalcitrant violators of child rights listed in the annexes to the last four annual reports of the Secretary-General.<sup>2</sup> In this regard, it is important to recall Security Council resolution 1612 (2005) and all previous resolutions on children and armed conflict, in which the Council stresses the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children.

16. The application of international norms to cases such as the ones above, combined with the political process in the context of Security Council resolution 1612 (2005), have considerably strengthened the work carried out by child protection advocates by opening up space for more

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<sup>2</sup> See A/58/546-S/2003/1053, A/59/695-S/2005/72, A/61/529-S/2006/826 and A/62/609-S/2007/757.

meaningful dialogue on protection with parties to conflict. Such dialogue has begun to yield concrete commitments by parties to conflict, which are being translated into tangible protection for children on the ground. In her previous report to the Human Rights Council, the Special Representative outlined the steps taken by the parties to conflict in Côte d'Ivoire, in collaboration with the United Nations and its child protection partners, to implement plans of action to end the association of children with their fighting forces. The momentum culminating from dialogue since 2003 brought about a significant achievement in 2007. The Forces de défense et de sécurité des Forces nouvelles and the four pro-Government armed militia groups have ceased recruitment and taken concerted measures to identify and release all remaining children from their ranks. As a result, all five parties have been removed from the annexes to the seventh annual report of the Secretary-General to the General Assembly and the Security Council (A/62/609-S/2007/757), although their compliance with the plans of action will continue to be monitored.

17. There has also been progress on plans of action with armed forces and groups in the Central African Republic, Myanmar, the Sudan, Sri Lanka and Uganda. In Chad, the Government signed an agreement with the United Nations Children's Fund (UNICEF) to demobilize child soldiers from its armed forces. Further, it is important to report that the monitoring and reporting mechanism on grave child rights violations pursuant to Security Council resolution 1612 (2005) was established in all situations of armed conflict in the annexes to the sixth report of the Secretary-General to the Assembly and the Council (A/61/529-S/2006/826). The groundwork necessary to establish the monitoring and reporting mechanism in Afghanistan and the Central African Republic, which are "new" country situations in the annexes to the most recent annual report of the Secretary-General, is being conducted by the Office of the Special Representative, UNICEF and the relevant United Nations peacekeeping missions and country teams. It must be stressed that an effective monitoring, reporting and compliance regime depends largely on the collaboration of a number of critical stakeholders, particularly Member States, United Nations system partners, non-governmental organizations and local civil society. The United Nations human rights system is an important player in this regard.

18. The country-specific reports on children and armed conflict<sup>3</sup> resulting from the monitoring and reporting mechanism have provided systematic, timely, accurate and objective information on the six grave violations against children in armed conflict, including the identification of offending parties for examination by the Working Group of the Security Council on Children and Armed Conflict. The strength of the information and designation of offending parties through these reports has proved to have a deterrent effect and has allowed the Working Group to maintain political pressure and take action on parties to conflict found to be persistent violators of child rights. In the same vein, relevant information contained in these country-specific reports, in addition to recommendations and conclusions by the Working Group, may be considered by the Committee on the Rights of the Child when reviewing reports by States parties under the Optional Protocol on the Involvement of Children in Armed Conflict, as well as in the consideration of reports under the Convention on the Rights of the Child.

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<sup>3</sup> See S/2007/259, S/2007/260, S/2007/391, S/2007/400, S/2007/520, S/2007/515, S/2007/666, S/2007/686 and S/2007/758.

19. Apart from the sustained engagement and pressure placed on parties to conflict by the Working Group and other relevant bodies of the United Nations and its partners, country visits by the Special Representative have also provided the opportunity for high-level advocacy and opened doors for follow-up dialogue with military and political authorities by the United Nations country task forces on monitoring and reporting, and have elicited several key commitments by the parties to address the issues of recruitment and use of children and their protection from other grave violations during armed conflict. These visits also serve to highlight national efforts to advance child rights concerns in armed conflict. In 2007, the Special Representative made eight country visits, including to the Sudan (January), the Democratic Republic of the Congo and Burundi (March), Lebanon, the Occupied Palestinian Territory and Israel (April), Myanmar (June) and Côte d'Ivoire (September). The visits to Burundi, the Democratic Republic of the Congo and Côte d'Ivoire were primarily to follow up the recommendations of the Working Group.

20. The visits by the Special Representative to the Occupied Palestinian Territory, Israel and Lebanon followed the fact that grave violations against children in the Occupied Palestinian Territory and Israel were recorded, as distinct situations of concern, in the 2005 and 2006 reports of the Secretary-General on children and armed conflict (A/59/695-S/2005/72 and A/61/529-S/2006/826). In Lebanon, the conflict between Lebanon and Israel of July and August 2006, which witnessed the worst fighting since the end of the Lebanese civil war, was also recorded as a specific situation of concern in the report of the Secretary-General in 2006. The Special Representative had the express purpose of seeing for herself the impact of armed conflict on children in the region, and deemed it critical that the problem of the protection of children from the adverse effects of the conflict in those situations be addressed. In particular, the Special Representative engaged with parties, including Governments, United Nations and civil society, in order to garner commitments for the protection of children, as reflected in international humanitarian and human rights instruments applicable to children in armed conflict.

### **Commitments from Governments and other parties to conflict**

21. Some of the key commitments elicited from Governments and other parties to conflict during her missions are summarized below, and are elaborated in more detail in the Special Representative's report (A/62/228). A number of actions have been taken by parties concerned to meet their commitments. The critical challenge is to ensure timely follow-up and adherence to commitments made and for their practical implementation, in order to bring about concrete results for the protection of children on the ground. To this end, the Special Representative calls on the Human Rights Council and the broader human rights community to join in monitoring these undertakings and ensuring that parties to conflict honour their commitments to the protection of children.

22. The Special Representative recommends that monitoring by national institutions for human rights be strengthened and invites the international community to continue to allocate adequate funding to strengthen further national institutional and societal capacities and mechanisms for monitoring, promoting and protecting human rights, including for those of children.



*South Sudan*

23. The Government of National Unity and the Government of Southern Sudan committed to allow the United Nations Mission in the Sudan and UNICEF access to the military barracks of the Sudan Armed Forces, the Sudan People's Liberation Army and allied armed forces and groups to monitor and verify compliance, adopt and implement national legislation to criminalize the recruitment of child soldiers, allocate adequate resources for the reintegration of children associated with the armed forces, establish a task force to address sexual violence against children and ensure the safety and protection of humanitarian personnel. According to the most recent information received, the Government of National Unity has undertaken a number of important initiatives at the national, regional and local levels, in partnership with the United Nations, to improve child protection and address abuses against children. They include revising applicable legislation with a view to prohibiting and criminalizing the recruitment and use of children by armed forces and groups; training its military and security personnel; creating dedicated mechanisms within the administration, the army, the police forces and the judiciary to deal with child protection and to address sexual and gender-based violence; and taking action through its ceasefire institutions, to address child recruitment by the Sudan People's Liberation Army, the Sudan Armed Forces and any armed group under their control and/or aligned with them, and to foster the release of children.

*Democratic Republic of the Congo*

24. The Government of the Democratic Republic of the Congo committed to take measures to tackle the issues of child recruitment and sexual violence against children and to fight impunity of armed groups, such as non-integrated brigades of the Forces Armées de la République Démocratique du Congo loyal to Laurent Nkunda and the Forces démocratiques de libération du Rwanda (FDLR). According to recent information, the authorities of the Democratic Republic of the Congo have carried out several arrests and conducted trials of perpetrators of recruitment and rape of children in its national courts. In conjunction with the progress made in the implementation of the national disarmament, demobilization and reintegration programme for children, thousands of children have been separated from armed forces and groups and reintegrated into their communities. However, there has been little or no progress with regard to the forces led by Laurent Nkunda and FDLR. Laurent Nkunda and troops loyal to him continue to recruit and re-recruit children.

25. The President, Pierre Nkurunziza, and senior ministers of the Government of Burundi agreed to continue the Government's efforts to address children's rights and protection in the peace consolidation phase, particularly to ensure that the release and reintegration of all children associated with armed groups, whether those remaining in detention or in Palipehutu-Forces nationales de libération (FNL) ranks, are made a priority. The Government also committed to continue the fight against impunity for perpetrators of sexual violence, especially against children. According to the most recent information received, progress has been made with the release of children arrested for association with FNL in 2007. In April 2008, following requests by representatives of alleged dissidents of Palipehutu-FNL, government representatives mandated by President Nkurunziza identified and separated more than 200 children from the Randa and Buramata camps to the Gitega demobilization centre.

*Middle East*

26. Prime Minister Fouad Siniora, on behalf of the Government of Lebanon, stated that Lebanon was committed to the ratification of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. Parliamentary deputy Mohammed Raad, on behalf of Hizbullah, committed not to use children for armed violence or political mobilization.

27. Palestinian President Mahmoud Abbas and Minister for Foreign Affairs Ziad Abu Amr agreed to revive the code of conduct among Palestinian groups not to involve children in political violence, and to engage with UNICEF to devise a plan of action to prevent the use of children in such violence.

28. The Minister for Foreign Affairs, Tzipi Livni, stated that the Government of Israel was committed to investigating and taking appropriate action on the case of renewed attacks by settlers on schoolchildren in al-Tuwani village. Further, the Coordinator of Government Activities in the Territories, Major-General Yosef Mishlev, was committed to investigating the routing of the barrier and its effect on the daily lives of the children of Azzun Atma and al-Nu'man villages, to investigating fully the cases of harassment and attacks on children in the Occupied Palestinian Territory and the difficulties of access for health professionals and patients to East Jerusalem hospitals owing to the barrier and its associated restrictive permit system.

*Myanmar*

29. The Government of Myanmar agreed to cooperate in the establishment of a monitoring and reporting mechanism on child rights violations within the framework of Security Council resolution 1612 (2005) by appointing the Director-General of the Ministry of Social Welfare, Relief and Resettlement as the Government focal point on issues relating to the implementation of the mechanism; to provide details of action taken against army recruiters who recruited children and the list of children discharged for follow-up verification by the United Nations; and to engage in a plan of action with the United Nations, including to establish a subcommittee for the reintegration of former child soldiers, a transparent complaints procedure for incidents of recruitment of children, instituting disciplinary measures against parties responsible for aiding and abetting child recruitment, access to recruitment centres by the United Nations on a regular basis for verification, regular child protection training for officials of the armed forces, and a public campaign to create awareness of the rules, regulations and modalities of a complaints procedure to prevent recruitment.

30. The Government also committed to bringing its current plan of action on the prevention of the recruitment of children into its armed forces (Tatmadaw Kyi) into line with international standards and to facilitate plans of action with the United Wa State Army and other non-State actors. The Government has also recognized the need for the United Nations country task force in Myanmar to engage the Karen National Union and Karenni National Progressive Party in the development of plans of action and to monitor their compliance, in accordance with Security Council resolution 1612 (2005).

31. In September 2007, the Government of Myanmar established a working group, chaired by the Director-General of the International Organizations and Economic Department of the Ministry of Foreign Affairs, for the monitoring and reporting mechanism on the prevention of the military recruitment of under-age children. The Government has also collaborated with the United Nations country task force on monitoring and reporting by sharing information on the recruitment of children under the complaints mechanism established with the International Labour Organization. However, the question of United Nations access to areas of concern for monitoring and reporting and Government willingness to facilitate plans of action with the groups cited in the annual report of the Secretary-General have yet to be satisfactorily concluded.

*Côte d'Ivoire*

32. The Government of Côte d'Ivoire committed itself to establishing an inter-ministerial structure to address the protection of children and to develop a national plan of action to end sexual violence against children, despite the fact that the Ouagadougou Political Agreement makes no explicit reference to children.

*Uganda and Sri Lanka*

33. Following the previous report of the Special Representative on her mission to Uganda and that of her Special Adviser, Ambassador Rock, to Sri Lanka, outlining the commitments made by parties to conflict in both countries, some progress has been made in the development of plans of action by the Government of Uganda and the Liberation Tigers of Tamil Eelam. Some positive measures have also been taken by the Government of Sri Lanka and the Tamil Makkal Viduthalai Pulighal in response to recommendations made by the Working Group of the Security Council on Children and Armed Conflict.

34. According to the latest information received, the Government of Uganda has reiterated its commitment to finalize its plan of action on children associated with armed forces and groups in Uganda, in order that the Uganda People's Defence Forces and Local Defence Units may be removed from the annexes to the annual report of the Secretary-General on children and armed conflict. The plan is currently in its second draft and being discussed with the Government of Uganda.

35. The Liberation Tigers of Tamil Eelam signed a plan of action on 15 October 2007, committing them to raise the minimum age of recruitment to 18 years and to release anyone in its ranks under the age of 18 years by 31 December 2007. The plan also contained commitments to respect the neutrality and security of schools, hospitals and places of worship as "safe zones", and to ensure open and safe access by humanitarian actors to affected areas so that supplies and services may reach vulnerable communities. The plan does not yet, however, meet minimum standards on several fronts, such as by allowing full access to the United Nations for verification, formalizing principles and time-bound measures for the safe release of children, accountability and prevention of re-recruitment. The Government of Sri Lanka has established an interdisciplinary committee to inquire into allegations of abductions and the recruitment of children for use in armed conflict and to respond to allegations of aiding and abetting the abductions of children by the Tamil Makkal Viduthalai Pulighal. Encouraging developments were witnessed in April 2008, when approximately 40 children were released by the Tamil Makkal Viduthalai Pulighal. The Government played a role in securing these releases.

#### **IV. REMAINING CHALLENGES INVOLVING CHILDREN IN ARMED CONFLICT**

36. Despite the important developments mentioned above, many challenges persist that will require concerted action and continued global efforts to protect war-affected children. The Special Representative remains gravely concerned that the six grave violations are still being committed against children by parties to conflict, in blatant violation of international law. The Special Representative would like to bring to the attention of the Human Rights Council the parties who were included on the annexes to the latest report of the Secretary-General on children and armed conflict (S/2007/757) (see annexes I and II). The Special Representative calls on Member States, who bear a central and immediate political, legal and moral responsibility, to not only comply with international norms and standards for the protection of children within their territories, but also to work in cooperation with the international community to ensure children's demobilization, rehabilitation and reintegration into society. Furthermore, the Special Representative strongly recommends that national justice processes ensure that the special needs and rights of children affected by conflict are considered.

37. The Special Representative also encourages States parties to the Convention on the Rights of the Child to strengthen national and international measures for the prevention of recruitment of children into armed forces or armed groups and their use in hostilities, in particular by signing and ratifying the Optional Protocol to the Convention on the Involvement of Children in Armed Conflict and enacting legislation that explicitly prohibits and criminalizes the recruitment of children into armed forces or groups and their use in hostilities. They should also exercise extraterritorial jurisdiction in order to strengthen the international protection of children against recruitment.

38. In the light of the fact that the vast majority of parties to conflict listed in the annexes to the annual report of the Secretary-General are non-State actors, the Special Representative requests Member States to help facilitate dialogue between the United Nations country task forces on monitoring and reporting and these groups, for the purposes of developing plans of action to halt the recruitment and use of children, and to address all other grave violations committed against children.

#### **V. WORKING WITH THE UNITED NATIONS HUMAN RIGHTS SYSTEM**

39. Notwithstanding the important strides for the protection of children made since the previous report of the Special Representative, the overall situation of children affected by armed conflict remains grave, as parties continuing to defy even the most basic principles of international humanitarian law. It is therefore important, if not critical, that the United Nations human rights system continue to play a major role and actively uphold the need to protect the rights of conflict-affected children.

40. The Office of the Special Representative is working closely with the Office of the United Nations High Commissioner for Human Rights (OHCHR) to raise awareness of the rights of children affected by armed conflict. OHCHR is an active member of the Task Force on Children and Armed Conflict and its steering committee on monitoring and reporting at Headquarters in New York. The strengthening of the human rights monitoring capacity of

OHCHR within peacekeeping operations and country missions has been noted. In particular, the key role played by OHCHR in Uganda and Nepal, as co-chairs of the country task force on monitoring and reporting, to monitor and report on child rights violations within the framework of Security Council resolution 1612 (2005), is commendable. Over the past year, the enhanced cooperation between the Office of the Special Representative and OHCHR has resulted in greater complementary efforts for the protection of children on the ground, and is a factor contributing to compliance by parties, including their engagement in plans of action to halt and prevent the recruitment and use of children. The Office of the Special Representative would like to continue to strengthen its strategic partnership with OHCHR by encouraging its further involvement in the protection of the rights of children in armed conflict, particularly in its dialogue and engagement with Member States, and by increasing its child rights expertise in peace operations, in a framework of coordination and cooperation with other child protection actors in such settings, as well as including a senior-level focal point for children and armed conflict in Geneva.

41. The Office of the Special Representative is encouraged by the practice of a number of special rapporteurs of including a section on children and armed conflict in their reports, and by their proactive advocacy for child rights protection. The Special Representative continues to encourage special rapporteurs to bring issues of concern to her attention.

42. The Office of the Special Representative will continue to share information on the status of the protection of children affected by armed conflict in specific country situations ahead of country reviews. The concluding observations of the Convention on the Rights of the Child on the country reports on the implementation of the Optional Protocol on the Involvement of Children in Armed Conflict, as well as on those submitted in relation to the Convention itself which address the issue of children and armed conflict, will constitute a basis for continued advocacy by the Office.

43. The Office of the Special Representative will also continue to encourage Member States to sign and ratify the Optional Protocol on the Involvement of Children in Armed Conflict and to promote further international collaboration to strengthen national capacities, including enactment of legislation consistent with the Optional Protocol.

## VI. RECOMMENDATIONS

44. **The Special Representative reiterates the recommendations already made in the present report.**

45. **The Special Representative calls on the Human Rights Council and the wider human rights community to continue to make systematic use of Security Council resolution 1612 (2005) as an advocacy tool in their activities, in particular the monitoring and reporting mechanism on grave violations against children in armed conflict. She further calls on the Human Rights Council to make combating grave violations against children an integral part of its agenda, including by mainstreaming the issues concerned throughout the work of the Council and in the submissions of its thematic and country mechanisms, as well as in the universal periodic review.**

46. The Special Representative recommends that the Council ensure that concluding observations and recommendations made by the Committee on the Rights of the Child on reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict form the basis of the universal periodic review, and that the Council act as a complementary follow-up mechanism to assess the implementation of those observations and recommendations, particularly with regard to the parties to conflict listed in the annexes to the annual report of the Secretary-General (S/2007/757).

47. The Special Representative encourages States parties to the Convention on the Rights of the Child to submit reports under the Optional Protocol to the Committee on the Rights of the Child; to take measures to support the recommendations of the Committee; to strengthen national and international measures for the prevention of the recruitment of children into armed forces or groups and their use in hostilities, in particular by signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, and by enacting legislation that explicitly prohibits the recruitment of children into armed forces or groups and their use in hostilities; and to exercise extraterritorial jurisdiction to strengthen the international protection of children against recruitment.

48. In the light of the fact that the vast majority of parties to conflict in the annexes to the annual report of the Secretary-General are non-State actors, the Special Representative requests Member States to help facilitate dialogue between the United Nations country task forces on monitoring and reporting and these groups, for the purposes of developing plans of action to halt the recruitment and use of children, and to address all other grave violations committed against children pursuant to Security Council resolutions 1539 (2004) and 1612 (2005).

49. The Special Representative calls on Member States to comply with international norms and standards for the protection of children in armed conflict, and to take all necessary measures, as a matter of priority, to mitigate the impact of conflict on children that inhibits their full and equal enjoyment of all human rights and fundamental freedoms.

50. The Special Representative recommends that national institutions for human rights monitoring be strengthened, and invites the international community to continue to allocate adequate funding to strengthen further national institutional and societal capacities and mechanisms for monitoring, promoting and protecting human rights, including those of children.

**Annex I**

**LIST OF PARTIES THAT RECRUIT OR USE CHILDREN IN SITUATIONS  
OF ARMED CONFLICT ON THE AGENDA OF THE SECURITY COUNCIL,  
BEARING IN MIND OTHER VIOLATIONS AND ABUSES COMMITTED  
AGAINST CHILDREN**

|                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parties in Afghanistan                          | Taliban Forces                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Parties in Burundi                              | Parti de libération du peuple hutu (Palipehutu)-Forces nationales pour la libération (FNL) - Agathon Rwasa                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Parties in the Central African Republic         | <ol style="list-style-type: none"> <li>1. Armée populaire pour la restauration de la République et de la démocratie (APRD)</li> <li>2. Forces démocratiques pour la rassemblement (UFDR)</li> <li>3. Forces démocratiques populaire de Centrafrique (FDPC)</li> </ol>                                                                                                                                                                                                                                                                                        |
| Parties in the Democratic Republic of the Congo | <ol style="list-style-type: none"> <li>1. Forces armées de la République démocratique du Congo (FARDC)</li> <li>2. Forces démocratiques de libération du Rwanda (FDLR)</li> <li>3. Front des nationalistes et intégrationnistes (FNI)</li> <li>4. Front de résistance patriotique en Ituri (FRPI)</li> <li>5. Mai-Mai groups in North and South Kivu, Maniema and Katanga who have not integrated into FARDC</li> <li>6. Mouvement révolutionnaire congolais (MRC)</li> <li>7. Non-integrated FARDC brigades loyal to rebel leader Laurent Nkunda</li> </ol> |
| Parties in Myanmar                              | <ol style="list-style-type: none"> <li>1. Democratic Karen Buddhist Army (DKBA)</li> <li>2. Karen National Union-Karen National Liberation Army Peace Council</li> <li>3. Kachin Independence Army (KIA)</li> <li>4. Karen National Liberation Army (KNLA)</li> <li>5. Karenni Army (KA)</li> <li>6. Karenni National People's Liberation Front (KNPLF)</li> <li>7. Myanmar National Democratic Alliance Army</li> <li>8. Shan State Army-South (SSA-S)</li> <li>9. Tatmadaw Kyi</li> <li>10. United Wa State Army (UWSA)</li> </ol>                         |
| Parties in Nepal                                | Communist Party of Nepal-Maoist (CPN-M)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Parties in Somalia                              | <ol style="list-style-type: none"> <li>1. Remnants of the former Union of the Islamic Courts (UIC)</li> <li>2. Transitional Federal Government (TFG)</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                              |
| Parties in Southern Sudan                       | <ol style="list-style-type: none"> <li>1. Parties under the control of the Government of the Sudan <ol style="list-style-type: none"> <li>(a) South Sudan Defence Forces, including the forces of Major-General Gabriel Tang Ginyi</li> <li>(b) Sudan Armed Forces (SAF)</li> </ol> </li> <li>2. Parties under the control of the Government of Southern Sudan <ol style="list-style-type: none"> <li>(a) Pibor Defence Forces</li> <li>(b) Sudan People's Liberation Army (SPLA)</li> </ol> </li> </ol>                                                     |

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|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parties in Darfur | <ol style="list-style-type: none"><li>1. Parties under the control of the Government of the Sudan<ol style="list-style-type: none"><li>(a) Chadian opposition groups</li><li>(b) Darfur Government supporting militias called the Janjaweed</li><li>(c) Police Forces, including the Central Reserve Police</li><li>(d) Popular Defence Forces</li><li>(e) Sudan Armed Forces (SAF)</li></ol></li><li>2. Former rebel parties who have accepted the Darfur Peace Agreement<ol style="list-style-type: none"><li>(a) Justice and Equality Movement (Peace Wing)</li><li>(b) Sudan Liberation Army (SLA)/Abu Gasim</li><li>(c) Sudan Liberation Army (SLA)/Free Will</li><li>(d) Sudan Liberation Army (SLA)/Minni Minnawi</li></ol></li><li>3. Rebel parties who have rejected the Darfur Peace Agreement<ol style="list-style-type: none"><li>(a) Sudan Liberation Army (SLA)/Abdul Wahid</li><li>(b) Sudan Liberation Army (SLA)/Shafi</li></ol></li></ol> |
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## Annex II

### LIST OF PARTIES THAT RECRUIT OR USE CHILDREN IN SITUATIONS OF ARMED CONFLICT NOT ON THE AGENDA OF THE SECURITY COUNCIL, OR IN OTHER SITUATIONS OF CONCERN, BEARING IN MIND OTHER VIOLATIONS AND ABUSES COMMITTED AGAINST CHILDREN

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parties in Chad            | <ol style="list-style-type: none"> <li>1. Chadian National Army</li> <li>2. Chadian self-defence groups operating in Ade, Dogdore and Mogororo</li> <li>3. Government of the Sudan-backed militias, known as the Janjaweed</li> <li>4. Sudanese armed groups backed by the Government of Chad <ol style="list-style-type: none"> <li>(a) Justice and Equality Movement</li> <li>(b) Sudan Liberation Army - G19 faction</li> </ol> </li> <li>5. Union des forces pour la démocratie et le développement (UFDD)</li> </ol> |
| Parties in Colombia        | <ol style="list-style-type: none"> <li>1. Ejército de Liberación Nacional (ELN)</li> <li>2. Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP)</li> <li>3. Illegal armed groups not participating in the demobilization process <ol style="list-style-type: none"> <li>(a) Autodefensas Campesinas del Casanare</li> <li>(b) Frente Cacique Pipinta</li> </ol> </li> </ol>                                                                                                                         |
| Parties in the Philippines | <ol style="list-style-type: none"> <li>1. Abu Sayyaf Group (ASG)</li> <li>2. Moro Islamic Liberation Front (MILF)</li> <li>3. New People's Army (NPA)</li> </ol>                                                                                                                                                                                                                                                                                                                                                          |
| Parties in Sri Lanka       | <ol style="list-style-type: none"> <li>1. Karuna faction</li> <li>2. Liberation Tigers of Tamil Eelam (LTTE)</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                   |
| Parties in Uganda          | <p>Lord's Resistance Army (LRA)</p> <ol style="list-style-type: none"> <li>(a) Local defence units</li> <li>(b) Uganda People's Defence Forces (UPDF)</li> </ol>                                                                                                                                                                                                                                                                                                                                                          |

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