Engaging Non-State Armed Groups
through
HUMAN RIGHTS EDUCATION:
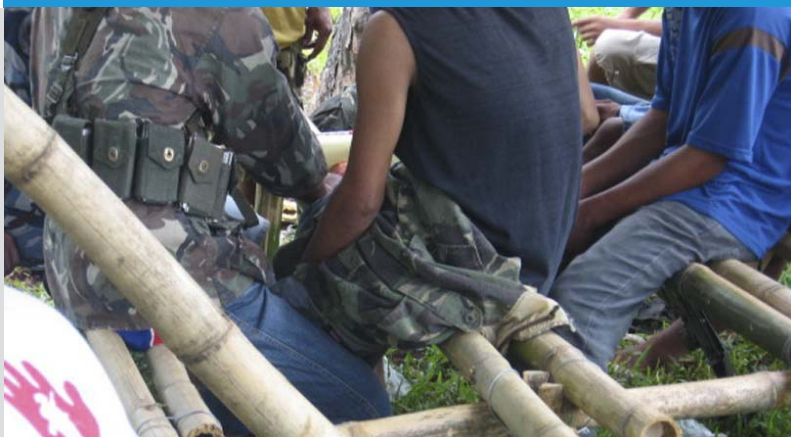## Reflections and Lessons Learned

Southeast Asia
Coalition to Stop the Use
of Child Soldiers (SEASUCS)

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of Child Soldiers (SEASUCS)

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LIST OF ACRONYMS

ASG	Abu Sayyaf Group
BRN-C	Barisan Revolusi Nasional - Koordinasi
CAFGU	Citizens Armed Forces Geographical Unit
CARHRIHL	Comprehensive Agreement for the Respect of Human Rights and International Humanitarian Law
CIAC	Children involved in armed conflict
CNA	Chin National Army
CPIE	Child protection in emergencies
CRSA	Child rights situational analysis
CVO	Civilian Volunteer Organization
DKBA	Democratic Karen Buddhist Army
GAM	Gerakan Aceh Merdeka / Free Aceh Movement
HR	Human Rights
HRE	Human Rights Education
IHL	International Humanitarian Law
ILO	International Labor Organization
INGO	International Non-governmental Organization
JI	Jemaah Islamiyah
KA	Karenni Army
KIA	Kachin Independence Army
KNLA	Karen National Liberation Army
KNPLF	Karen National People's Liberation Front
KNU	Karen National Union

MILF	Moro Islamic Liberation Front
NDAK	New Democratic Army - Kachin
NGO	Non-government organization
NMSP	New Mon State Party
NPA	New People's Army
NSAG	Non-state Armed Group
OPCRC-AC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
RPA-ABB/RPM-P	Revolutionary Proletarian Army - Alex Boncayao Brigade/ Rebolusyonaryong Partido ng Manggagawa - Pilipinas
SEASUCS	Southeast Asia Coalition to Stop the Use of Child Soldiers
SPDC	State Peace and Development Council
SSA-S	Shan State Army South
TNA	Training needs analysis
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNSC	United Nations Security Council
ZNA	Zomi National Army

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I

INTRODUCTION

IN SOUTHEAST ASIA, almost all conflicts are fought not between or among states but within national boundaries and almost all involve non-state armed groups. These internal armed conflicts have taken place in the Philippines, Burma, Indonesia, and Thailand.

In these armed conflicts, children are one of the groups negatively affected by war. The effects of war on children, in general, can range from the physical to the psychosocial. In situations of armed conflicts, children can also become involved in state armed forces and non-state armed groups. This involvement is due to various reasons, including, but not limited to: poverty; lack of access to, or absence of, delivery of basic services; and religious and ideological support.

The roles children perform during their involvement in armed conflict vary from being combatants to auxiliary and support. However, the roles performed notwithstanding, their involvement in armed groups exposes the children to dangerous situations.

The 2008 Child Soldiers Global Report indicated that children continue to be involved in armed conflicts in the Philippines, Myanmar, and Thailand. The same report cited that involvement of children continues both in state armed forces and non-state armed groups.

Involvement of children in state armed forces and state-sponsored militia groups has been reported in the region, with Myanmar as the only country with incidence of forcible recruitment and use of children into its state armed force, the Tatmandaw Kyi. This happens against the backdrop of the State Peace and Development Council's (SPDC) official policy

prohibiting the recruitment of the under-18s into the armed forces. The roles of children in the Tatmandaw Kyi include acting as guards at checkpoints, porters, cleaners, spies; and performing active combat duties.

Meanwhile, even as there were no reported cases of recruitment and use of children by state armed forces, there are reports of children being involved in state-sponsored paramilitary or civil defense groups in the Philippines. These paramilitary groups in which children become involved include the Citizen's Armed Forces Geographical Unit (CAFGU) and the Civilian Volunteer Organizations (CVOs) to support the government's anti-insurgency efforts.

The 2008 Child Soldiers Global Report also disclosed continued involvement of children in various non-state armed groups operating in the region, particularly in Myanmar, the Philippines, Indonesia, and Thailand.

This assertion is validated by the inclusion in the United Nations (UN) Secretary-General's reports on children and armed conflict, of non-state armed groups operating in Myanmar and the Philippines as parties that recruit and use children in situations of armed conflict. In Myanmar, these are the Democratic Karen Buddhist Army (DKBA), Karen National Union-Karen National Liberation Army Peace Council, Kachin Independence Army (KIA), Karen National Liberation Army (KNLA), Karenni Army (KA), Karenni National People's Liberation Front (KNPLF), Myanmar National Democratic Alliance Army, Shan State Army-South (SSA-S), and United Wa State Army. In the Philippines, the armed groups that have been identified are the Moro Islamic Liberation Front (MILF), the New People's Army (NPA), and the Abu Sayyaf Group (ASG).

In Thailand, a separatist group, the National Revolution Front-Coordinate (Barisan Revolusi Nasional-Koordinasi, BRN-C) is reported to have recruited and used children in its operations. In Indonesia, it is said that children from the Central Sulawesi and Java areas remain a vulnerable group as they are at risk of indoctrination and possible eventual recruitment by the Jemaah Islamiyah (JI), an Islamist group. Indoctrination by the

JI has been regarded as systematic as it begins in playgroups for children under five years old and continues in religious boarding schools in Java.

This would point to a disconnect between the existing human rights and international humanitarian law which seek to protect children from involvement in armed groups. The reports of continued involvement of children clearly illustrate the violation of the provisions of the *Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts (OPCRC-AC)* one of which says that "State parties shall…ensure that members of their armed forces who have not attained the age of 18 years do not take direct part in hostilities and ensure that persons who have not attained the age of 18 are not compulsorily recruited into their armed forces" (Art. 1 and 2).

On the part of non-state armed groups, the continued involvement of children violates the provision of the same instrument which stipulates that "armed groups that are distinct from the armed forces of the State should not, under any circumstance, recruit or use in hostilities persons under the age of 18 years" (Art. 4).

Moreover, Article 3 (a) of the *International Labour Organization (ILO) Worst Forms of Child Labour Convention 182* considers the "forced or compulsory recruitment of children for use in armed conflict" as one of the worst forms of child labor.

In addition to the *OPCRC-AC*, *International Humanitarian Law* contains provisions that prohibit the recruitment and use of child soldiers. Article 4 (c) of the *Additional Protocol II of the 1949 Geneva Conventions*, which is applicable to non-international armed conflict, states that "children who have not attained the age of fifteen years shall neither be recruited in armed forces or groups nor allowed to take part in hostilities."

The Rome Statute of the International Criminal Court establishes a permanent court to try persons charged with committing war crimes, crimes against humanity, and genocide. The statute's definition of war crimes includes the act of "conscripting or enlisting children under the age of fifteen years

into national armed forces or groups or using them to participate actively in hostilities" (Article 8 [e] [vii]).

Even as the accountability of protecting children from being involved in state and non-state armed groups is assigned to the State, there is recognition of the responsibility of Non-state Armed Groups to respect these child protection provisions.

The challenge, however, is how to promote and ensure that NSAGs respect child rights standards. In addressing this challenge, partner and network organizations of SEASUCS were convened during a workshop in 2005 to discuss the concept of, and to share experiences related to engagement with NSAGs. This workshop gave light to the importance of engagement with NSAGs, employing a diverse range of approaches such as confidence-building measures, naming and shaming, engagement in the context of peace processes, and awareness-raising strategies.

Several organizations in the SEA region have conducted awareness-raising and information dissemination activities involving armed groups. These activities took the form of conducting discussions, forums, and dissemination of information materials to NSAG members. These activities were all intended to promote respect and compliance with human rights and international humanitarian law among NSAGs. In order to look into the strategies, experiences, and lessons learned, SEASUCS organized a follow-up workshop in 2007 specifically focused on the use of human rights education as a means to engage armed groups.

This report intends to consolidate the experiences and lessons learned by the partners and networks of SEASUCS during the two previous workshops. While it was stressed by them that it is almost impossible to come up with a uniform strategy or a step-by-step procedure in engaging NSAGs through HRE, this report shall try to provide conceptual tools for stakeholders to gain an understanding of the notion and concept of HRE as an approach to engage NSAGs; the process of change created through HRE; the pedagogy used in HRE related processes; and the lessons learned and reflections that can serve as guideposts in future actions with NSAGs.

The specific objectives of this report are as follows:

- Discuss the experiences, reflections, and lessons learned by SEASUCS partners and networks which are engaging with Non-state Armed Groups;
- Propose concepts and guidelines to help develop, implement, and evaluate human rights education as a medium of engagement with Non-state Armed Groups;
- Serve as a catalyst to instigate further discussion on the appropriateness and importance of HRE for NSAGs.

It should be noted that this paper particularly targets non-government organizations which are present in conflict areas, which are working on children's rights, and are presently or are planning to engage with non-state armed groups.

At the onset, it should be established that this paper does not attempt to discuss all the existing engagement of NGOs with NSAGs in the region. This paper will, however, attempt to discuss the practices of partner organizations and networks of SEASUCS.

It would be best to view this paper that, as a work in progress, chronicles and gives proper valuation to the experiences of SEASUCS' partner organizations and networks. Also, this paper will not attempt to recommend hard and fast tools in engaging with non-state armed groups since approaches, frameworks, and methodologies will depend largely on the existing situations, contexts, and the mandates of the partner organizations.

A significant amount of information used in this report was generated from the inputs, reflections, and experiences of the participants during the two workshops in 2005 and in 2007. Additional interviews were conducted to probe into their organizations' definition of, and relationship with NSAGs, and the approaches they have used in engaging with NSAGs.

A review of related literature on the areas of human rights education, and of communication theories was conducted to obtain theoretical handles in discussing the experiences.

II

DEFINING NON-STATE ARMED GROUPS

THERE ARE various definitions of armed groups. One such definition can be gleaned from Article 4 of the *OPCRC-AC*; "armed groups refer to groups distinct from the armed forces."

For the purposes of this paper, the term Non-state Armed Groups (NSAGs) refers mainly to groups that are armed and use force to achieve their political and/or quasi-political objectives and are opposed to, or are autonomous from the State. NSAGs do not refer to state-controlled militias, paramilitaries, civil defense units, mercenaries, private military and security companies, and proxy armed forces.

> ## Three elements characterize armed groups:
> a) these groups are armed;
> b) they use force to achieve their political or quasi-political objectives; and
> c) they are not under state control.

According to the *United Nations Guidelines on Humanitarian Negotiations with Armed Groups*, the term refers to

> groups that have the potential to employ arms in the use of force to achieve political, ideological, or economic objectives; are not within the formal military structure of States, States-alliances, or intergovernmental organizations, and are not under the control of the State(s) they operate in. (McHugh and Bessler, 2006)

In relation to engagement with NSAGs, Policzer (2006), the Director of the Armed Groups Project, suggested that there is a need to take note of the distinctions and differences among different armed groups. He said that NSAGs differ in how they are organized, in their motivations and incentives, in constituency, and in the style of warfare used by these organizations. Such distinctions according to him would have an effect on what possibilities there are, and what approaches can be used, in the engagement.

The partners and networks involved in this report prefer to use the term "non-state armed groups (NSAGs) to other widely used terms such as "rebel groups," "insurgent groups," or "ethnic opposition groups." The term NSAGs is considered neutral and does not place a value judgment on the organization. In some contexts, however, when the NSAGs consider themselves as "de facto" governments exercising control over certain communities, it is recommended that the use of the term NSAGs be avoided; rather, these groups should be identified using their designated names, as some of these have been referred to in this paper.

The 2007 workshop also recognized the fact that for the larger part, NSAGs do not operate in a vacuum in the region. They operate in the context of communities which are at times supportive of these armed groups. These communities have given mandate to armed groups to exercise control over certain areas; and in some cases, have considered these NSAGs as "de facto" governments. Because of this, it is also important to consider the roles and functions of communities in promoting and ensuring respect for human rights and IHL. These communities can condone or defy practices; or these can facilitate or counter the change process in amending the policies and practices of armed groups.

III

APPROACHES TO ENGAGING NON-STATE ARMED GROUPS IN SOUTHEAST ASIA

List of NSAGs Approached by Partner and Network Organizations

Thai-Burma border
Karen National Liberation Army (KNLA)
Karenni Army (KA)
Kachin Independent Army (KIA)
New Democratic Army- Kachin (NDAK)
Chin National Army (CNA)
Zomi National Army (ZNA)
New Mon State Party (NMSP)
Shan State Army-South (SSA-South)
Indonesia
Free Aceh Movement (GAM)
Philippines
Moro Islamic Liberation Front (MILF)
Revolutionary Proletarian Army-Alex Boncayao
    Brigade/ Rebolusyonaryong
Partido ng Manggagawa ng Pilipinas
    (RPA-ABB/RPM-P)
New People's Army (NPA)

EXISTING LITERATURE has provided information on the definition of, the methodologies employed, and the importance of engagement with NSAGs. Ricigliano (2005) pointed out that it is sufficient to broadly define the term engagement as an act constituting "interact*[ions]* with" or "participat*[ion]* in processes involving" NSAGs. The main intention behind engaging NSAGs, according to Ricigliano (2005), is to improve the lives of the local populations who are victims of the conflict. Experiences of engagement with NSAG's have been documented to address a whole range of issues such as the need to arrive at ceasefire agreements, ensuring humanitarian access to

conflict-affected communities, promoting respect of IHL, or securing the demobilization of child soldiers. The conduct of engagement can take several approaches. These include the conduct of "humanitarian negotiations" with leaders of armed groups (Bessler and McHugh, 2006) and "capacity building" to prepare members and leaders of armed groups to engage in peace processes (Ricigliano, 2004). Human rights NGOs conduct monitoring and public denunciation of abuses by NSAGs to exert pressure on the latter, for the latter to comply with human rights standards.

Following closely Ricigliano's (2005) definition of "engagement," the entities engaged with or involved with NSAGs in the act of engagement are operationally defined by, and referred to in this report in the following terms: actors, partners, networks, and engagers.

The outcomes of the "International Forum on Armed Groups and the Involvement of Children in Armed Conflict," identified some approaches used by international and local actors in engaging armed groups, to prevent and protect children from recruitment and use by NSAGs. These approaches include the following:

- Direct engagement through dialogues between an NSAG and an interested party;
- Conduct of "naming and shaming" or the dissemination of reports on child rights violations and high-profile denunciation of violators;

- Mobilization of community actors, including women, children and youth, to take action against NSAG violations, abuse and exploitation;
- Conduct of human rights education aimed at building confidence, opening dialogue on child protection, and supporting capacities of NSAGs to institutionalize child rights norms.

Based on the experiences of SEASUCS partners and networks, the following approaches have emerged as those that have been employed by them:

1. COMMUNICATION AND COORDINATION

Partner organizations have approached leaders and members of NSAGs through oral or written communications to inform the latter about the partners' planned activities, objectives, content of programs, and to elicit the latter's feedback and support for these programs. One partner, for instance, informs the armed group/s operating in their areas of their activities prior to the conduct of these activities. There are also activities (i.e., Peace Forum) initiated by network organizations in which representatives from the NSAGs were invited as panelists or resource persons.

Dialogues with NSAGs have also been undertaken. A network organization has used this mode in one of its areas where it used the provisions of CARHRIHL in a dialogue with local leaders of the NPA so that where the NPA is present, the network could still access communities to deliver services and assistance to the indigenous people in the area. After they had verbally reached agreement points with the network, some of the members of the NPA even attended the education on indigenous peoples rights given by the local partners of the network organization.

Communication and coordination result in the NSAGs' awareness of, and sometimes participation in the activities of the NGOs in areas where both are present. At times, these have helped in identification of key persons in the NSAGs for

the partner NGOs to coordinate with, in relation to activities to be launched by the NGOs. The NSAGs also provide input to the NGOs on how to conduct themselves while in the area. Further, some engagements of NGOs are done in coordination with organizations which are associated with specific NSAGs.

2. PROVISION OF BASIC SERVICES

Poverty and lack of opportunities are some of the factors that push children to join NSAGs. Providing direct services such as educational opportunities and healthcare support, in coordination with NSAGs, has been identified as a strategy to address this problem and prevent the recruitment and use of child soldiers. In many cases, organizations have coordinated with NSAGs in areas where an NSAG exerts influence. The first engagement of a Philippine-based network with the MILF was through the Days of Peace Campaign launched in 2007. The Days of Peace Campaign was initiated by a network in coordination with the Office of the Presidential Adviser on The Peace Process and the Department of Health. The Days of Peace was a campaign to provide services to children and women in conflict-affected areas. The general idea behind the Days of Peace was for it to be a revolving campaign in which certain days were designated to provide essential services to children in these conflict areas. According to the network, since the delivery of health services was tangible, it was a very effective first phase which opened avenues for further engagement with the MILF.

This engagement of the network with the MILF was formalized with the signing of a Joint Communiqué, signed by the MILF chairman and the network representative, which declared the observance and respect for Child Rights and jointly looked for extraordinary ways to protect and provide services to women and children in conflict-affected areas.

Services related to education have also been provided by networks and partner organizations. The longer term engagement of the network with the MILF is through the development of the *Taduriyah* (Islamic Pre-School), a curriculum which is envisioned to be used by the Madrasas.

In Aceh, Indonesia, a partner has, since 1997, initiated alternative education which targets displaced children and children involved in armed conflicts as students. The implementation of the educational program was said to have involved coordination with the GAM.

3. INFORMATION DISSEMINATION, WORKSHOPS, AND TRAINING WITH NSAGS AND AFFECTED COMMUNITIES

Partners and networks have conducted a series of activities aimed to raise awareness and understanding of human rights and IHL among members of NSAGs.

Some have conducted capacity-building activities by teaching skills in the areas of training, research and advocacy, and by providing technical support in developing child protection policies. In some cases, organizations have developed curricula in partnership with the NSAGs' education or public information committees, aimed at institutionalizing children's rights in the education system run in NSAG-influenced communities.

Another engager uses this mode in close coordination with organizations associated with the NSAGs. Contents include human rights, international humanitarian law, with specific focus on the Convention on the Rights of the Child, and relevant Optional Protocols. A result of the workshop of a partner with RPA/ABB was the formation of OK Negros (*Organisasyon sang Kabataan sa Negros*, loosely translated as Children's Organization in Negros) among the aims of which is to prevent children from joining any armed group.

Yet another partner organization conducts workshops and training the participants of which are leaders and members of the NSAGs they are working with, the children and the youth from the communities where these armed groups are present. Contents of such training include peace, human rights with focus on children's rights, the *OPCRC-AC*, the *Security Council 1612*, and the disarmament, demobilization, reintegration of children. Monitoring and reporting is also a part of some of the workshops done by the latter partner referred to.

4. SECURING DEEDS OF COMMITMENT

Deeds of commitment signed by NSAGs are non-legally binding documents signed either unilaterally by an NSAG or with another organization that has the capacity to monitor and support the implementation of the provisions of these deeds. These documents express in writing that an NSAG respects human rights standards and IHL, that it will undertake measures to protect the rights of children, ensure the prevention of recruitment and use of children, and facilitate the release of children in its custody. Partners and networks mentioned that NSAGs tend to give little regard towards international human rights instruments because they are neither part of the drafting process nor have become parties to these treaties. As such, the deeds of commitment play a crucial role in providing NSAGs a framework for amending their policies and practices to comply with international standards and give civil society organizations an additional tool to promote accountability.

A Philippine-based partner was able to secure a Deed of Commitment from the RPA-ABB in which they declared their policy of non-involvement of children among their ranks. This, in turn, provided the opportunity for another local partner to engage with them through workshops and training.

A partner in the Southeast Asian region was able to secure a Deed of Commitment from the Chin National Front (CNF) in which the NSAG condemned the use and recruitment of child soldiers. The partner now monitors and ensures that the provisions, as embodied in the Deed of Commitment it was able to secure with the NSAG, will be followed. Also, another network in Thailand has been able to secure a Deed of Commitment to Stop the Use of Child Soldiers from the KNU and KNPP.

In 3 March 2009, the leaders of the CNF namely Mr. Paul Sitha, General Secretary of the CNF and Brig. Thomas Thang Nou, Chief of Staff of the CNA signed a deed of commitment concerning the prevention and prohibition of the recruitment of child soldiers. In that

deed of commitment, the Chin National Front affirms and upholds the *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict* (*OPCRC-AC*) and other human rights instruments that prohibit armed groups to recruit, use, or involve children below the age of 18 in hostilities. The CNF also expressed commitment to work in collaboration with international organizations such as the United Nations and other local NGOs to ensure the implementation of the commitment. In that document, the CNF vowed to take, among others, the following actions: *[to]* undertake all feasible measures, including the adoption and strict enforcement of rules and codes of conduct of their members, *[*to*]* prevent the recruitment, involvement, or use of children as soldiers within the CNF/CNA; permit independent third parties to monitor the implementation of their commitments; disseminate the principles and provisions of the *OPCRC-AC* within their own organizations and communities; undertake measures to release or demobilize children within their protections; facilitate the provision of assistance by international organizations and local NGOs to ensure the psychosocial well-being of children within their areas of concern; and develop*[ment of]* a time-bound action to specify the objectives and measures to implement the deed of commitment.

- Summary of Interview with a Partner Organization

5. DEVELOPMENT OF ACTION PLAN BASED ON UN SECURITY COUNCIL RESOLUTION 1612

Most recently, although specific to the UN, the need for engagement with NSAGs has been elaborated on, in the *UN Security Council Resolution 1612*. The *UNSCR 1612* called for NSAGs to engage in dialogues with UN towards developing a time-bound action plan for the release of children who are involved with these groups.

The UN *Security Council Resolution 1612* thus

> expresses serious concern… [and] calls on the parties concerned to develop and implement action plans without further delay, in closecollaboration with United Nations peacekeeping missions and United Nations country teams, consistent with their respective mandates and within their capabilities; and requests the Secretary-General to provide criteria to assist in the development of such action plans. (par. 7)

This resolution puts forward the setting up of a monitoring and reporting mechanism on six identified grave child rights violations in the context of armed conflicts, and directs UN agencies to initiate dialogues with NSAGs towards development of time-bound action plans seeking to prevent the recruitment and use of children in armed conflicts, among others. In the Philippines, the MILF has agreed to engage with a network to discuss issues of child protection towards the development of an action plan.

IV

DEFINING HUMAN RIGHTS EDUCATION WITH NSAGS

VARIOUS ORGANIZATIONS espousing human rights education as an approach towards empowerment and social change, foremost of which is the United Nations, have developed definitions of HRE. According to a UN General Assembly resolution on the "United Nations Decade for Human Rights Education" (*A/RES/49/184*), HRE is considered as a "comprehensive life-long process by which people at all levels in *[sic]* development and in all strata in *[sic]* society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies." The resolution added that "human rights education, training and public information *[are]* essential *[to]* the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace."

According to the Asian Regional Resource Center for Human Rights Education (ARRC), human rights education is

> a participative process which contains deliberately designed sets of learning activities using human rights knowledge, values and skills as content aimed at the general public to enable them to understand their experiences and take control of their lives. (ARRC, 2003)

According to Equitas (2007), an international organization espousing HRE, HRE is defined as "a process of social transformation that begins with the individual and branches out to encompass society at large." HRE, according to Equitas

(2007), involves "the exploration of human rights principles and instruments and the promotion of critical reflection and inquiry." The process seeks to "[inspire *individuals*] to take control of their own lives and decisions that affect their lives."

From these definitions, we can deduce that the ultimate goal of HRE is to empower people to contribute towards creating a culture that respects, protects, and defends human rights. It can be viewed as a transformative process to change people's attitudes and behavior and values, and provide them with the knowledge and skills to change systems and structures that are contrary to human rights norms.

Existing human rights standards have stressed the importance of HRE.

The *UN Resolution for the UN Decade for Human Rights Education* is deeply rooted in various instruments, particularly the *UDHR*.

> Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. (*UDHR*, Art. 26.2)

On the other hand, *the Vienna Declaration and Program of Action* adopted during the 1993 World Conference on Human Rights reaffirms that states are duty-bound to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms. It added that

> education on human rights and the dissemination of proper information, both theoretical and practical, play an important role in the promotion and respect of human rights with regard to all individuals without distinction of any kind such as race, sex, language or religion, and thisshould be integrated in the education policies at the national as well as international levels.... (*VDPA*, Part I.33)

The importance of the dissemination of the protective provisions for children becomes more defined in the *OPCRC-AC*. The Preamble of the *OPCRC-AC* encourages "the participation of the community and, in particular, children and child victims in the dissemination of informational and educational programmes concerning the implementation of the Protocol." In addition, Article 6 (2) of the *OPCRC-AC* stresses that "states parties undertake to make the principles and provisions of the present protocol widely known and promoted by appropriate means, to adults and children alike."

International humanitarian law, on the other hand, has also given a mandate towards the education and dissemination of humanitarian standards and norms to parties to conflict and other stakeholders to promote respect and ensure compliance. The *Additional Protocol II to the 1949 Geneva Conventions* states that "this Protocol should be disseminated as widely as possible" (Part V, Article 19).

Specific to HRE with NSAGs, SEASUCS defines this as a continuing process of transformation that combines knowledge, skills, training, and education, to protect and respect fundamental human rights in a manner that promotes the institutionalization of those rights within the organizational structures, policies, and practices of NSAGs. Thus, HRE with NSAGs aims to facilitate reflecting on and re-evaluating existing practices and policies of NSAGs using the principles and perspectives of human rights, child protection, and humanitarian laws in relation to involvement of children among their ranks. Ultimately, HRE with NSAGs should aim to create an environment where children's rights are protected and promoted, thus eliminating their involvement in NSAGs.

In developing this definition, the approaches used by the partner and network organizations were taken into consideration. These approaches include the following:

- Building rapport with communities affected by armed conflicts and where NSAGs are present.
- Identification of local wisdom which could be linked to human rights, child protection, and humanitarian principles;

- Identification of the points of convergence among local wisdom, practices, and the principles of human rights, child protection, and humanitarian laws; and
- Encouragement of the participation and empowerment of local communities to undertake actions to respect, promote, fulfill, and defend the abovementioned principles.

> We work with NSAGs, in particular, to provide education that will hopefully encourage groups to stop recruiting and using child soldiers and to ensure widespread awareness of child rights amongst communities affected by armed conflict. *[The partner]* aims develop a network within the community that would commit to support disarmament, demobilization, and social reintegration of child soldiers.
>
> - Excerpt from an Interview with a Partner Organization

V

PRINCIPLES IN ENGAGING WITH NSAGS THROUGH HRE

THERE ARE principles which are proposed as fundamental values and norms to guide the development, implementation, and evaluation of approaches used to engage with NSAGs. These engagements should consider the following principles.

1. ANCHORED ON CHILDREN'S RIGHTS

The objectives of the engagement process, the messages imparted to an NSAG, and the methodology employed should be guided by the *UN CRC* and the *OPCRC-AC*. In doing so, engagers need to be aware of, and ensure highlighting the principles of the best interests of the child, non-discrimination, survival and development, protection, and participation of children. Children's rights and well-being should be given a primary consideration over other political agenda and strategic interests of both parties involved in the engagement process.

Non-discrimination means that all rights should be accorded to children without distinction. In engagement with NSAGs, this will mean that even as children involved in their ranks are the specific targets, the rights of all children in the community to be protected and not to be involved in armed conflicts are also the focus.

The "best interests of the child" means that any engagement with NSAGs should be assessed to determine its impact on children and whether these actions guarantee the child's security and well-being. Any engagement with armed groups should put a premium on the rights and welfare of children as compared

with any other political or other agenda. Verily, involvement of children in armed groups is not to the child's best interests.

Survival and development are related to the basic rights of the child, specifically to an adequate standard of living including housing, health, and education. However, this is not limited to such, as these rights that ensure survival and development should be interpreted in relation to the child's moral and social development. Involvement of children in armed groups, irrespective of the functions they perform, is in contrast to this principle as it puts children at varying degrees of risks whereby the requisites for their survival and development are compromised.

In relation to engagement initiatives with NSAGs, it should always be ensured that children are viewed as participants and not just beneficiaries of these initiatives. The views of children should be considered in all engagement efforts and these views should be given weight and accorded importance.

Child protection means that in engaging armed groups, the ultimate objective is to guarantee and protect the children's right to life and to ensure their survival and development. There is a realization that addressing children's involvement in armed conflict requires the need to address other child protection-related issues. As such, a comprehensive child protection framework is proposed. A Rights-Based Child Protection

> looks at what rights are being violated, by whom, and what combination of advocacy will remedy or alleviate the situation for the long term recovery of individuals, families, and communities. Rights based child protection is about encouraging and empowering people to claim their rights. (Child protection in emergencies: An inter-agency module package, 2007)

Rights-based child protection should integrate all the basic needs of survivors into a holistic planning process. Further, it should provide a long term goal towards which all work is

directed and a set of standards to measure the progress of the work. It aims to identify the responsibilities of governments, donors, private sector, communities, and individuals to bind them to action.

Involvement of children in armed groups is identified as one of the major protection issues of children in a situation of armed conflicts. In the general context of emergencies (i.e., not limited to armed conflicts), the other child protection issues include: physical violence and abuse, sexual and gender-based violence, psychosocial distress, HIV and AIDS, family separation, exploitation, and rejection and discrimination.

Non-discrimination is elaborated on Article 2 (1) of the *UNCRC* as:

the State parties shall respect and ensure the rights set forth in this present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's, or his or her parents or legal guardians' race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or any other status.

The "Best Interests of the Child" is articulated by Article 3 (1) of the *UNCRC*:

in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Survival and Development is outlined in Article 6 of the *UNCRC*:

State parties recognize that every child has the inherent right to life, and shall ensure to the maximum extent possible the survival and development of the child.

Children's participation is mentioned in Article 12 of the *UNCRC*:

State parties shall assure to the child who is capable of forming his or her own views, the right to express those views freely in all matters affecting the child, the views of the child are given due weight in accordance with the age and maturity of the child.

Child Protection as a concept can be grounded on Article 19 of the *UNCRC*

to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child....(Article 19)

The protection of children is also closely linked with the "right to life" provided for in Article 6 of the *UNCRC*.

2. GUIDED BY INTERNATIONALLY RECOGNIZED HUMANITARIAN PRINCIPLES

The conduct of engagement should be guided by the principles of humanity, neutrality, and impartiality. These principles are accepted by, and guide various international organizations, including in the conduct of humanitarian work.

The principle of humanity encompasses the recognition of the responsibility to offer and provide assistance, specifically focusing on vulnerable sectors which include children, among others. Organizations engaging with NSAGs must maintain their ability to obtain and sustain access to all vulnerable populations and to negotiate such access with all parties to the conflict.

Organizations which are engaging with NSAGs must ensure their organization's neutrality and impartiality by ensuring that they do not support, condone, or justify the political objectives or agenda of any NSAG. Neutrality and impartiality do not justify impunity and do not mean inaction on clear human rights violations; rather these stress the accountabilities of both governments and the obligations of the NSAGs in relation to protecting and promoting human rights in general. These also do not undermine the need for advocacy and local negotiations whenever there are clear violations of human rights or IHL done by an NSAG.

> There is a risk of compromising the principles of neutrality and impartiality in dealing with NSAGs whenever an NSAG tries to cover up the human rights abuses it has perpetrated by giving importance *[to]* the need to address the human rights violations committed by the state. In the case of Aceh, one respondent cited that views of the GAM are biased because the said group only recognizes children who were attacked by the government armed forces as victims that require assistance. The respondent added that if they argue for the protection of and the provision of support for victims of abuses perpetrated by GAM an agreement with the said NSAG will be difficult to achieve.
>
> - Communication with an Indonesian Partner

3. CONSTRUCTIVE ENGAGEMENT

Engagement with NSAGs should be done in the context of constructive engagement. Constructive engagement requires that such engagements should not be imposing, unilateral, nor coercive, but rather are persuasive, consultative, and allow opportunities for particular NSAGs to reflect on and initiate changes in their policies and practices.

NSAGs should also be viewed as partners in the envisioned change process. Organizations intending to engage NSAGs need to take on the role of being a facilitator of change by helping an NSAG— including communities surrounding an NSAG— to undergo critical analyses of their situation, practices, and policies using human rights and humanitarian principles. These organizations should assess the capacity and commitment of the NSAGs to protect children within their areas, and offer feasible support, such as through provision of knowledge and technical skills, aimed at strengthening their capacities toward developing policies and enhancing practices to address the rights of children in their areas.

4. COORDINATED EFFORTS AMONG STAKEHOLDERS

Intended changes cannot be done by partner organizations alone, and it might be that these are not the only organizations engaging with NSAGs. Coordination between and among stakeholders and other organizations engaging with NSAGs, for the protection and promotion of the rights of children in conflict areas, is necessary to reinforcing key messages, identifying gaps in terms of engagements, pooling resources, sharing information, and implementing follow-up actions to protect the rights of children.

It is important to note that organizations have their own mandates and specific areas of expertise that can limit their engagement with NSAGs and limit their implementation of follow-up work beyond HRE and advocacy. Thus, partner organizations that have expertise in areas of livelihood development, psychosocial support, and legal services should be

involved. There should also be involvement of local organizations which have knowledge about, and can play an important role in understanding the local culture and the social dynamics that reinforce or counter work to protect children's rights.

One aspect of child protection, in relation to programming, is a high level of coordination among NGOs, INGOs, and other actors who are aiming to respond to the situation of children in emergencies.

> Communication, cooperation, coordination, information sharing and transparency among all those involved– from the community level to the national institutions and international organizations– in preventing the association of children with armed forces or armed groups and supporting their release, providing protection and reintegrating children are essential at all times. This must be done in compliance with the respective mandates and working modalities of those involved. *Paris Principles*, Paragraph 3 (26)

5. GENDER RESPONSIVE

Women and girls should be involved in the conduct of engagement initiatives. It is necessary to obtain their perspectives on the issue of child soldiers, on the existing prevailing practice and views of members of armed groups on children, and in identifying measures needed to address the issue.

Organizations conducting engagement should involve leaders and members of women's groups working in communities where NSAGs have a base and probably, control. The engagement should have clear outcomes that would benefit the rights and well-being of girls, including addressing the unequal power relations they face within their own community.

> During a workshop in Mindanao, one organization posited the observation that Bangsamoro women participants exhibited a more progressive stance on the issue of

children involved in armed conflict compared *[with]* their male counterparts. While male participants justify the involvement of children as a religious and community obligation they have to fulfill, the women participants consider the involvement of children in hostilities as very dangerous and that as mothers they would prefer their children to stay at home or continue their studies. Given the position of women on the issue, it would be important and helpful to include their perspectives and enhance their capacity as change agents.

- Excerpt from an Interview with One Partner
Organization from the Philippines

6. INVOLVING AFFECTED COMMUNITIES

It has been established that NSAGs are deeply rooted in communities. As a consequence, armed conflicts also affect communities. Thus, these affected communities have a crucial role in helping organizations which intend to engage an NSAG, to understand the factors behind the recruitment and use of child soldiers. They have knowledge about the local culture and mechanisms that can be used to either reinforce the practice of child rights violations or to change these practices. Community members, including children and youth, have direct contacts with, and the capacity to influence the attitude and practices of NSAGs.

Participation of the communities enhances the sense of ownership among stakeholders and actors involved in the engagement process and its outcome. One concrete positive outcome of participation is that it will raise interest among civil society, as well as among children themselves, in monitoring and evaluating the outcomes of engagement.

VI

APPROACHES TO CONDUCTING
HRE WITH NSAGS

BASED ON THE recommended definition of HRE as discussed in the previous section, the following characteristics can be identified to describe the methodology of conducting learning activities such as training and workshops involving NSAGs and community members: participatory, dialectical, and transformative. These characteristics are reflected in the experiences of partners and networks which have engaged with NSAGs.

PARTICIPATORY

Engagement with NSAGs should be participatory. The importance of participatory engagement has been established and reinforced in the previous sections. The value of using participatory approaches to training, especially for the themes and contents of human rights, international humanitarian law, and child protection, is anchored on various arguments.

Human rights, international humanitarian law, and child protection are part of the engagers' experiences; more specifically, these are also part of the experiences of the target audience. For the most part, when the themes which partners want to discuss and espouse are discussed, the target participants would think of these as abstractions which they should not concern themselves with. However, human rights, international humanitarian law, and child protection directly affect everyone's daily life and thus, are not abstractions. These issues and themes must be looked at from the target participants'

experiences and realities and these must be analyzed from their perspectives. More often, the notion of something participatory is viewed as a process where target participants are kept busy with group activities. However, "participatory" should be viewed as a process to help target participants develop an analytical stance towards their experiences and situations.

The themes of human rights, international humanitarian law, and child protection involve norms and values. Even as the standards in these themes are evolving, they are also specific most of the time. The standards set in HR, IHL, and child protection which partners want to espouse, are in conflict with some of the realities and experiences of their groups. An example of this is the non-involvement of children in armed conflicts, which does not conform to some NSAGs' practices that put in another context the reasons why children get involved (e.g., protection of family and communities). These conflicts and questions should spark a reflection and rethinking of values. Participants need to be active in coming up with the answers to these conflicts as these are their shared experiences. Answers should arise from participatory discussions and eventually, should be developed and expressed as resolutions. The activity of engagers should spark reflection.

DIALECTICAL

Even as HRE programs and activities draw largely from the prior knowledge and experiences of participants, it is necessary to introduce sets of ideas and knowledge derived from existing theories or from the actual experiences of, and lessons learned by other groups. The process of introducing a new perspective helps participants to reflect on their current attitude and practices and compare these with other people's or groups' interpretations or analyses. The process of reflection, according to Yeban (2003), creates changes by making learners become self-aware of formerly unrecognized assumptions on life and reality, and how these are consistent or inconsistent with human rights principles. The ultimate goal of the learning process is

to change the learners' behavior not by imposing a new set of standards but by helping them understand and instead value the common points between their previously-owned experience and the new knowledge gained about human rights.

One partner from Burma said that, "by knowing their *[own]* rights, people begin to value their lives and desire *[for]* a more meaningful existence." In Indonesia, partners have shared that armed groups use the concept of "Jihad," as a religious obligation, to rally support from communities, including children and young people, to fight against the government. In their conduct of engagement, the partners used local wisdom and religious tenets to help NSAGs understand that their practice of sending children to fight is against religious obligations to protect children from harm as well as contrary to human rights principles.

> "Children are exempted from military jihad obligation, unless it is a real dire emergency situation *(al-dharurah).* However, every Muslim child, male and female alike, is obliged to attend schools and seek knowledge. The Prophet Muhammad (pbuh) strongly states: '*Seeking knowledge is obligatory upon every male and female Muslim.'* The Prophet (pbuh) is also quoted to say: '*Seek knowledge and get education from the cradle to the grave.'* Islam teaches its followers to protect, respect, and educate their children who God has bestowed to them as means to comfort their heart, as process to create *[the]* next good generation and as *[the]* medium to test Muslims' faith and actions."
>
> - Information from an Academic from Indonesia

In the Philippines, a local partner organization highlighted during engagement discussions this statement made by a child from one conflict affected community in the Province of Maguindanao. *"I would tell others of the danger of holding guns and [the] beauty of holding pens, and that carrying books is lighter and easier than carrying firearms."*

TRANSFORMATIVE

The ultimate goal of HRE is to transform attitudes, behavior and in general, the culture of an NSAG and its surrounding communities and integrate the value of HRE into their culture and practices. HRE aims not only to change personal attitudes and behavior but also to facilitate structural changes within the organizations or communities. These structural changes can be manifested through changes in policies, or in creation of mechanisms that make an NSAGs or a community capable of respecting and protecting children's rights. This is the reason why it is necessary for organizations to include sessions aimed at developing skills in various fields of human rights promotion and protection, including advocacy, monitoring, direct services, and knowledge of child rights principles.

5
Apply in action

4
Practice new strategies and plan for action

1
Start with the experience of the participants

2
Look for patterns

3
Add new information and theory
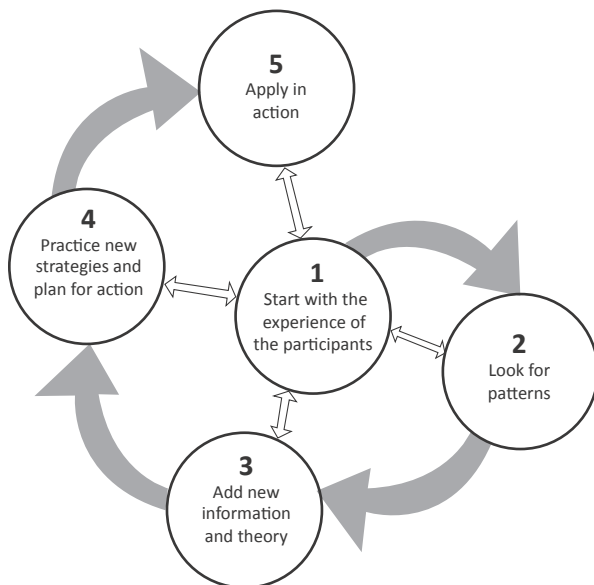
THE SPIRAL MODEL: A GUIDE FOR DESIGNING TRAINING

(After Equitas – International Center for Human Rights Education, 2007, p. 26.)

THE SPIRAL MODEL: A GUIDE FOR DESIGNING TRAINING

The "Learning Spiral" is the model used by Equitas (2008) in planning its human rights training. This model takes into account the principles of effective adult education and participatory approaches.

From the experiences and knowledge shared by the participants as a group (1), they analyze these experiences and knowledge by looking for similarities and patterns (2). To add to, and systematize the experience and knowledge of the participants, new information and theory from resource persons are added or new ideas are created collectively by the participants themselves (3). Participants will then actualize and put their new learning and reflections into action. They need to practice new skills, develop strategies, and plan for action (4). After the training activity— usually when they are back in their own organizations— participants will actualize and put into action these learning and reflections (5). Reflection and evaluation are already built into the training design.

This model is presented in this paper as a possible guide to developing learning activities by organizations which are already engaged with or are planning to engage with NSAGs. This guide is also consistent with the characteristics of being participatory, dialectical, and transformative.

The Spiral Model values the knowledge and experiences of the participants, and it should be the basis of learning. This educational approach is learner-centered. This will also provide the means for the participants and the facilitators to level off on topics which will be covered during the activity. This aims to reinforce the self-esteem, self-confidence and the development of a positive and realistic self-concept of participants. This will prevent the imposition of the knowledge being brought in by partner organizations.

VII

GUIDELINES ON PLANNING HRE WITH NSAGS

THIS SECTION shall discuss guidelines that can be used to help organizations which intend to plan or design a strategy employing HRE as the means to engage NSAGs. These guidelines were derived from the experiences of, and lessons learned by SEASUCs networks and partners who are engaged with NSAGs.

1. FAMILIARIZATION WITH THE NSAG

It is necessary to know the characteristics and be familiar with the NSAGs which partner organizations will engage with. It is necessary for any organization which will engage with NSAGs to know the ideologies and causes of the latter. These can range from religious, to political, to cultural. It will also be necessary to be familiar with the political structure of the NSAGs. This also includes knowing the areas of influence/constituency of the NSAG.

Prior to the start of an engagement process, it is necessary to study the background and nature of the concerned NSAG. Based on the partner's experiences, such a study will require information on the following: the political objective of an armed group; the ideology espoused; codes of conduct; positions on HR and IHL concerns; organizational structure; background information on their leaders; extent of influence (territorial reach); relationships with other NSAGs; relationship with civil society; and reaction towards pressure from the international community. These points of information will help an NGO develop its advocacy messages and devise the strategy to employ in the engagement process.

In Burma, one partner organization noted that NSAGs in the area have the following characteristics: gained local community support among ethnic groups for defending their identities and territories; established better collaboration with other ethnic and democratic forces; concerned with the perspectives of international communities; and recognized media as a very important tool to highlight their struggle. Given this general assessment, their organization employed a multi-pronged approach to HRE. They have conducted HRE activities employing civil society groups in territories where NSAGs exert influence. They have used media as a means of communication to reach out to leaders and members of NSAGs, such as through the issuance of press releases. They have also involved international organizations and NGOs in the conduct of dialogues with civil society groups and NSAGs.

2. DEVELOPMENT OF A CHILD RIGHTS SITUATIONAL ANALYSIS

The conduct of engagement with NSAGs should start with a comprehensive child rights situational analysis. Such analysis should provide the basis for planning, including setting of objectives, of the activity or program of organizations, as this ensures that the activity or program is anchored on thorough information, and thus, necessary and relevant.

A child rights situational analysis involves the gathering and collection of necessary information in order to comprehensively assess what needs to be done to improve the situation of children. This will help identify key issues which need to be addressed, priorities which need to be set, and decisions on appropriate choices among a set of available actions to take. Such a document will discuss the present state of children's rights in relation to the NSAGs. This will guide the initiative/s of the organization in its planned engagement with the NSAG and communities since this will be a basis for the assessment of the situation of children in relation to NSAG and communities.

According to Save the Children (2008),

> a CRSA essentially looks at the situation through the rights lenses, with a clear focus that children (and adults claiming rights on behalf of children) should be able to claim their rights entitlements provided to them in international and national laws and that duty bearers are accountable to fulfill these rights.

In developing a CRSA, it should be ensured that the views of the child are respected and given due importance, and that the CRSA is conducted using the principle of non-discrimination.

A child rights situational analysis should look into the following: what rights are being violated or are not being fulfilled; the immediate and root causes of these violations; and the prevailing legislative, implementation, and cultural practice environments. A CRSA should also be able to identify duty-bearers and other actors and the children's rights issues which these actors are accountable and responsible for. The views of children should be sought out and be given respect and recognition.

A good children's rights situational analysis includes the following aspects and the different kinds of information that fall under these (Save the Children, 2008):

a) Identification of child rights issues – the problems that need to be addressed and the specific rights that are being violated.

b) Institutional Framework of Analysis – existing policies, norms, and standards aimed to respect and protect the rights of children.

c) Analysis of Immediate and Root Causes - the immediate and root causes of rights violations in order to guide policies and program.

d) Analysis of Gender and Power – power imbalances between men and women in decision-making and access to resources, as well as the discrimination faced by women.

e) Responsibility Analysis – a mapping of duty bearers and stakeholders who are involved, or can be tapped potentially, to ensure the safeguarding of children's rights, managing of information concerning the impact of their work, honoring the commitments they have issued, and seeing possible obstacles that may arise due to their involvement in programs.

A child rights situational analysis is not a one-time activity. A CRSA should change over time for it should be reflective of changes in trends, issues, and practices. To begin with, the development of the CRSA could already be a form of engagement with the NSAG since much of the information needed for this would necessarily come from them.

3. SETTING OF OBJECTIVES

In planning an HRE program for NSAGs, one important part of the process is the defining of the objectives. Objectives serve as the guideposts to help the engager understand the changes it wants to achieve and the needed process to achieve these changes.

If a situational analysis is not a one-time activity, more so is an HRE not a one-time activity. It is part of a series of various training or other advocacy approaches employed to engage with an NSAG. As such, defining objectives should go beyond identifying immediate output. It should go into thinking about how the process and the immediate output contribute to the long-term changes these objectives intend to achieve. Hence, in developing objectives, the following elements should be considered: output, outcomes, and impact.

> OUTPUT which is defined as short-term results which are the immediate, visible, concrete, and tangible consequences of program/project activities
>
> OUTCOME is defined as medium term results which are the consequences of achieving a set of outputs. This

is generally the level where the end-users take ownership of the program/project.

IMPACT is the long term results that are the consequence of the achievement of outcomes.

Based on the previous definition of "objectives" set by HRE, it is apparent that the ultimate goal of HRE is to transform a person or a group's behavior and make it consistent with HR norms. HRE addresses this by targeting the three areas of change: knowledge, skills, and attitude. The following matrix provides examples of objectives used by SEASUCS' partners and networks:

LEVELS	KNOWLEDGE	SKILLS	ATTITUDES
OUTPUT	▪ Engagers will be able to raise the awareness of NSAG leaders and members on children's rights ▪ Participants will be able to cite protective provisions against involvement of children in armed groups using relevant international and domestic instruments	▪ Participants will be able to identify practices of their group not consistent with children's rights ▪ Participants will be able suggest ways to monitor these violations	▪ Participants will have an enhanced appreciation of children's rights ▪ Participants will put a premium on child protection in situations of armed conflicts ▪ Participants will reflect on their policy and practice environment using the principles of children's rights

LEVELS	KNOWLEDGE	SKILLS	ATTITUDES
OUTCOME	▪ Participants will be able to identify possible entry points of children's rights in the training of officers and members	▪ Participants will be able to develop tools for monitoring violations of children's rights ▪ NSAGs will be able to integrate children's rights in their statements and policies ▪ Participants will be able to develop structures/ mechanisms to ascertain non-involvement of children among their ranks.	▪ Participants will be able to help develop Deeds of Commitment ▪ Participants will be able to coordinate, whenever applicable, with stakeholders for the protection of children in conflict situations
IMPACT	▪ Institutionalization of child protection standards in all the policies of the NSAG ▪ Inclusion of children's rights in peace negotiations	▪ NSAGs should be able to practice the child protective provisions of their policies ▪ NSAGs should be able to	▪ Non-recruitment into/ Non-involvement of children in the NSAGs ▪ Demobilization of CIAC

LEVELS	KNOWLEDGE	SKILLS	ATTITUDES
		program the monitoring of the implementation of these policies and standards ▪ NSAGs should be able to enhance their capacity for handling and treatment of children during armed conflicts	

4. AWARENESS OF AND FLEXIBILITY TO RESPOND TO THE PEACE AND SECURITY SITUATION

The status of peace negotiations and active armed conflicts between government and NSAGs needs to be carefully studied as this would have an implication on the engagement with NSAGs. One possibility is that if hostilities were to erupt, child rights concerns that are advocated, as well as requests for engagements through HRE, might be sidelined by issues perceived to be more urgent or serious. In this case, it might be necessary to explore other approaches to engagement apart from HRE.

Whether the conduct of HRE can take place at all phases of the conflict (i.e., pre-conflict, actual conflict, and post-conflict) is a concern. Based on experiences of partners, it is possible;

however, the content and form would vary depending on the situation. During the pre-conflict phase, an HRE approach would focus on conflict prevention and mitigation of HR or IHL violations. Peace building or conflict resolution workshops involving various sectors in conflict affected communities could be cited as examples. During actual conflict when training per se might not be feasible, sending messages involving media could be thought of as an approach in order to pressure parties in conflict to arrive at a ceasefire and to remind them of their HR and IHL obligations, including the non-use of children in hostilities. Considering that direct contact with combatants might be less possible, HRE should tap other forms of media such as community radio to air combatants' grievances, opinions, and recommendations for action. During the post conflict phase, HRE can be designed in a way that it supports the implementation of a peace agreement. In Aceh, for example, organizations have engaged with GAM leaders who were eventually elected as local government officials. The strategy employed by these organizations includes mainstreaming into a local government, and at that level, institutionalizing local government policies and programs addressing a broad range of child rights concerns that were not originally spelled out in the 2005 peace agreement.

5. SUSTAINING COMMUNICATION AND COORDINATION WITH THE NSAG AT ALL LEVELS

A consultation at all phases of the engagement process is very important. This will help clarify the issues that need to be resolved, understand the positions of both parties on the issues being addressed, and develop messages and an approach that will not be perceived as a form of imposition or control. Consultations will provide avenues for the organization to identify points of entry into how NSAGs' respect for HR, IHL, and child protection can be advocated by the engagers.

A formal communication with the leadership is necessary considering that many NSAGs have a "top-down" structure

and decision-making process. Partners working in Burma and in the Philippines have to conduct face to face meetings with the leadership of the NSAGs, usually with those involved in military affairs, in order to inform NSAGs about the partners' interest to conduct an HRE activity and in order to obtain permission to directly involve members among the NSAGs' ranks. In the Philippines, formal communications with the leadership of NSAGs were facilitated by a local partner organization which has direct contacts and good rapport with the NSAGs concerned.

Although commitments have been generated through communications with top-ranking leaders, there was an observation that these are not usually disseminated effectively within the various levels of the NSAGs structure. In Burma, a partner organization observed that one problem why deeds of commitment were not fully implemented by NSAGs concerned is the non-awareness and appreciation of the content and implications of these instruments among members at the ground level.

Top-level leaders of NSAGs do not usually participate in the conduct of training or workshops. Based on the partner organizations' experiences, NSAGs would send deputy officials to give welcome remarks or to observe the process. It was deemed necessary to maximize interactions to remind them about previous agreements or commitments given by their officials.

During the conduct of an HRE activity, an NSAG would usually send a delegation composed of field personnel who are involved in both politically-related command and direct combat positions, for example political officers or members of their intelligence force, as well as those involved in direct combat functions. It also is necessary to include in the content of the activity some messages aimed at reminding them about the commitments made by their leaders.

When engaging with members of NSAGs, it should be ensured that the leaders are aware of such engagement initiatives in order not to sow misunderstanding and possibly dissent within their ranks. This is also in recognition of, and in order not to undermine the leadership and structure of the NSAGs.

6. INVOLVING AFFECTED COMMUNITIES

A very good understanding of the issues affecting communities should be ensured. It will also be helpful to engage with organizations affiliated with the NSAGs should actual engagement with the NSAGs be limited or worst, should engagement not be possible.

NSAGs obtain their legitimacy and support from members of communities where they exert influence. As such, it is deemed necessary to inform the affected communities and actors/structures based in these communities about the objectives and updates concerning the engagement process. Communities should be involved in the conduct of consultations with NSAGs, and involve them in the conduct of HRE activities. Apart from training with leaders and members of NSAGs, partner organizations in the Philippines and Burma also engaged non-government organizations, women's groups, and youth groups through dialogues and through conduct of education sessions. Involving communities has a strategic advantage because these communities can serve as advocacy partners who can support the process of changing the policies and practices of the NSAGs they support, and who can also monitor the status of implementation of commitments issued by NSAG leaders.

Developing contacts in the community facilitates the partners' conduct of engagement with them.

However, involving communities needs to be handled carefully. In conflict areas, it is difficult to distinguish among individuals who are members of armed groups, those who are supporters of NSAGs, or those who are simply civilians. However, there have been cases of human rights violations committed by armed forces, such as arbitrary arrests or extra-judicial killings involving civilians who were identified as members of NSAGs. There is a need to take extra precaution in order to ensure the security of community actors involved in the engagement process. In some cases, it would be useful not to distinguish and brand an HRE activity as something specific for NSAGs if civilians are also likely to be involved.

7. CONSIDERATION OF THE PREVAILING POLITICAL AND CULTURAL CONTEXT IN ENGAGEMENT

The status of peace negotiations as against active armed conflicts between the government troops and the NSAGs should be considered when engaging with NSAGs.

Even if some of the engagements with NSAGs are not in the context of ongoing peace negotiations, the connection cannot be denied. If something goes wrong with the peace negotiations, it will have a major impact on these engagements. Also, if an active armed conflict between the state troops and the non-state armed groups were to erupt, some of these engagements might be sidelined in relation to urgency and security.

Change in leaderships, both in the government and the NSAGs may also change the complexion of these engagements. If the leadership changes, the supportive policies given to some of these engagements might not be prioritized, and some might even change.

This would also include using politically sensitive semantics. Terminologies used in these engagements with NSAGs have also proven to be a challenge, specifically in the Philippines. Earlier, the term "child soldier" was being used by the partner NGOs and yet the reality of actually having them among their ranks was denied by the leaders of the NSAGs. This closed the possibility of engagement with them. Thus the term Children Involved in Armed Conflicts (CIAC) is presently the more favored term as it captures the actual reality that most of them are not performing soldiering functions. This term, in contrast to "child soldiers," has also proven to be the more acceptable one to the NSAGs.

Respecting the culture of the NSAGs and the communities is necessary. Partner organizations should observe the cultural and religious practices of the communities. This is important to ensure the security of the trainers and also to build good rapport with NSAGs. Cultural sensitivity has to be reflected in the content of the training, the methodology, and the ethical practices of the trainers. In order to ensure cultural sensitivity, a background check on the NSAGs, as well as consultations with local NGOs,

needs to be undertaken. Partner NGOs should be conscious of specific cultural and religious norms and practices, including the language used during the engagement process.

Based on the experiences of partners in Burma, there is resentment among ethnic communities towards trainers who are of Burmese origin. Ethnic community members also perceive the Burmese language as the language of the military junta, and as such, could create fears among the NSAGs that the trainers might be military infiltrators.

Based on the experiences of partners in the Philippines, activities involving individuals from Muslim-communities need to consider the following: the flexibility of the activity schedule to observe schedule of prayers; the reduced or minimized interactions between men and women; the wearing of appropriate clothing; and the expression of solidarity through sharing of meals or group singing.

8. AWARENESS OF ORGANIZATIONAL MANDATE AND EXPERTISE

The mandate and track record of partner organizations will definitely affect the possibilities of engaging with NSAGs. An organization which plans to engage with armed groups on HR, IHL, and child protection should be an organization which has a track record in these areas. This will establish the credibility of the organization with the NSAGs and open possibilities for engagement.

It is imperative that organizations have a record of impartiality and neutrality. Transparency is also very essential. Partners should be transparent about their agenda as engagers, in this case respect for human rights and IHL towards child protection. All these will result in the NSAGs' having trust and confidence in partner organizations. Corollary to this, partner organizations should not make false promises just so engagement can be started. Engagement should be aligned with the mandates of the partner organization.

9. STRIKING A BALANCE BETWEEN CAPACITY-BUILDING INTERESTS OF NSAGS AND AGENDA TO PUT FORWARD RESPECT AND PROTECTION OF CHILDREN'S RIGHTS

Engagement should be done with mutual consent. Engagement can only happen in an environment where both parties agree on the engagement. This should not be a process which is forced on the NSAGs.

In the conduct of engagements with NSAGs, partner organizations should be inclusive and open to the suggestions and ideas of the NSAGs. Engagers should not just make unilateral decisions.

Consultations all throughout the engagement with the NSAGs are very important. This will identify the issues which NSAGs want to discuss and will prevent the imposition on them of what the engagers or partner organizations want to do. Consultations will provide avenues for the organization to identify possible entry points for HR, IHL, and child protection.

While there is a need to conduct needs assessments to determine the knowledge and skills requirements of NSAGs, and while it is important to avoid imposing on them what the partners want to do, there is however a need to put forward the agenda of an engager, i.e., to ensure respect and protection of the rights of children in conflict areas. In order to address this, it might be necessary for engagers to conduct a child rights situational analysis at the start of the engagement. A child rights situational analysis can be a good entry point for a dialogue which will identify the problems and the areas which both NSAGs and the partner organizations can jointly address. The child rights situational analysis can also help determine the capacities needed to address problems that surface, which engagers in turn can take into consideration in formulating their HRE program.

Organizations also need to be creative in developing advocacy messages that reflect a common agenda as those of the NSAGs. In developing advocacy messages, it is necessary

to review the previous statements issued, commitments, or agreements entered into by the NSAGs and use them as references. In the Philippines, one of the messages employed during the discussions is that respect and protection of the rights of children in conflict-affected areas, including preventing them from being involved in hostilities, help cultivate the human resources required to sustain post-conflict rehabilitation and reconstruction and ensure the development of conflict-affected communities.

10. ENSURING SAFETY AND SECURITY OF ENGAGERS

In deciding to engage NSAGs, partner organizations should consider the security implications of their activities on both the trainers and the target participants. Conducting a security analysis is necessary in order to identify potential or actual threats and to develop interventions, including protection measures, to guarantee the safety and security of those involved in the process of engagement. In cases where there is an ongoing peace process between conflicting parties, coordination must be done with both the NSAGs and relevant government agencies in order to inform them both about the conduct of HRE-related activities and to gain direct contacts that can be tapped in case security-related problems occur. Also, an NGO partner should maintain and uphold the principle of neutrality in order to avoid either being perceived by government forces as a sympathizer of an NSAG, or being identified by the NSAG as a government collaborator or an "infiltrator."

Security, not only of the staff of partner organizations but also of the NSAGs, should be ensured. Partner organizations should ensure that the security of both their staff and the members of the NSAGs they are engaging with will not be compromised since might be necessary to hold activities relating to the organizations' engagement in the camps or areas of the NSAGs.

Further, sometimes it is not ideal to mix NSAGs which belong to different groups. Unless this is specifically the objective of

the engagement, it would be best to engage with different NSAGs separately. This will prevent possible security concerns from cropping up. The engagement can therefore be focused and effective, as the engagers are talking only with one NSAG at a time.

11. SUSTAINING AND PROVIDING OPPORTUNITIES FOR FOLLOW-UP ENGAGEMENTS

Engagement with NSAGs should be sustainable and programmed effort rather than an activity done only once. In developing an HRE program, both parties should be conscious of how the activity contributes to the larger objective of ensuring the protection and promotion of the rights of children in conflict areas and what the necessary follow-up steps to guarantee this objective should be. There should also be mechanisms and processes to monitor the implementation of any action plan developed and of commitments/agreements issued by NSAGs.

Based on the experiences of partners, a range of follow-up activities can be considered: sustaining communication with the leadership of NSAGs to acknowledge their openness to the process of engagement and to inform them about the results of the activities; engaging others sectors within the structure of the NSAGs, such as women, youth, academics, or religious leaders; and developing standards and tools such as training modules on specific child rights themes. It is necessary for an organization to understand that HRE is just one approach within the entire range of possible approaches to engaging NSAGs. The use of other methods should be considered.

Specific to training and workshops, participants from the NSAGs have exhibited enthusiasm during the actual conduct. This, however, wanes after the partner NGO leaves the area. This experience illustrates that it is necessary to ensure sustained engagement with NSAGs.

Engagement should be flexible, adapting to the context and the conditions of the communities and the NSAGs. Rigidly structured engagements might not be applicable at all times. Feedback will ensure that partner-motivated activities and engagement will be improved and made more appropriate, therefore effective.

Engagers should have follow-up activities to monitor implementation of agreements and learning. For engagement that is programmed towards sustainability, it is necessary to facilitate monitoring of the practice of the NSAGs.

VIII

GUIDELINES ON EVALUATING HRE FOR NSAGS

"After the training on CARHRIHL and Peace, significant changes had been noted in terms of personal, structural, relational*[,]* and cultural using the four dimensions of changes and conflict transformation as a framework to assess the impact of our *training*[s] to the lives of individuals and organizations in the communities. First, *[at]* the personal level, individuals became more assertive of their rights *[as]*… human being*[s]*. In the process of asserting these rights, the armed groups directly become aware of the rights of the other persons, especially that of the community members. Secondly, *[at]* the structural level, relationship*[s]* in the community *[became]* organized *[;]* marginalized groups have now access to structured leadership so that they can voice out their opinions and advocacies for human rights and peace.

This…*mean[s]* that leaders of indigenous communities get to directly engage with, and are now recognized by local government units…and the leadership of armed groups. Another example of structural change is that these leaders' capacity to lead *[their]* community and *[directly]* engage both armed groups into dialogue *[is]* more prominent by complimenting CARHRIHL *[according]* to its indigenous mechanisms, structures, and beliefs. In *[the]* relational aspect, the community members became more open and confident to discuss their rights and had been… in conversation or sharing or re-echoing of the results of the training to other community members and thus harnessing its unity within the group/community which can contribute in building the confidence of the whole community in engaging…armed groups."

-Excerpt from an Interview with a partner NGO from the Philippines

EVALUATION is defined as a process of "determining the value or worth of something." The evaluation of the effect of engagement with NSAGs— in this case, the training conducted for them by partners— is as important as conducting learning activities is.

In relation to training, evaluation could include evaluating the training itself, the instructional materials used, or the overall goals that training intended to achieve. Specific to the purposes of this paper, for instance, evaluating the value or worth of engagement with NSAGs will help engagers continuously refine and improve their programs.

Even as the practice of engagers is to conduct evaluation only after training, Equitas is espousing that "continuous improvement is the essence of evaluation." Equitas defines educational evaluation as "a systematic activity of gathering information to guide us in making our decisions to improve our training activities to make our training more helpful and useful." Therefore, evaluations should not only be conducted at the end of engagement activities but should also be an integral part of the development and conduct of partner and network training.

These improvements and adjustments would largely be based on the feedback and information partners have gathered to guide them to what needs to be done and what direction training should take. Evaluation of their training is primarily to guide engager organizations in how to constantly improve the quality and impact of their programs.

Viewed from the Continuous Cycle of Improvement Model (Equitas, 2008) evaluation activities can be represented as a continuous flow from planning, using needs assessment as an evaluation type; development, using a formative type of evaluation; implementation, using a summative type of evaluation; follow up, using an impact and transfer type of evaluation – and back again to the planning stage.

It is important to note that in this model, making a distinction between the formative and the summative evaluations is largely arbitrary. All evaluation is formative because it generally leads to changes to a program.
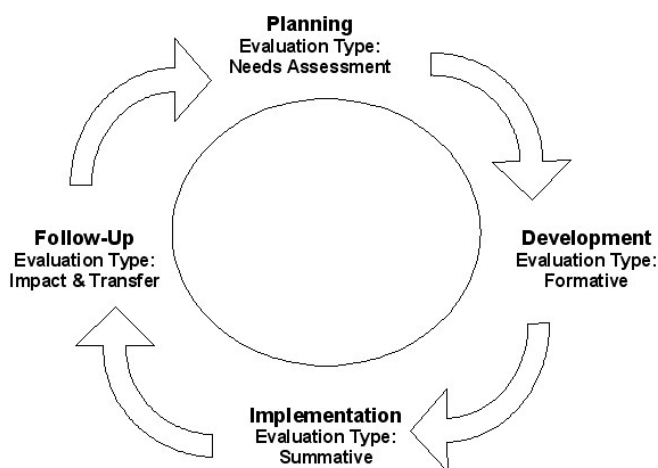
The Continuous Cycle of Improvement Model

(After Equitas – International Center for Human Rights Education, 2007, p. 134.)

NEEDS ASSESSMENT

Needs Assessment is the form of evaluation which is conducted at the planning stage or even before partners develop their training program. An evaluation activity is done with various respondents including the target participants. This will map out the expressed training needs of the target participants and make training responsive to those expressed needs.

An example of a needs assessment evaluation is training needs analysis (TNA) which is usually implemented to target participants prior to the design of the training and actual conduct of the activity. A TNA, in general, seeks to map out what the participants already know, what they want know or what they are interested to gain knowledge about, all of which reflect their present level of awareness/knowledge of the themes which engagers plan to discuss in their training.

The conduct of a child rights situational analysis, as aforementioned, is part of this needs assessment that is also

a useful process to determine the knowledge and skills needs of NSAGs or target communities in helping them fulfill their responsibilities to respect, protect, and promote children's rights.

To be able to objectively assess the level of awareness and knowledge of target participants, a pretest can be implemented prior to the conduct of a training activity. A pretest is usually in the form of a questionnaire which should be answered by participants prior to the activity.

FORMATIVE EVALUATION

While developing the training program, a formative evaluation is done to make sure the program is on the right track. The formative evaluation guides the discussion of partner organizations' decisions on how to design training with the NSAGs. This will be highly informed by the results of the TNA and the partners' organizational objectives.

A formative evaluation could take the form of a validation activity in which the program design is presented to some target participants to generate their feedback on the appropriateness of the training design.

Another formative evaluation could be the "End of Session Assessment" which could be implemented either at the end of every session or at the end of every day for the duration of training. This would provide a basis for adjusting the training design should assessment reflect that it is necessary to do so.

SUMMATIVE EVALUATION

After training with the NSAGs, summative evaluations are carried out to determine whether the objectives of the engagers' educational activity were met, to measure the effectiveness of training, and to determine whether that particular training will be implemented again by the engagers.

This type of evaluation can be conducted at the end of the entire training. One method of conducting a summative

evaluation is by letting the participants answer a post-test. The post-test can be a questionnaire that will be answered at the end of the session. Coupled with a pretest, this method, when used, can help the trainers determine if there has been a change in the level of understanding of concepts and issues related to the covered topic.

IMPACT ASSESSMENT

Impact assessment is the type of evaluation which is conducted after a considerable period of time to determine whether or not, in the longer term, the program had an impact on the participants' work. Impact assessment is utilized to see if transfer of learning occurred and whether the long term goal has been achieved and how HRE has contributed to this.

An impact assessment can be done a year after the HRE program has been implemented. This can be done through the conduct of interviews or focus group discussions involving the participants of the HRE activities as well as other stakeholders in the community concerned, e.g., leaders of NSAGs, leaders of civil society groups, media, and youth groups.

The changes in relation to legal, policy, practice, and traditions environment should also be reflected in the partners' updated CRSA.

USING INDICATORS

It is suggested that organizations come up with indicators which will help measure progress towards achieving results. An indicator is defined as a means of measuring actual results against planned or expected results in terms of quality, quantity, and timeliness. Indicators must be directed to the result they are measuring. Indicators can be either qualitative or quantitative measures. Quantitative indicators can include the number of people involved; the number of training activities; number of villages, towns or communities covered; number of sectors engaged; and number of materials produced (ARRC, 2003).

Qualitative indicators, on the other hand, can include change in people's values and attitudes; enhancement of knowledge; enhancement of skills; increased capacity to conduct follow-up work; and actual follow-up work undertaken to improve the human rights situation (ARRC, 2003).

Some sample indicators are:

LEVELS AND KINDS OF INDICATORS	QUANTITATIVE	QUALITATIVE
OUTPUT	• Number of participants who attended the activity • Number of action plans developed • Number of follow-up activities identified	• Change in perceptions of participants • Contents of action plans developed • Contents and quality of follow up activities • Formation of structures/ committees specific to children's concerns
OUTCOME	• Number of statements issued by NSAGs citing children's rights • Number of materials produced by NSAGs relevant to children's rights	• Contents of popular materials produced, statements, and Deeds of Commitment reflective of children's rights • Analysis of events using human rights framework

LEVELS AND KINDS OF INDICATORS	QUANTITATIVE	QUALITATIVE
	• Number of Deeds of Commitment produced by NSAGs	• Community involvement in monitoring and documenting child rights violations
IMPACT	• Number of demobilized children • Number of children staying in camps of NSAGs	• Process of demobilization referral of CIAC to concerned entities • Adoption and enforcement of policies prohibiting the recruitment of child soldiers • Action plans developed in relation to UNSC 1612

IX

SUMMARY

This research presented the experiences, lessons learned, and good practices of the organizations and individuals who participated in the study in relation to their engagement with NSAGs. Even as recommendations have been shared and generated in the body of this research, it is not the intention of this paper that these recommendations be taken as the only approaches to engaging with NSAGs. It should be noted that these organizations continuously plan, design, implement and evaluate, and modify their HRE work with NSAGs. The intention of this research is to provide an impetus for further discussing HRE with NSAGs.

The following are the summary points generated from the discussions in the previous sections:

- Non-state armed groups are part of the equation in the discourse of children involved in armed conflict. Further, protection and promotion of children's rights can best be achieved by involving all stakeholders. Thus, it is necessary to engage with NSAGs in the advocacy of non-involvement of children in armed conflicts. These engagements should be inclusive and constructive.
- Concepts, principles, and guidelines on conducting human rights education for NSAGs are rooted in international human rights instruments, notably the UDHR and the OPCRC-AC. International humanitarian law also stresses the importance of disseminating humanitarian norms and policies among parties to the conflict and to communities affected by armed conflict. This is not to say that HRE is the only

approach to engaging with NSAGs but it is one of the approaches which could be used towards the collective goal of non-involvement of children in armed conflicts.

- Human rights education for non-state armed groups is defined as the continuous process of transformation that involves knowledge, skills, training, and education, all geared towards protecting and respecting fundamental human rights in a manner that promotes the institutionalization of those rights within the organizational structures, policies, and practices of NSAGs. The ultimate aim of HRE in NSAGs is to create an environment where human rights, including children's rights, are respected, promoted, and protected within the organizational structure of the NSAG and the communities supportive of, or influenced by the NSAG.

- HRE should be viewed as one of the approaches in a gamut of approaches and perspectives in engaging NSAGs. It is important that there should be, at a minimum, contact with the NSAGs to discuss, convey positions and recommendations on the current situation affecting children. In situations where direct engagement with NSAGs is not be possible (i.e., in situations of ongoing conflict), various media such as radio, should be maximized.

- HRE aims not only to facilitate changes in personal attitude and behavior of individual members of an NSAG or the surrounding communities. It also aims to facilitate structural changes, including changes in policies, enforcement of existing policies consistent with international HR standards, and the creation of mechanisms that make an NSAG or a community capable of respecting and protecting children's rights.

- Engagements with NSAGs through HRE should be guided by child rights principles, notably, the best

interests of the child, non-discrimination, survival and development, protection, and children's participation. Organizations need to put primary consideration on the need to promote and protect these principles among NSAGs over other political agenda and interests.

- It should be realized that most likely, partners, networks, and engagers are not the only organizations working in conflict related themes. It is therefore important to involve all stakeholders in planned engagements with NSAGs through HRE. This will ensure coordination, avoid duplication, and fill in the gaps in the needed actions. Involving the communities affected by armed conflicts will not only ensure participation but it will also result in the communities' ownership of the activities and perhaps, the sustainability of these activities. The leadership of NSAGs should always be informed of any initiative which will be undertaken by engagers or partner organizations with the NSAGs.
- There is no singular module or template which can be used uniformly across all NSAGs in the conduct of HRE. Partner organizations should design their HRE activities and programs depending on the existing realities and context, the mandate and capacity of the organization, and the expressed capacity needs of the NSAG and desired changes, among other considerations. However, it is important that the content include the following: relevant international human rights and humanitarian standards; local wisdom and values that reinforce international human rights; and humanitarian standards and skills needed in the area of human rights promotion and protection (e.g., monitoring, advocacy, and education).
- The methodology should be participatory, dialectical, and transformative. For an HRE engagement with an

NSAG to be participatory, it should start from the experiences of the participants and how they view their situations. It also involves sharing of concepts and theories such as human rights and humanitarian standards in order to elicit or provoke deeper analysis of, and reflection on how these concepts and theories relate with the participant's experiences and situations. It seeks to affect the learner's perspective and corresponding changes not by imposing new standards but by facilitating these changes towards the eventual respect for, and compliance with human rights standards and humanitarian law, both at the individual and collective levels.

- It is important to evaluate the engagement of partners with NSAGs through HRE. Evaluations should be conducted during the different phases of engagement with NSAGs. Evaluation should guide the partners in the identification of issues, planning and designing, and actual conduct of engagement with the NSAGs. Evaluation provides a sound basis for the necessity, appropriateness, and effectiveness of the engagement with NSAGs. Evaluation can be done by using qualitative and quantitative indicators. The intention of the evaluation process is to track and ensure that engagement activities contribute to the attainment of the desired objectives, and to the measurement of results, outcomes, and impact of the HRE engagement with an NSAG. Further, evaluation can be an avenue for planning future actions.

X

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XI
APPENDICES

APPENDIX A

Sample Activity and Discussion Outline
on Children's Rights

(This is a sample activity and discussion outline used by a non-government organization during a human rights education activity in a conflict-affected area in the Philippines. Used with permission. All rights reserved.)

OBJECTIVES:

At the end of the session, the participants are expected:
1. To be able to identify children's rights as outlined in the UNCRC;
2. To be able to identify current practices which are in accordance with or violate of children's rights;
3. To generate ideas on how children's rights can be protected individually or as a group.

MATERIALS:

Chart with a list of rights stipulated in the UNCRC
Metacards
Masking tape

ACTIVITY: "MATCHING GAME" (ONE HOUR)

1. Group the participants into two (2) groups, with a maximum of 10 members for each group.
2. Ask each group to write down on metacards the rights of children that they are already familiar with.

3. Ask the participants to post the metacards beside a covered chart that contains the provisions of the UNCRC.
4. Uncover the chart that contains children's rights covered by the UN Convention on the Rights of the Child (UNCRC)
5. Ask one representative of each group to go in front and check which child rights they wrote matches those identified by the UNCRC.
6. The group that has the most number of checked (matched) children's rights with the UNCRC's list wins.

PROCESSING QUESTIONS:

1. What realizations did you gain from the activity?
2. Are there similarities between participants' understanding of children's rights and those that are contained in the UNCRC? How are these similarities put into practice in the organizations/ in the group?
3. Are there differences between the participants' understanding of children's rights vis-à-vis the UNCRC's stipulations? What are the reasons behind these differences? Can these differences be resolved?

INPUT: Principles and provisions of the UN Convention on the Rights of the Child (30 minutes)

The trainer can discuss the UNCRC by highlighting the following:
- Structure of the UNCRC
- Principles of the UNCRC: best interest of the child, non-discrimination, survival and development, and participation

- Categories of rights under the UNCRC: survival rights, development rights, protection rights, and participation rights.
- Obligations of states, community leaders, and parents.

SYNTHESIS (30 MINUTES)

After the input, the facilitator can end the session by asking the participants about the following:

- What aspects of the UNCRC are relevant to their personal lives?
- How can he/she respect, protect and defend that right in his/her family, community, or organization?
- What kind of help does he/she need in his/her actions to respect, protect, and defend children's rights within the family, community, or organization?

APPENDIX B

Sample Evaluation Form

(This sample evaluation form was used to determine the feedback of the participants of a workshop who are mostly members of an NSAG. The form can be distributed to the participants and accomplished by them at the end of workshop, or can serve as a discussion guide for the facilitator during the "End of Session Assessment." Used with permission. All rights reserved.)

1. What can you say about the topics discussed? Please include your assessment and suggestions for each theme/topic.

   Here you can enumerate the themes/topics covered by your training. Please ensure that you enumerate all the topics/themes covered by your training. Examples:

Topics	Assessment	Suggestions for Improvement
Principles of Human Rights		
Children's Rights		
Children's Rights Situational Analysis		
Action Planning		

2. In general, what can you say about the methodologies used for the entire training?
3. How did you find the activities used for the topics in terms of relevance, comfort level, appropriateness?
   Here you can enumerate all sessions and the corresponding activities used for each session.

Topics	Title of Activity	Comments
Session One: Introduction to Human Rights Session Two: Children's Rights Session Three: Children's Involvement in Armed Conflicts	Example: Group Definitions/ Brainstorming	

4. What can you say about the resource persons?
   Here, you can enumerate the topics and the
   corresponding resource person
5. What can you say about the participants?
6. What can you say about the logistical preparations
   for the activity?

   Venue_____

   Kits and materials _____

   Food_____

   Accommodations _____

7. What are your suggestions to improve the
   workshop?

   Topics _____

   Methodologies _____

   Resource Persons _____

   Logistics and Preparations _____

8. Was the workshop relevant to you? How?
   At the Individual Level:
   At the Organizational/Community Level:

9. What were your realizations after the workshop?
10. What follow-up activities would you like to
    propose?

APPENDIX C

Sample Evaluation Test

(This test can be used both as a pretest and a post-test to determine the change on the level of the participants understanding and appreciation of children's rights. This test may be conducted before and after an HRE session focusing on children's rights to determine whether there has been a change on the participants' understanding of the topic. Revising this sample test is highly encouraged to tailor-fit the contents with the objectives of the training. For example, if the session is on the OPCRC-AC, more questions can be asked concerning the said instrument. Used with permission. All rights reserved.)

1. WHAT ARE THE FOUR GUIDING PRINCIPLES ENSHRINED IN THE UN CONVENTION ON THE RIGHTS OF THE CHILD?

   ANSWER: Non-discrimination; best interests of the child; survival and development; and participation

2. ACCORDING TO THE UN CONVENTION ON THE RIGHTS OF THE CHILD, A SEVENTEEN-YEAR OLD GIRL IS NO LONGER A CHILD. TRUE OR FALSE?

   ANSWER: False. According to Art. 1 of the UNCRC, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

3. ACCORDING TO THE UN CONVENTION ON THE RIGHTS OF THE CHILD, A CHILD LIVING IN THE CITY IS ENTITLED TO HAVE MORE RIGHTS THAN A CHILD LIVING IN A RURAL AREA. TRUE OR FALSE?

   ANSWER: False. According to Art. 2 of the UNCRC, all rights apply to all children without exception.

4. ACCORDING TO THE UNCRC, DOES A 10-YEAR OLD BOY HAVE THE RIGHT TO KNOW ABOUT THE LAWS TO PROTECT CIVILIANS IN ARMED CONFLICT?

ANSWER: Yes. Article 13 of the UNCRC guarantees the right of children to express himself or herself orally, in writing or in other media; to seek, receive, and impart information and ideas of all kinds. However, this right can be restricted as required by law to ensure the respect of the rights or reputations of other people, and to protect national security, public order, public health, and public morals.

5. A FOURTEEN-YEAR OLD GIRL CAN BE RECRUITED BY THE GOVERNMENT ARMED FORCES. TRUE OR FALSE?

ANSWER: False. According to Art. 38(3) of the UNCRC, states shall ensure that no child below 15 shall be recruited into the armed forces.

6. CAN A SEVENTEEN-YEAR OLD BOY BE RECRUITED BY AN ARMED GROUP FIGHTING AGAINST THE GOVERNMENT?

ANSWER: False. Article 4 of the OPCRC-AC says that armed groups that are distinct from government armed forces should not recruit or use in hostilities children below the age of 18 years.

7. A MEMBER OF THE MILITARY ARRESTED A SEVENTEEN-YEAR OLD CHILD WHOSE FATHER IS REPORTED TO BE THE SON OF A HIGH-RANKING LEADER OF AN ARMED GROUP FIGHTING AGAINST THE GOVERNMENT. THE CHILD'S FATHER WAS REPORTED TO HAVE COMMITTED SERIOUS HUMAN RIGHTS ABUSES. DUE TO NATIONAL SECURITY CONCERNS, DOES THE MILITARY HAVE THE RIGHT TO TORTURE THE BOY TO GIVE INFORMATION ABOUT THE WHEREABOUTS OF HIS FATHER?

ANSWER: False. Article 37 of the UNCRC states that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Article 40 (2) (b) (iv) says that every child alleged as, or accused of having infringed penal law, has the right not to be compelled to give testimony or to confess guilt. In the first place, the child has not been accused of infringing penal law; and even if is alleged to have infringed penal law, has the right not to give testimony or confess guilt, especially in an extrajudicial or summary proceedings such as a military debriefing. In any case, a universal principle of human rights is that being subjected to torture, regardless of the age of the victim of such, is a human rights violation.

8. ACCORDING TO THE UNCRC, WHAT ARE THE AIMS OF EDUCATION?

ANSWER: Right to education is a human right of all children. Article 29 of the UNCRC says that education of children shall be directed to: a) development of the child's personality, talents and mental and physical abilities to their fullest potential; b) development of respect for human rights and fundamental freedoms, and for the principles enshrined in the UN Charter; c) development of respect for the child's parents, his/her own culture, language, values and identity, and cultures, language, values and identity different from his/her own; d) prepare a child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality and friendship; e) development of respect for natural environment.

9. CHILDREN HAVE THE RIGHT TO REPORT VIOLATIONS THEY HAVE EXPERIENCED. TRUE OR FALSE?

ANSWER: True. Article 12 of the UNCRC guarantees the right of the child to express views freely in all matters affecting the child with due consideration of the child's age and level of maturity. The same article guarantees the right of the child to be heard in any judicial and administrative proceedings affecting the child, either directly or through a representative or an appropriate body.

10. A SIXTEEN-YEAR OLD GIRL IS A MEMBER OF
    AN ARMED GROUP FIGHTING AGAINST THE
    GOVERNMENT. SHE WAS INJURED AND CAPTURED
    DURING THE CROSS-FIRE WITH THE GOVERNMENT
    ARMED FORCES. DOES SHE HAVE THE RIGHT TO ASK
    FOR MEDICAL ASSISTANCE FROM THE GOVERNMENT
    SHE IS FIGHTING AGAINST? YES OR NO?

ANSWER: Yes. Article 39 of the UN CRC says that the state has an obligation to ensure that child victims of armed conflicts, torture, neglect, maltreatment, or exploitation receive appropriate treatment for their recovery and social reintegration.

The right of the child to seek assistance is also based on the fact that even as she is a member of an armed group who was caught and injured in the crossfire, she is nonetheless a victim of war.

About the Southeast Asia Coalition to Stop the Use of Child Soldiers (SEASUCS)

Established in 2002, SEASUCS is a network of national and regional human rights, child-focused and humanitarian organizations working in Burma/Myanmar, Indonesia and the Philippines, that is proactively advocating the protection of children who are involved in armed conflicts in the Southeast Asian region.

SEASUCS works to ensure that communities, governments, and non-state armed groups in the region respect and implement relevant human rights instruments to end, to prevent the recruitment and involvement of children in armed conflict, and to ensure their effective demobilization and reintegration.

SEASUCS seeks to develop a community of young people in the Southeast Asian region sharing common values and ideals on peace, respect for human rights, and sense of solidarity to support the aspirations of other young people affected by armed conflict.

SEASUCS is being led by a steering committee composed of the following organizations:

- Human Rights Education Institute of Burma (HREIB)
- Yayasan KKSP Center for Child Rights Education and Information (KKSP)
- Balay Integrated Rehabilitation Center for Total Human Development (BirthDev)
- Psychosocial Support and Children's Rights Resource Center (PST-CRRC)
- Philippine Human Rights Information Center (Philrights)
- Amnesty International Pilipinas (AIP)
- Asia Pacific Regional Resource Center for Human Rights Education (ARRC)
- Child Workers in Asia (CWA)