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GRAZ - INNSBRUCK - KLAGENFURT - LINZ - SALZBURG - VIENNA

Commission on Human Rights (CHR)

**" In War as in Peace: Defending Human Rights in Times of
Armed Conflict"**



Commission on Human Rights

Honourable delegate,

Distinguished observer,

On behalf of the Secretary-General and the entire **VIMUN 2005** staff, we welcome you to the Commission on Human Rights.

At a time of such pressing international conflicts, it is especially important for the members of the international community to sit down together and find comprehensive and specific solutions to problems that challenge international peace and security.

All human beings are born free and equal in dignity and rights. Since its foundation, the United Nations has been working to develop human rights. However, Human Rights standards have little value if they are not followed by concrete measures that ensure their realization. Consequently, the Commission of Human Rights is mandated with examining issues of implementation.

Bearing in mind that children are the most vulnerable group that is subject to Human Rights and acknowledging the fact that times of armed conflict threaten the entrenchment and upholding of Human Rights, Human Rights infringements concerning '**children in armed conflict**' should be understood as a most severe violation necessitating widespread commitment and speedy international responses. Finding cooperative and integrative international answers implies the active involvement of the United Nations; effectively addressing violations of Human Rights implies the commitment of a Human Rights body. Combining these two observations leads us to call upon the work of the **Commission on Human Rights**.

As a dedicated chairteam, it is our dearest wish that you will set new standards by exemplifying the potential of a committee striving for solutions through joint efforts.

Looking forward to seeing you in session!

Kindest regards

Emanuel J M Riccabona
(Chairperson)

Carmen Amelia Gayoso
(Co-Chairperson)

The Chairperson and Co-Chairperson

Emanuel Johannes Maria Riccabona & Carmen Amelia Gayoso are both Model United Nations addicts and always enthusiastic to work on topics of international concern with other skilled and motivated individuals. While Emanuel is studying Law at the University of Vienna, Carmen has recently received her Honours Political Science Bachelor's degree at McMaster University in Hamilton, Canada, and is starting her Masters in International Relations in Vienna. Both participated in the VIMUN 2004, Carmen representing Canada in the Commission on Crime Prevention and Criminal Justice and Emanuel representing the United States in the Security Council. Both were awarded the Best Speaker. Three months later, both of them participated in a joint Crisis Committee at the Oxford International Model United Nations, which was the first one of its kind in Europe, where they competed against each other. Furthermore Carmen had her MUN debut at the CANIMUN 2004 and headed the McMaster delegation for the CANIMUN 2005 while Emanuel participated in the Harvard National Model United Nations 2005. The two of them first met at the City Hall Reception at VIMUN 2004, and based on the impact the whole conference had on them, they are very much looking forward to leading the delegates in creative and successful committee sessions and to sharing the unique experiences of the VIMUN 2005.

The Commission on Human Rights

The Commission on Human Rights was established by ECOSOC resolution 5 (I) of 16 February 1946. It is the main body established to promote and protect Human Rights. The Commission meets in annual and, if required, special sessions and reports to the Economic and Social Council (ECOSOC). This committee is composed of 53 States and meets in regular session in March/April for six weeks in Geneva. Over 3,000 delegates from member and observer States and from non-governmental organizations participate. During its regular annual session, the Commission adopts about a hundred resolutions, decisions and Chairperson's statements on matters of relevance to individuals in all regions and circumstances. It is assisted in this work by the Sub-Commission on the Promotion and Protection of Human Rights, a number of working groups and a network of individual experts, representatives and rapporteurs mandated to report to it on specific issues.

Working groups

From time to time the Commission identifies areas in which existing standards need to be further developed to confront new and growing concerns. Working groups are established to reinforce human rights in these areas.

Standard-setting and implementation

One of the most important tasks entrusted to the Commission has been the elaboration of human rights standards. In 1948 it concluded work on the landmark Universal Declaration of Human Rights. Since then it has developed standards relating, inter alia, to the right to development, civil and political rights, economic, social and cultural rights, the elimination of racial discrimination, torture, the rights of the child and the rights of human rights defenders.

All States that accept these standards are obliged to implement the rights they entail and to report regularly to international bodies set up to monitor their compliance.

Advisory services and technical cooperation

Where problems are identified, the Commission can take action to address them. It regularly requests the Office of the High Commissioner for Human Rights to provide assistance to Governments through its programme of advisory services and technical cooperation in the field of human rights. This assistance takes the form of expert advice, human rights seminars, national and regional training courses and workshops, fellowships and scholarships, and other activities aimed at strengthening national capacities for the protection and promotion of human rights.

What does the Commission on Human Rights do?

One of the most important tasks entrusted to the Commission has been the elaboration of human rights standards. In 1948 it concluded work on the landmark Universal Declaration of Human Rights. Since then, it has developed standards in relation to the right to development, civil and political rights, economic, social and cultural rights, the elimination of racial discrimination, torture, the rights of the child, the rights of human rights defenders. All States which adhere to these standards are obliged to implement the rights contained therein and to report regularly to international bodies set up for the purpose of monitoring compliance.

During its regular annual session, the Commission adopts about 100 resolutions, decisions and Chairperson's statements on human rights matters in all regions and circumstances which are to be implemented by the Governments of the Member States of the United Nations, the Office of the High Commissioner for Human Rights and, in some cases, other United Nations bodies as well.

The Commission regularly identifies areas where existing standards need to be further developed to confront new and growing concerns. In 2004 the work continues in relation to additional standard-setting in the areas of: the rights of indigenous populations; enforced disappearances; and economic, social and cultural rights.

MEMBERSHIP OF THE COMMISSION ON HUMAN RIGHTS
(Country & end of current membership term)
(2005)

1.	Argentina	2005
2.	Armenia	2007
3.	Australia	2005
4.	Bhutan	2006
5.	Brazil	2005
6.	Burkina Faso	2005
7.	Canada	2007
8.	China	2005
9.	Congo	2006
10.	Costa Rica	2006
11.	Cuba	2006
12.	Dominican Republic	2006
13.	Ecuador	2007
14.	Egypt	2006
15.	Eritrea	2006
16.	Ethiopia	2006
17.	Finland	2007
18.	France	2007
19.	Gabon	2005
20.	Germany	2005
21.	Guatemala	2006
22.	Guinea	2007
23.	Honduras	2006
24.	Hungary	2006
25.	India	2006
26.	Indonesia	2006
27.	Ireland	2005
28.	Italy	2006
29.	Japan	2005
30.	Kenya	2007
31.	Malaysia	2007
32.	Mauritania	2006
33.	Mexico	2007
34.	Nepal	2006
35.	Netherlands	2006
36.	Nigeria	2006
37.	Pakistan	2007
38.	Paraguay	2005
39.	Peru	2006
40.	Qatar	2006
41.	Republic of Korea	2007
42.	Romania	2007
43.	Russian Federation	2006
44.	Saudi Arabia	2006
45.	South Africa	2006
46.	Sri Lanka	2005
47.	Sudan	2007
48.	Swaziland	2005
49.	Togo	2007
50.	Ukraine	2005
51.	United Kingdom	2006
52.	United States of America	2005
53.	Zimbabwe	2005

In addition to these regular member states we will also have three observers participating in the sessions:

Amnesty International (AI), the **Human Rights Watch** and the **OSCE**

Introduction to the issue

Since the World Summit for Children in 1990 the United Nations has increasingly sought to draw international attention to the horrendous plight of children affected by armed conflict. Today, in more than 36 countries around the world, children are the innocent victims of armed conflict. In these internecine wars, vast numbers of children have been maimed, raped, or slaughtered in partisan conflicts. Many others have been displaced from their homes and separated from their families. Children have been recruited as child soldiers and exploited as cannon fodder. Children have been cheated of the chance to go to school, to play in the fields, and to be raised within a peaceful environment protected by elders.

Statistics

- *6 million children injured in the last decade due to war*
- *2 million child deaths in the last decade due to war*
- *13 million internally Displaced Children*
- *300,000 Child Soldiers*
- *10,000 victims of Landmines every year*
- *10 million child refugees*

The Secretary-General appointed Mr. Olara A. Otunnu as his Special Representative for Children and Armed Conflict in September 1997. In announcing the appointment, the Secretary-General underscored the urgent need for a public advocate and moral voice on behalf of children whose rights and well-being have been and are being violated in the context of armed conflict.

Progress to date

Over the past five years, the Special Representative, Olara A. Otunnu, has developed various activities under the mandate, working together with governments, the Security Council, UN agencies, regional organizations and NGOs. These activities have concentrated on Advocacy and awareness-raising, strengthening norms, placing children on the international peace-and-security agenda, forging collaboration with regional organizations and NGOs, and developing initiatives for Mainstreaming the agenda. The collective endeavours have resulted in tangible progress, including a number of milestone achievements.

- Awareness and Advocacy have increased greatly.
- Children have been placed on the international peace-and-security agenda.
- International norms and standards have been strengthened.
- Important steps have been taken to develop more systematic monitoring and reporting of violations of norms and standards.
- Warring parties have made concrete Commitments to respect children's rights.
- Child protection provisions have been incorporated in peacekeeping mandates, training and reports.
- The role and deployment of Child Protection Advisers in peacekeeping operations have been established.
- Regional organizations have integrated child-protection into their own agendas.
- Children's issues have been incorporated into peace negotiations and peace accords.
- Children are receiving higher priority, focus and resource-allocation in post-conflict policies and programmes.
- Consensus has developed on a framework for the protection and participation of children in judicial tribunals and truth-seeking processes.
- A certification scheme has been established to curb trade in 'conflict diamonds.'

- A major movement of Advocacy and programme activities has developed among NGOs.
- The role and importance of indigenous protective cultural norms have received renewed attention and focus.
- Increasingly, children themselves are participating in building peace.
- A research consortium on children and armed conflict has been established.
- Many local initiatives for Advocacy and protection have been developed.
- Mainstreaming of this agenda has taken hold in many institutions and mechanisms, within and outside the UN.

Key elements of the mandate

- **Assess** progress achieved and difficulties encountered in strengthening the protection of children in situations of armed conflict
- **Raise Awareness** and promote the collection of information about the plight of children affected by conflict
- **Encourage the development of networking and foster international cooperation** to ensure the protection and rehabilitation of children affected by conflict

The Office does not operate programs directly but works with UN agencies such as UNICEF (United Nations Children's Fund), UNHCR (United Nations High Commissioner for Refugees), and DPKO (Department of Peacekeeping Operations) and with non-governmental organizations that do have programs in particular countries and conflict areas.

Middle East

The Middle East has been a hotbed for violations of Human Rights due to the numerous armed conflicts in the region during the past decades. Many countries adopted western governmental structures but have not respected the need of Human Rights as a fundamental component of their systems. Entrenched Human Rights are needed to secure basic freedoms and values, and to ensure the people's protection from possible abuse of governmental powers by the state.

The Commission on Human Rights is faced with the task of tackling various conflicts of the above nature in many countries throughout the world. In order to facilitate a comprehensive and effective solution to the problem, we will focus on a specific region, the **Middle East**.

The following countries or areas are especially affected and will be the main focus of the negotiations of our body:

Developments in the occupied Palestinian territory and Israel

The continued Israeli-Palestinian conflict has had a deep impact on the lives of children. Both Palestinian and Israeli children have been exposed to high levels of violence, including killing, maiming and injury. In several instances, Palestinian children have been wounded or killed while on the premises of schools run by the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Israeli children have been among the victims of Palestinian suicide bombings and other violence during the reporting period.

Developments in Iraq

Because of security concerns it has not been possible to make a comprehensive United Nations assessment on the situation of children in Iraq. However, numerous other sources have established that many children have been killed or maimed as a consequence of the violence there. Numerous children were killed or injured during air bombings and other military operations carried out by Coalition/multinational forces and Iraqi forces in urban centres. In some cases, access to hospitals was

hindered by such military operations. Children were also the victims of numerous attacks by armed groups. The Iraqi Ministry of Health reported that approximately 125 children had died throughout Iraq as a result of military acts between April and August 2004. Children are also among the many Iraqis abducted for ransom by Iraqi armed groups.

Threats to children posed by unexploded ordnance, landmines and other live ammunition within Iraq persisted throughout 2004; in Baghdad alone, there were an estimated 800 hazardous sites, the majority containing cluster bombs and caches of dumped ammunition.

The unstable security situation in 2004 not only severely constrained the reconstruction of health and educational infrastructure, but resulted in attacks on schoolchildren, schools and hospitals.

Resolution Objectives

To lead the Committee's negotiations towards productive solutions, the following questions should be addressed in any resolution. Some of the specific actions necessary include the following:

- Inclusion of children's concerns in the mandates of all peacekeeping missions
- Member states, which have not already done so, are urged to ratify the relevant instruments, particularly ICC Statute, Optional Protocol, and ILO Convention 182
- Following the establishment of ICC, specific steps should now be taken to ensure that persons responsible for crimes against children will be among the first to be prosecuted in the ICC
- Regional organizations should be encouraged to strengthen their activities for war-affected children, particularly Advocacy, 'neighbourhood initiatives', and monitoring and peer-review
- The victimization of children is often exacerbated by cross-border activities, such as the flow of arms, recruitment and Abduction of children, and the displacement of populations;
- appropriate 'neighbourhood initiatives' should be developed to combat this phenomenon
- Targeted measures should be taken against those responsible for egregious violations against children; such measures should include imposition of travel restrictions on leaders and their exclusion from any governance structures and amnesty provisions, a ban on the export or supply of arms, and restriction on the flow of financial resources to the parties concerned
- Targeted measures should also be taken against those responsible - and other complicit actors - for illicit exploitation of natural resources
- Development and strengthening of local and sub-regional civil society networks, focusing on Advocacy, protection and monitoring, is crucial; this is the best way to ensure local ownership and sustainability; such efforts merit and require enhanced international support
- It is critical to reclaim and strengthen indigenous cultural norms that have traditionally provided for the protection of children in times of war
- Rehabilitation and development of children must become a central component of all post-conflict programmes - investing in children and youth is the best way to ensure long-term peace and deterrence of radical indoctrination that often leads to participation in conflict

Issues surrounding the topic of 'children in armed conflict'

Child Soldiers

Thousands of children continue to be abducted to serve as soldiers, spies, messengers, servants and sexual slaves with armed forces and groups. Poverty, propaganda and ideology also continue to drive the involvement of children in many conflict areas. Children make obedient and cheap soldiers capable of instilling terror in civilians and opposing forces alike. Those who are forced to fight are generally poor, illiterate and from rural zones. Those who volunteer are usually motivated by a desire to escape poverty or are easily lured by appeals to ethnic, religious or political ideologies. Adolescent youth in the throes of identity formation are particularly vulnerable to the lures of combat. Those who survive are often physically injured and psychologically scarred, having lost years of schooling and socialization. When a conflict ends, some are shunned, while others are expected to resume their roles as students, siblings, parents, community members and workers.

Effective prevention will have to be directed at the root causes of children's recruitment and participation in conflict, at particularly vulnerable groups of children at risk for recruitment, and at the recruiters themselves. The United Nations, the international and local communities, and countless non-governmental organizations are working worldwide to reduce poverty, improve educational and vocational opportunities and create avenues for the participation of youth in the development of their communities and countries. In volatile places such efforts are essential to future peace and security.

Small Arms

Civilians now comprise the majority of casualties in current world conflicts. Many of these casualties are caused by small arms or light weapons. Small arms is a catch-all term which includes various weapons such as machetes, rifles, hand-guns, and landmines. Due to their small size they can be used by very young children and are easy to transport. As such, small arms are the weapons of choice in most internal conflicts of today. The proliferation of these arms in areas of unrest fuels deadly conflict and creates conditions where violations of human rights and humanitarian law are rife. Trade in these arms is largely unregulated and embargoes are rarely respected.

Small arms and light weapons are becoming increasingly prevalent in most internal conflicts for a number of reasons: they are widely obtainable, relatively cheap, deadly, easy to use and easy to transport. Unlike major conventional weapons, such as fighter jets and tanks, which are procured almost exclusively by national military forces, small arms span the dividing line between government forces - police and soldiers and civilian populations. And unlike the weapons of earlier eras, which typically required precision aiming and physical strength to be used effectively, ultra-light automatic weapons can be carried and fired by children as young as nine or ten. With the incredible firepower of such weapons untrained civilians and children can become deadly combatants. There is undoubtedly a strong correlation between the easy availability of small arms and the dramatic rise in the victimization of women and children, and the phenomena of Child Soldiers. As increased use of these weapons spreads, the number of child casualties of armed conflict become increasingly attractive as soldiers and arms runners.

Girls in War

There is still little awareness of the extreme suffering that armed conflict inflicts on girls or the many roles girls are often forced to play during conflict and long after. Girls are often abducted for sexual and other purposes by armed groups and forces. They face a variety of threats, including rape and forced prostitution. The work of the Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict and that of the Special Rapporteur on violence against women have drawn attention to the human rights violations, including sexual slavery, which are perpetrated against women and girls in times of armed conflict. The United Nations Population Fund has documented the frequent reports of trafficking in women and girls in Kosovo. During the war in Sierra Leone, women and girls were subjected to systematic rape and sexual abuse. These experiences often result in psychosocial scars, unwanted pregnancies, and sexually transmitted diseases, including HIV/AIDS.

The social stigma attached to girls' experiences makes them reluctant to seek medical assistance or emotional support. They are often not adequately catered for in post-conflict educational and

vocational training opportunities. Their special needs are rarely provided for in demobilization and reintegration programmes. Unaccompanied or orphaned girls are at greater risk of sexual abuse.

The United Nations system is addressing the needs of girls affected by armed conflict in several ways. The Department for Disarmament Affairs, the United Nations Development Fund for Women (UNIFEM), UNICEF, the Office of the United Nations High Commissioner for Human Rights and the Division for the Advancement of Women are collaborating on issues of gender and disarmament and will pay particular attention to the plight of female Child Soldiers. The results of a study by the Quaker United Nations Office on the experiences and needs of female Child Soldiers has provided badly needed information required for programme planning. The training of United Nations peacekeeping staff will include the gender-related provisions of human rights and humanitarian law. Moreover, all United Nations personnel in the field, whether in humanitarian, development or peacekeeping roles, in peacetime or conflict situations, will be expected to adhere to a strict code of conduct that requires dignified and respectful interaction with all elements of the civilian population. Allegations of sexual exploitation or abuse attributed to United Nations personnel will be swiftly investigated.

Displaced children

Millions of people are uprooted as a consequence of armed conflict and human rights violations seeking safety abroad or within their own country. More than half of an estimated 20 million refugees and displaced persons around the world today are children. Currently, an estimated 7.7 million people under UNHCR's care are children below the age of 18. The percentage of refugee children ranges from 57 percent in Central Africa to only 20 percent in Central and Eastern Europe. In most regions, women and girls constitute between 45 - 55 percent of the refugee population.

Displaced children have become the single largest group of concern because the majority of conflicts over the last decade have raged within countries rather than across national borders. Angola, the Democratic Republic of the Congo, Sudan, Liberia and Afghanistan are examples of this trend. The intensification of the armed conflict in Colombia during the first half of 2002 has led to an increase in the numbers of internally displaced, currently estimated at more than 1.5 million of which over 70% are women and children.

Children with their families caught up in the midst of violence seek refuge across the border, in host communities that are already exhausted by the effects of war, or hide in remote jungle areas where they have limited access to health and Education services or regular humanitarian assistance. They are at risk to become direct victims of violence, disease, malnutrition and death. During the flight, children may become separated from their parents and families. Displaced adolescents are especially vulnerable to forced recruitment, Abduction and trafficking. Girls are facing even more danger, as they might become victims of exploitation and sexual abuse.

Landmines

In mined areas, full commerce, agriculture, and freedom of movement cannot be safely undertaken before many months, or years, of mine detection and removal. In the meantime, the return of displaced people and refugees becomes a dangerous and complex task. Children are more frequently exposed to the risks posed by landmines and are less likely to benefit from efforts at mine awareness education. In areas that have been indiscriminately mined, children are at heightened risk of injury and death each time they go out to play, work in a field, walk along a path to gather wood or fetch water. In addition, a mine explosion is likely to cause greater damage to the body of a child than to that of an adult and maimed child survivors require years of medical treatment and psychological support.

The international community has developed several child-focused responses to the problem. The "Child to Child" programme in Kosovo, Federal Republic of Yugoslavia, run by the United Nations Mine Action Coordination Centre, successfully employs games, drama and songs to generate mine awareness among children in high-risk age groups, who are in turn trained to teach their peers about the dangers of mines. Such activities are complemented by the production and worldwide distribution of numerous mine awareness materials, such as comic books, signs, posters, t-shirts, badges, television and radio Campaigns, with messages targeted specifically at children. Mine awareness lessons are presented at schools and community events. Physical rehabilitation, legislative reform and programmatic support are increasingly designed to ensure that child victims of landmines are able to participate fully in family and community life.

The impact on children of illicit exploitation of natural resources

Illicit exploitation of natural resources by parties to armed conflict in war-affected areas adversely affects children by enabling parties to acquire the materials to continue the war and by diverting resources that should be feeding educational and social infrastructures. Reports indicate that children in many resource-rich conflict zones have been forced to work, mostly under terrible conditions, and have also been used as soldiers to protect mining and other extractive operations.

Parties to conflict rely on their ability to exploit local resources and market them abroad, sometimes with the assistance of neighbouring countries or the private sector. In sub-Saharan Africa, the illicit trade in diamonds has fuelled destructive civil wars in Angola, Liberia and Sierra Leone. In Colombia, vast tracts of fertile land have been converted from other crops to drugs to feed a lucrative trade that supports many of the parties to armed conflict in the country. The illicit trade in drugs also featured prominently in Afghanistan's incessant civil war, and continues to fuel civil conflict in Myanmar. In the eastern region of the Democratic Republic of the Congo, parties to armed conflict have established sophisticated operations to exploit gold, diamonds, timber and coltan - an important resource in high-technology industries - and to export those resources illegally across the country's borders. Reports from both the United Nations and local and international non-governmental organizations attest to the scale of this plunder, and the resulting violations of children's rights.

Sanctions

Hundreds of thousands of children suffer the unintended consequences of blunt sanctions imposed on governments or armed opposition groups. The potential long-term benefits of sanctions should be weighed against the immediate and long-term costs to children, including the collapse of health and education infrastructures, reduced economic opportunities, increased child labour in informal sectors and increased infant morbidity and mortality. The suffering of Iraqi children, as reported by UNICEF, and of children in the Balkans are troubling cases in point. The Special Representative for Children and Armed Conflict and others actively canvassed for the suspension of regional sanctions against Burundi, in view of their disproportionately negative impact on children and families.

The Security Council has repeatedly signalled its willingness to consider the humanitarian impact of sanctions on vulnerable groups, including children, in a systematic and consistent manner. A number of studies have been undertaken recently by the United Nations system, Governments and private research centres aimed at designing more targeted, "smarter" sanctions.

HIV/AIDS

Armed conflict facilitates the spread and aggravates the impact of HIV/AIDS. Many of the countries most affected by HIV/AIDS are currently in situations of conflict or are hosting large numbers of refugees. The ways in which HIV spreads in situations of conflict include Sexual Violence perpetrated by government and rebel forces; economic desperation that forces women and children to engage in sex for survival; and mass displacement into refugee and internally displaced camps where crowding, unsafe camp structures, violence and high levels of sexual activity exacerbate the spread of the virus. Recent trends in warfare have seen rape used as a strategic weapon. In addition, sexual exploitation of girls and women increases during times of conflict. According to UN Peacekeeping Mission in Democratic Republic of Congo (MONUC), in one village in Kivu, the Democratic Republic of the Congo, 2,000 out of a population of 30,000 displaced persons are women victims of rape. At the same time, conflict inhibits responses to HIV/AIDS by breaking down communication, health and Education systems that support HIV prevention, care and treatment and by impeding the realization of the human rights of certain groups and individuals.

In January 2000, the Security Council discussed AIDS in Africa as a threat to international peace and security, highlighting the devastating impact of AIDS, where entire communities are left without teachers, farmers or health providers, and children are orphaned and left to fend for themselves. Subsequently, in its resolution 1308 (2000), the Council explicitly recognized that the HIV/AIDS pandemic was exacerbated by armed conflict. The Council also urged Member States to consider voluntary HIV/AIDS testing and counselling for troops to be deployed in peacekeeping operations, and expressed concern at the potentially damaging impact of HIV/AIDS on the health of international peacekeeping personnel. In response to the resolution, the Department of Peacekeeping Operations collaborated with the Joint United Nations Programme on HIV/AIDS (UNAIDS) to issue HIV/AIDS

awareness cards for peacekeepers. The core child protection training package will include education and training on HIV/AIDS prevention for all peacekeeping personnel. Member States have been already requested to undertake such training prior to deployment when possible and to encourage military-to-military training on HIV/AIDS prior to deployment.

Education

Children need intellectual growth, as well as physical protection and humanitarian assistance. Given a child's right to education, emergency education in the midst of crisis is an important, but often overlooked, priority. The very routine of schooling, however informal, can be a therapeutic source of continuity and stability for children facing traumatic situations. Organized activities, such as drawing, reading, storytelling, music and sports, can be helpful outlets for children enduring the stresses of armed conflict. Sustained educational opportunities provide not just immediate relief but long-term benefits for national economic and social development, perhaps representing a step towards preventing future conflicts.

Adolescents are the most likely to become engaged in armed conflict, but the least likely to be in schools or participating in youth programmes. In many places, formal education ends after primary school, and there are fewer community programmes for adolescents. A recent study, *Untapped Potential: Adolescents Affected by Armed Conflict*, by the Women's Commission for Refugee Women and Children concludes that adolescents have distinct experiences in armed conflicts, and distinct needs and capacities for recovery. Adolescents are more likely than younger children to be recruited into military service, to be out of school because of lack of opportunities or household responsibilities, to be economically exploited and - in the case of girls in particular - to be sexually abused. At the same time, they often take on family and leadership roles, become heads of household, and serve as role models and mentors for peers. Education-for-peace initiatives that target youth and draw them into planning for post-conflict peace-building thus become doubly important. The special needs of adolescents, including counselling, vocational training, and alternative economic opportunities, should be given particular attention, especially in the post-conflict period.

Abduction

The incidence of the abduction of boys and girls has significantly increased in recent years. Parties to conflict have used this practice in systematic Campaigns of violence against civilian populations in countries such as Angola, Nepal, Sierra Leone, Sudan, and Uganda. Abduction of children was prevalent in the conflicts in the 1980s in Central America, often leading to permanent disappearance'.

Children are often abducted from their homes, schools, and refugee camps. They are exploited for forced labour, sexual slavery, forced recruitment, and have been trafficked across borders.

Abducted children are subjected to brutal treatment and other egregious personal violations. In northern Uganda, the LRA has abducted thousands of children and forced them to become Child Soldiers and commit atrocities. The case of the girls abducted in 1996 from Aboke secondary school has particularly brought the situation of abductions in northern Uganda to the attention of the international community. In Colombia, the Ejercito de Liberación Nacional (ELN) and Fuerzas Armadas Revolucionarias de Colombia (FARC) have kidnapped hundreds of children for ransom and as a means of terrorizing civilian populations; in 2002, 215 children were kidnapped and another 112 during the first half of 2003. In early 2003, the Communist Party of Nepal (CPN-Maoist) conducted large-scale abductions, mostly of school children. While many of the children were returned within days, others still remain unaccounted for, and some of the girls released have reported sexual abuse. In Angola, the Union for the Total Independence of Angola (UNITA) abducted many children during the long civil war. In Sierra Leone, in January 1999, over 4,000 children were kidnapped during the incursion of the RUF and Armed Forces Revolutionary Council (AFRC) into Freetown; 60 percent of those abducted were girls, most of who were sexually abused. In Sudan, there has been a long history of abductions, particularly by the murahleen militia, the Sudan People's Liberation Movement/Army (SPLM/A), and former Sudan People's Democratic Front (SPDF).

Killing & Maiming

Children in war zones have been deliberately killed or maimed by parties to conflict, often in extremely brutal ways. During the genocide in Rwanda in 1994, thousands of children were massacred. In the massacres of Srebrenica in 1995, young Muslim boys were particularly targeted. The Revolutionary United Front (RUF) in Sierra Leone carried out a systematic Campaign of terror, which included cutting off limbs of both adults and children. In the Ituri district of eastern DRC, many children have been brutally killed or maimed by armed groups; at the end of 2002, for example, 24 children were summarily executed by the Mouvement national de Libération du Congo (MLC) and Rassemblement Congolais pour la Démocratie National (RCD/N) soldiers in Mambasa, and nine children were killed by Union des Patriotes Congolais (UPC) soldiers in Nyakunde. In Colombia, an increasing number of street children, many of whom have been displaced from the countryside by war, have become victims of arbitrary killings, locally known as social cleansing.'

During the civil wars in Guatemala and El Salvador, there were widespread massacres and torture of children. In post-conflict situations in both countries, the easy availability of Small Arms, estimated at more than three million, has led to intensified violence and insecurity, with children and youth as the main victims. Some 370 children and young persons under the age of 23 were killed in Guatemala City during the first half of 2003, more than one hundred of the victims, mostly street children were under 18, some as young as twelve. The Lord's Resistance Army (LRA) in Uganda has used killings and mutilations to terrorize the civilian population. The Special Rapporteur on the situation of human rights in the occupied Palestinian Territories has reported that, since September 2000, over 400 Palestinian and 100 Israeli children have been killed and thousands seriously injured in the ongoing conflict.

Sexual Violence

Women and girls are especially vulnerable to sexual violence in times of heightened armed conflict. They are being raped, abducted for sexual exploitation and forced into marriages and prostitution. Refugee and internally displaced women and children are especially vulnerable to sexual and other exploitation by armed forces and groups, peacekeepers and humanitarian workers.

Reports from Iraq and southeast Afghanistan indicate that fear of sexual violence is keeping girls out of schools. During her visit to Democratic Republic of Congo in May 2003, the Deputy Emergency Relief Coordinator reported on the situation of over 250 women and girls in South Kivu who required surgical interventions to repair the ravages of rape. Similarly, in Burundi, hundreds of girls have been raped either as a means of ethnic cleansing or because violators believe that children are less likely to transmit diseases.

There is a correlation between the spread of HIV/AIDS and sexual violence and exploitation of girls and women in corridors of wars. UNAIDS estimates that rates of HIV among combatants are three to four times higher than those among local populations. And when rape is used as a weapon of war, the consequences for girls and women are often deadly. Armed conflict also exacerbates other conditions in which HIV/AIDS thrives, such as extreme poverty, displacement and separation. Programmes for HIV/AIDS awareness, care and support in both peace operations and humanitarian programmes should be continued and strengthened.

The IASC Task Force on Protection from Sexual Exploitation and Abuse has proposed six core principles to be incorporated into codes of conduct for all humanitarian workers. These principles have now been incorporated into codes of conduct in MONUC and UNAMSIL.

The Rome Statute of the ICC defines rape and other grave sexual violence as a war crime. Everything must be done to bring to justice those responsible for this particular war crime.

Addressing Impunity

Peace and justice - both important to children - intersect in many ways in peace processes. Offers of amnesty may bring recalcitrant parties to the negotiating table and are sometimes awarded to fighting factions to help ensure their transformation into peaceful political participants. War-fatigued citizens sometimes express a preference for peace at almost any cost, as was the case in Sierra Leone. In other situations, such as in Rwanda, the perpetrators may be brought to trial, but the devastation of the

domestic judicial system and the dearth of persons trained in the administration of justice may exclude the possibility of conducting fair criminal trials.

To ensure that truth and justice are not short-changed in efforts to establish peace, the Security Council in resolution SCR 1261 (1999) stressed the responsibility of all States to bring an end to impunity and their obligation to prosecute those responsible for grave breaches of the Geneva Conventions of 12 August 1949. The Security Council in its resolution dated 20 November 2001 on children and armed conflict SCR 1379 (2001) urged Member States to "... to prosecute those responsible for ... egregious crimes perpetrated against children and, where feasible, exclude these crimes from amnesty provisions ..."

The General Assembly echoed this appeal in the Plan of Action from its Special Session on Children in May 2002. As a first step, United Nations field missions are working to ensure that truth-seeking processes address wartime crimes against children. In East Timor, for example, UNICEF organized a special session during the visit of the International Commission of Inquiry on East Timor to draw attention to the violations inflicted upon children and to raise awareness among the local population and non-governmental organizations. The Guatemalan Historical Clarification Commission noted the extent to which children had been affected by the civil conflict there, the high degree of social disintegration caused by the stigmatization of the victims and the large-scale forced participation of young men from the age of 15 in the civil patrols. It called on the United Nations to assist in the implementation of their recommendations, including several specific to children. The United Nations Verification Mission in Guatemala (MINUGUA), UNICEF and the Office of the High Commissioner for Human Rights are now working to remove the obstacles to the creation of a special commission to locate children who disappeared during the armed conflict. In Sierra Leone, the Office of the Special Representative has contributed to the overall efforts to provide concrete child-centered guidance during the development of the Truth and Reconciliation Commission and the Special Court. The Office has also contributed to guidelines and Recommendations that will be conveyed to the Special Court prosecutor and judges, and to the TRC Commissioners and staff, regarding the protection of children as participants, victims, witnesses or perpetrators of grave abuses during the war.

It is also significant that recent developments in international law now enable, and sometimes require, States to exercise jurisdiction over persons within their territory suspected of grave crimes under international law, regardless of where those crimes were committed and irrespective of the nationality of the accused or the victims. Crimes for which such "universal jurisdiction" can be invoked include grave breaches of the Geneva Conventions and violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Although the prime responsibility for the prosecution of violations rests with the national authorities of the State within which the violations occurred, it is very rare to find a post-conflict setting in which the social and political environment permits prosecutions and the national justice system is adequate to the task. In Guatemala, for example, UNICEF and non-governmental organization partners note that by 1999 only 13 per cent of the judicial cases seeking justice for violations committed against urban street children had been resolved. As noted above, the peace agreement in Guatemala did not explicitly call for strengthening child protection institutions and the juvenile justice system.

The state of the national justice system is of particular concern when children are to be prosecuted for serious wartime offences. Rwanda provides a telling example. As from June 1996, over 1,700 children accused of genocide were being detained in dreadful conditions. UNICEF, in collaboration with the Ministry of Justice, provided legal assistance for the 1,191 children of sufficient age to have been charged with criminal responsibility for genocide. Several years later, however, no special procedures have yet been devised to process these youth. Those too young to be charged and tried had yet to receive documentation and be reunited with their families. Children who are under the age of criminal responsibility must benefit from appropriate measures to promote physical and psychological recovery and social reintegration.

Sources and links for further research

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www.un.org

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<http://www.un.org/aboutun/charter/index.html>

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<http://www.un.org/apps/news/infocusRel.asp?infocusID=50&Body=Iraq&Body1=inspect>

UN-Webcast

<http://www.un.org/apps/news/infocusRel.asp?infocusID=50&Body=Iraq&Body1=inspect>

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

<http://www.un.org/special-rep/children-armed-conflict/English/index.html>

Commission on Human Rights

<http://www2.unog.ch/unchr/59/humright.exe?language=en>

Universal Declaration of Human Rights

<http://www.un.org/Overview/rights.html>

Convention on the Rights of the Child

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Universal Declaration of Human Rights & Qur'an

http://www.tolueislam.com/Bazm/misc/universal_declaration.htm

Monitoring during periods of armed conflict

http://www.unhchr.ch/pdf/train7_g.pdf#search='un%20human%20rights%20in%20armed%20conflict'

The Universal Declaration of Human Rights

<http://www.unhchr.ch/udhr/miscinfo/carta.htm>

Children and Armed Conflict – standards for action

<http://www.un.org/special-rep/children-armed-conflict/Download/HSNBook.pdf>

Office of the High Commissioner for Human Rights

<http://www.ohchr.org/english/>

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts

<http://www.ohchr.org/english/law/pdf/crc-conflict.pdf>

Convention on the Rights of the Child

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