

Children and Armed Conflict: Sustaining the Agenda



Boys look out from a damaged classroom of their school which was hit, as schools reopened in Sanaa, the capital of war-torn Yemen, 5 October 2016. (Reuters/Khaled Abdullah)

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This is Security Council Report's (SCR) eighth research report dedicated to tracking the UN Security Council's involvement with the issue of children and armed conflict. This report covers key developments during 2016 and through mid-October 2017. It pays particular attention to the role of the Working Group on Children and Armed Conflict, with an account of its evolution since it was established in 2006, and highlights the

activities of the Office of the Special Representative for Children and Armed Conflict.

As in our previous research reports on this thematic issue, this publication examines how the children and armed conflict agenda has been integrated into resolutions, presidential statements, Secretary-General's reports, and Council visiting missions, and reflects on developments that have affected mainstreaming of the issue.

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This report comes at a time when the politicisation of the listing process, where perpetrators of violations against children are named in annexes of the Secretary-General's annual report, called into question the mechanism to gather information and monitor violations against children, which has been fundamental to this mandate. In spite of this, the system set up to maintain pressure on perpetrators of violations against children continues to function, and this report shows that in some areas there are signs of progress.

In the special feature on the evolution of the Working Group on Children and Armed Conflict under successive chairs, we have attempted to illustrate the role this subsidiary body has played in the development of the children and armed conflict agenda and the resilience it has shown over the years in continuing with its primary tasks—in spite of Council dynamics that have had a direct impact on its output. Today, the Working Group shows signs of functioning more effectively than it has in years.

A key observation of this research report is that when the political environment is right, the tools available for the protection of children in armed conflict can be effectively deployed. This was the case for Colombia,

which we present as a case study in the report. Similarly, we show how a number of parties have been willing to employ these tools in order to be delisted when the right factors are in place. We describe situations which illustrate some of the reasons that have motivated parties to comply with action plans.

Protection of children has proved particularly difficult in the face of new types of threats, including the activities of extremist non-state actors. Over the years, the interaction between the Council, the Working Group on Children and Armed Conflict, and the Office of the Special Representative for Children and Armed Conflict has been crucial to the development of the mandate. In this changing environment, the architecture for the protection of children needs to be used more creatively. It is time to see how the information already within the children and armed conflict monitoring and reporting mechanism can be used to deal more effectively with these new challenges.

The last two years have not been easy for this mandate, but there are signs of an interest in developing new approaches and considering innovative ideas that could help shape its future.

The Secretary-General's Annual Report

In 2015 and 2016, there were controversial decisions made by Secretary-General Ban Ki-moon regarding the removal of parties from the annexes in the Secretary-General's annual report, which list parties that have committed either one or more of the following violations against children: recruitment and use of children; sexual violence; killing and maiming; attacks on schools and hospitals; and abductions.

The reporting mechanism was established by resolution 1612 in 2005 to provide for the systematic gathering of “accurate, timely, objective and reliable information” of grave violations against children in conflict situations, which is the basis for listings. There are two annexes: Annex I lists parties to armed conflict situations that are on the Council's agenda, while Annex II covers armed conflict situations which are not on the Council's agenda but are situations of concern regarding children. In 2015, the Israel Defense Forces were placed on the annexes by the Special Representative

for Children and Armed Conflict but removed by the Secretary-General before the report was published. In 2016, the Secretary-General removed from the listing, pending a review, the Saudi-led coalition, which had been listed for the first time for the killing and maiming of children and attacks on schools and hospitals in Yemen. He acknowledged that he had done this because of “the very real prospect that millions of other children would suffer grievously if, as was suggested to me, countries would de-fund many UN programs”, and complained that it is unacceptable for member states to exert undue pressure. This raised questions about the integrity of the listing mechanism and led to some countries questioning the credibility of the data used to decide on the listings. Earlier this year, there had been indications that the 2017 report might be delayed to give the Saudi-led coalition more time to show progress, or that the listings would be frozen so that there would be no change from 2016.

As a result, there was heightened interest

The Secretary-General's Annual Report

in Secretary-General António Guterres' 2017 annual report, which covered the period from January to December 2016, with the listing section highly anticipated. Increasingly complex crises continued to provide the backdrop for a deteriorating situation for children and armed conflict with an increase in all six of the violations being monitored. Sixty-five parties were listed: nine government forces and 55 non-state armed groups. Afghanistan registered the highest number of children killed and maimed since monitoring of violations began, while Somalia saw a doubling in recruitment.

The six grave violations used in monitoring and reporting are:

- recruiting and/or use of child soldiers (trigger for listing since 2002);
- killing and/or maiming of children (trigger for listing since 2009);
- sexual violence against children (trigger for listing since 2009);
- attacks against schools and/or hospitals (trigger for listing 2011);
- abductions of children (trigger for listing since 2015); and
- denial of humanitarian access for children.

While in particular the Saudi Arabia-led Coalition forces and the Popular Mobilization Forces in Iraq were expected to react

negatively to being listed, there was a sense that there would be strong criticism from both civil society and the media if the integrity of the monitoring and reporting mechanism was further marred by member states' interference. There had been some unhappiness with the delay in the report, which was dated 24 August 2017 (but only made available publicly on 6 October). The delay has been largely attributed to the change in leadership both in the Secretary-General and the Office of the Special Representative.

Ultimately, Secretary-General Guterres decided to revise the format of the report to include a more preventive aspect, which is reflected in a new section on "developments and concerns" following every situation in the body of the report. Additionally, each annex is divided into an "A" section, listing parties that have not put in place measures during the reporting period to improve the protection of children, and a "B" section, listing parties that have put in place some such measures. The Saudi-led coalition was placed in the B section of Annex 1, in light of two actions that were undertaken in 2016: revising its Rules of Engagement and establishing and starting to operationalise a Joint Incidents Assessment Team to review incidents and advise corrective action. A third action completed in 2017—the establishment of a Child Protection Unit in the coalition

headquarters in Riyadh—also appears to have been taken into account. This new format is intended to provide a further incentive to parties who have been genuinely trying to implement action plans or taking other serious steps to prevent violations.

It seems that compared to last year, the Office of the Special Representative paid more attention to engaging early with member states that were going to be listed. While this appears to have been appreciated by Saudi Arabia and its coalition partners, the coalition publicly rejected what it called misleading information in the report, which attributes 683 out of 1340 verified child casualties and 38 out of 52 verified attacks on schools and hospitals in 2016 to the coalition.

Besides Yemen, new parties are listed in Afghanistan (ISIL-Khorasan Province), the Democratic Republic of the Congo (DRC) (Mai-Mai), Iraq (Popular Mobilization Forces), and Syria (Army of Islam). Two parties were de-listed after they implemented action plans for the recruitment and use of children: the Forces Armées de la République Démocratique du Congo (FARDC) in the DRC and the Moro Islamic Liberation Front (MILF) in the Philippines. In addition, two non-state armed groups, the Coordination des Mouvements de l'Azawad (CMA) in Mali and the Sudan People's Liberation Movement-North (SPLM-N) in Sudan, signed action plans.

Developments in the Council and its Working Group 2016-2017

August 2016 Open Debate

An open debate was held in August 2016 under the presidency of Malaysia, who chaired the Working Group in 2015 and 2016. Malaysia chose to focus the debate on the impact of extreme violence and displacement of children, which was highlighted in the 2016 annual report, as well as on the development and achievements in the children and armed conflict agenda over the last 20 years. Secretary-General Ban Ki-moon, Special Representative for Children and Armed Conflict Leila Zerrougui, and Executive Director of the UN Children's Fund (UNICEF) Anthony Lake spoke at the debate. Unlike in previous open debates, there was no civil society speaker. Sixty-nine delegations intervened, representing 98 countries.

Keeping in mind the twentieth anniversary

of the agenda, members highlighted the accomplishments over the last 20 years. Given that the debate took place shortly after the publication of the Secretary-General's 15th annual report on children and armed conflict and the events that led up to the Saudi Arabia-led coalition being removed from the annexes by the Secretary-General, many members appeared to want to show support for the children and armed conflict agenda and the mandate of the Special Representative. They stressed the importance of the annual report as a tool for documenting abuses, identifying those responsible, and ensuring an impartial evidence-based listing of perpetrators responsible for grave violations against children. New challenges were highlighted, including the impact on children of violent extremism and displacement. In light of the consolidation of specialised protection functions, including child

protection, under the human rights component in some missions, a number of members voiced their concern that this might have consequences for the effectiveness of missions in protecting children and suggested that this change needed to be kept under review. Other areas that were covered by delegations during the open debate were the "Children, Not Soldiers" campaign and the implementation of action plans, detention of children, and attacks on schools and hospitals. A few members called for stronger protection of children within UN peacekeeping operations and highlighted the Secretary-General's commitment to prohibit government armed forces listed in the annexes from contributing troops to peacekeeping operations and the need to investigate alleged violations against children committed by peacekeepers.

Developments in the Council and its Working Group 2016-2017

October 2017 Arria-Formula Meeting on Attacks on Schools

On 13 October, France, Italy, Sweden and Uruguay organised an Arria-formula meeting on attacks on schools. The briefers were Special Representative for Children and Armed Conflict Virginia Gamba (who had succeeded Zerrougui in May); Joy Bishara, one

of the female students kidnapped by Boko Haram in 2014; and Zama Neff, co-chair of the Global Coalition to Protect Education from Attack. The meeting provided members and NGOs with an opportunity to hear a first-hand account of the impact of attacks on schools. Member states shared the experience of their efforts in protecting schools

from military use, highlighted the importance of education, and called for stronger measures. A number of members highlighted the Safe Schools Declaration, a voluntary, political commitment from governments not to use schools for military purposes and to protect them during military operations.

Evolution of the Working Group

The Working Group was established by resolution 1612 in 2005 to review the reports of the Secretary-General on children and armed conflict in country-specific situations and to assess progress in the development and implementation of the action plans by groups listed in the annexes to the Secretary-General's annual report. It makes recommendations, which are published as "conclusions", that suggest actions to be taken by parties mentioned in the annexes, the UN, and the international community. Having a dedicated working group has been central to the development of the children and armed conflict agenda, as well as to the mainstreaming of the protection of children in the work of the Council.

The Working Group began functioning on 16 November 2005. The issuance of country-specific reports by the Secretary-General was a significant development. It allowed

the Council, through its Working Group, to monitor the implementation of international law in relation to particular violations of children's rights, not just as a general thematic issue, but in country-specific situations. This has allowed the Working Group to contribute to mainstreaming the issue of children and armed conflict into the Council's country-specific work.

The first Working Group meeting was held on 23 November 2005. Its first three meetings were focused on the establishment of the monitoring and reporting mechanism created by resolution 1612. It considered the first country-specific report on children and armed conflict, which was on the DRC, on 26 June 2006. At that meeting, UNICEF introduced the first Global Horizontal Note, which highlighted the crisis in Chad, Sri Lanka and Somalia. The Global Horizontal Note, which is produced by UNICEF using verified

information from the field, is meant to provide updates every two months on situations being considered by the Working Group as well as emerging situations of concern. It is expected to help the Working Group formulate its conclusions on country-specific reports. However, as the Global Horizontal Note has become much more detailed over the years, it has struggled to provide up-to-date information, often being presented as much as six months after the period covered.

Over the last 11 years, the Working Group has adopted 56 conclusions. Negotiations have at times been politicised due to ongoing Council negotiations or activities. The Working Group has shown an ability to persevere in the face of difficult Council dynamics; although there have been prolonged delays in the conclusions at times, the Working Group has always managed to eventually agree on its conclusions.

Chart: Activities of Working Group Chairs over the Years

YEAR/CHAIR	WORKING GROUP CONCLUSIONS	RESOLUTIONS/PRESIDENTIAL STATEMENTS	FIELD VISITS	MEETINGS BETWEEN THE WORKING GROUP AND SANCTIONS COMMITTEES
2006 (France)	DRC Sudan	S/PRST/2006/33 S/PRST/2006/48		
2007 (France)	Burundi Chad Côte d'Ivoire DRC Nepal Somalia Sri Lanka Uganda			
2008 (France)	Chad Côte d'Ivoire Burundi Myanmar Nepal Philippines Somalia Sri Lanka Sudan Uganda	S/PRST/2008/6 S/PRST/2008/28		

Developments in the Council and its Working Group 2016-2017

YEAR/CHAIR	WORKING GROUP CONCLUSIONS	RESOLUTIONS/PRESIDENTIAL STATEMENTS	FIELD VISITS	MEETINGS BETWEEN THE WORKING GROUP AND SANCTIONS COMMITTEES
2009 (Mexico)	Afghanistan Burundi CAR DRC Myanmar Sudan	Resolution 1882 S/PRST/2009/9		
2010 (Mexico)	Colombia Nepal Philippines Sri Lanka (Additional Report) Uganda (Additional Report)	S/PRST/2010/10	Nepal	
2011(Germany)	Afghanistan CAR Chad DRC Iraq Somalia	Resolution 1998	Afghanistan	
2012 (Germany)	Colombia South Sudan Sudan Sri Lanka	Resolution 2068		
2013 (Luxembourg)	LRA (CAR region) Myanmar Yemen	S/PRST/2013/8	Myanmar	
2014 (Luxembourg)	DRC Mali Philippines Syria	Resolution 2143	DRC	
2015 (Malaysia)	South Sudan	Resolution 2225		Yemen CAR
2016 (Malaysia)	Afghanistan CAR Iraq			South Sudan
2017 (Sweden)	Colombia Philippines Somalia Sudan			South Sudan

Chairs of the Working Group

France was the first chair of the Working Group. After France stepped down at the end of 2008, the chair of the Working Group has rotated among elected members of the Council: Mexico (2009-2010), Germany (2011-2012), Luxembourg (2013-2014), and Malaysia (2015-2016). The 2017-2018 chair is Sweden.

The chairs of the Working Group have

played a crucial role in shaping the Working Group and in the development of its working methods. In its first few years, having a permanent member chair the Working Group was considered useful as France had been closely involved in the negotiations of resolution 1612, which set up the Working Group, and was instrumental in giving the issue a high profile as well as shaping its working methods.

2007-2008

The first two years of the Working Group were relatively smooth, as members were brought together by a common desire to create the children and armed conflict architecture, particularly the monitoring and reporting mechanism. They were able to put aside the differences that had made negotiations over resolution 1612 difficult, including some resistance to Annex II, which contains

Developments in the Council and its Working Group 2016-2017

situations which were not on the Council's formal agenda. The Working Group quickly agreed on its working methods and options for possible actions, which became known as its "toolkit". However, by early 2008, some of the earlier divisions and concerns began to resurface and a number of members pushed for an assessment of the Working Group's working methods. The Working Group was also experiencing more difficulty in adopting conclusions as it grappled with the impact of Council political divisions on its work. During this period, there was some talk of proposing another resolution, but there were a number of members who felt that it was better to continue to focus on the implementation of resolution 1612.

2009-2010

In 2009, Mexico became the first elected member to chair the Working Group. Its consultative and inclusive approach was welcomed by other members. Negotiations on some reports were difficult, including on Afghanistan over the issue of whether the International Security Assistance Force had violated international humanitarian law in causing civilian casualties. During the period the Working Group was chaired by Mexico, the Council adopted two presidential statements and a resolution which expanded the listing criteria to include killing and maiming and sexual violence. It also made its first field trip to Nepal. This was significant as it was the first time this "tool" was used. The issue of how to handle persistent perpetrators, parties that had been listed for more than five years, emerged as an issue. The increasing workload and the need for the Office of the Special Representative to provide clearer criteria for listing and delisting were raised by some members. By 2010, there was a general acceptance that the Working Group was functioning well and that it needed little Council oversight.

2011-2012

Germany took over the chair of the Working Group in 2011 as it entered a particularly challenging period. After several years of largely positive developments and progress, in 2011 the protection of children and armed conflict faced a number of difficulties. Although it was possible for the Council in 2011 to adopt resolution 1998, expanding the criteria for inclusion in the Secretary-General's annexes to include attacks on schools and hospitals, the divisions that emerged during

the negotiations of that resolution affected the Working Group's dynamic throughout the German chairpersonship. For the first time, a resolution on children and armed conflict was not adopted unanimously; four members, Azerbaijan, China, Pakistan and Russia, abstained. In 2011 and 2012, several countries serving as elected members of the Council—Colombia, India and Pakistan—were mentioned in the body of the report, with Colombia also listed in Annex II. These members, together with Azerbaijan, China and Russia, felt strongly that the children and armed conflict agenda had gone beyond its mandate, and there was strong pushback to limit the scope of the agenda to a more narrow interpretation of "situations of concern". Some members expressed unhappiness over what they perceived as political selectivity in the situations being included in the Secretary-General's annual report.

Germany came to its role as chair with great resolve, and in the first half of 2011, very efficiently adopted five conclusions. However, after the adoption of resolution 1998, negotiations became more difficult. It was difficult to include innovations that could take the children and armed conflict agenda forward. However, in spite of the difficult dynamic, Germany was able to integrate children and armed conflict language into the Council's country-specific work during its term on the Council.

2013-2014

Following this difficult period, Luxembourg took over the chair of the Working Group in 2013. It devoted the early months of its tenure to striving to strengthen the relationships within the group. However, the differences that had become evident in the previous two years were still present and affected negotiations on a presidential statement in 2013, which focused on persistent perpetrators and how the Council could deal with them (S/PRST/2013/8). By 2014, the atmosphere had improved and negotiations on resolution 2143 that year were generally smooth. This resolution reiterated a number of key issues, but also focused on the use of schools by armed forces and encouraged member states to establish a vetting mechanism to ensure those who have committed violations against children are not included in army ranks.

However, there was a general sense of caution among members of the Working Group; even members who were normally more innovative appeared to have lowered their

expectations and worked to keep the children and armed conflict agenda from regressing rather than proposing new ideas. This made it difficult to advance the agenda. During its time as chair, Luxembourg pushed hard for the mainstreaming of children and armed conflict language into the country-specific work of the Council, and this was reflected in substantive language in a number of resolutions and presidential statements in 2013 and 2014.

2015-2016

Malaysia began its term as chair in 2015 by quickly adopting conclusions on South Sudan on 12 May and resolution 2225 on 18 June, which added abductions as a trigger for being listed in the Secretary-General's annexes. However, there was limited activity in the Working Group for the next six months, although the report on children and armed conflict in Afghanistan was introduced in July 2015. For the first time, the Working Group's output was affected by organisational issues on the chair's part, rather than difficulty in getting agreement or not having a report to consider. In Malaysia's second year as chair, the Working Group adopted three conclusions. Like the two chairs before it, Malaysia played a key role in ensuring that the issue of children and armed conflict continued to be mainstreamed in the Council's work. During this period, some of the animosity towards the children and armed conflict agenda seen in the preceding years receded and the dynamic in the Working Group was generally constructive. It seems that some permanent members who had been antagonistic in the past were more willing to work with Malaysia than with previous chairs. Although the overall output of the Working Group was low in these two years, there were no major obstacles in the actual negotiations.

2017-2018

Sweden took over as chair of the Working Group in January 2017 and in the last nine months, has successfully steered the group to adopting four conclusions. Negotiations have not had to go beyond more than two rounds, with a few bilateral discussions to iron out specific issues, allowing for adoptions every two months. Overall, Sweden appears to have kept in mind the need to accommodate differing views while ensuring the children and armed conflict mandate is not undermined in any way.

Developments in the Council and its Working Group 2016-2017

Recent Working Group Activities 2016

In 2016, the Working Group held four formal meetings and met nine times in informal consultations. Formal meetings are generally held for the adoption of conclusions and the introduction of new reports. The permanent representatives of the country whose situation is being considered are invited to deliver a statement at these formal meetings, affording them an opportunity to respond to both the report and the conclusions.

The Working Group met on 2 March 2016 to adopt conclusions on children and armed conflict in Afghanistan. The report had been introduced on 6 July 2015. At the March meeting, Special Representative Zerrougui briefed on her visit to Afghanistan in February 2016 and also introduced the report on Iraq.

On 17 May 2016, the Working Group adopted its conclusions on children and armed conflict in Iraq. At that meeting, the Special Representative introduced the report on children and armed conflict in the Central African Republic (CAR). The Working Group's conclusions on children and armed conflict in the CAR were adopted on 14 December 2016 at a formal meeting.

A formal meeting was held on 14 November 2016 for the presentation of two Global Horizontal Notes: the first covering the period from January to March 2016 and the second from April to June 2016. At this meeting, the Special Representative also briefed the members of the Working Group on developments and trends regarding the six grave violations against children.

The Working Group held its third joint informal consultations with another subsidiary body, the 2206 South Sudan Sanctions Committee, on 14 March 2016. It has held similar joint meetings with sanctions committees in the past. It met with the 2140 Yemen Sanctions Committee on 22 September 2015, and the 2127 CAR Sanctions Committee on 3 December 2015. During the 14 March 2016 meeting, Zerrougui briefed the 2206 South Sudan Sanctions Committee on the increase in grave violations against children as the situation in South Sudan deteriorated. She cited perpetrators, including the Sudan People's Liberation Army (SPLA) and the SPLA In Opposition, and called on the Committee to continue to investigate individuals and to pay attention to command responsibility in the context of grave violations against children. In

addition, Zerrougui expressed support for the recommendations of the AU Commission of Inquiry on South Sudan for the establishment of accountability mechanisms.

2017

From January through September 2017, the Working Group held six meetings, again mainly for the adoption of its conclusions and the introduction of a new report. The Working Group's first meeting this year was on 9 January for the introduction of the report on children and armed conflict in Colombia and the Global Horizontal Note from June to September 2016. On 14 February, the Working Group adopted its conclusions on the report on Colombia. At the same meeting, the report on children and armed conflict in Somalia was introduced by Zerrougui. The conclusions on Somalia were adopted on 18 April and the Sudan report introduced. On 2 June the Working Group met to adopt the conclusions on the Philippines and for an update on the annual report. On 22 June, the Working Group met to adopt its conclusions on Sudan. The conclusions on the Philippines were adopted during a formal meeting on 3 August. At this meeting, the report on children and armed conflict in Nigeria was introduced and the Global Horizontal Note for January to April 2016 was presented. The Working Group is about to adopt its conclusions on the first report on children and armed conflict in Nigeria.

In addition, on 2 March, ahead of the start of its negotiations on the conclusions on Sudan, the Working Group held a video teleconference with the co-chairs of the Sudan Country Task Force on Monitoring and Reporting in Sudan. Special Representative Virginia Gamba was also present. The teleconference provided an opportunity for the task force to brief the Working Group directly on the latest developments and progress made with regard to the protection of children. The Working Group heard that there had been progress in gaining humanitarian access to children in conflict-affected areas in Darfur, although access to areas held by SPLM-North and the Sudan Liberation Army/Abdul Wahid (SLA/SW) continued to be difficult. The task force also provided information on the progress in the implementation of the action plan to prevent recruitment and use of children by government security forces that had been signed in March 2016, and an update on developments related

to the signing of action plans with armed groups in Sudan. On 5 March, the Working Group issued a press release on the briefing (SC/12811-HR/5359).

Conclusions Adopted 2016

The Working Group adopted three conclusions in 2016: on Afghanistan, the CAR and Iraq. The average time from the presentation of a report to the adoption of conclusions was about five and a half months. The report on children and armed conflict in Afghanistan was presented to the Working Group on 6 July 2015, but the conclusions on this report were only published on 11 March 2016. It was initially held up by the negotiations of a resolution ahead of the children and armed conflict debate in August 2015, but the main reason for the delay was that the Working Group did not receive a draft of the conclusions from the chair until February 2016. However, once negotiations began there did not appear to be major problems, and the adoption took place within about three weeks of starting the negotiations. Similarly, although there was a long gap between the publication of the report on children and armed conflict in Iraq and its presentation to the Working Group, once negotiations on the Iraq conclusions began, it was possible to adopt conclusions in about two months. The third conclusions adopted in 2016 were on the CAR, which took longer to adopt, mainly due to organisational difficulties rather than substantive differences over the draft text.

2017

So far, in 2017, under the Swedish chair, the Working Group has adopted four conclusions: on Colombia, Somalia, the Philippines and Sudan. For the first time ever the Working Group has been able to consistently keep to the two-month time frame for adopting conclusions envisaged when it was set up. In each case, Sweden first held an "informal informal" meeting to introduce the text ahead of the first read through of a new set of conclusions. This meeting has provided an opportunity for members to get a better understanding of the draft text. While there were several issues that needed some bilateral negotiations, Sweden has managed to navigate these differences swiftly enough not to widen the gap between the introduction of reports and the conclusions. Issues that have arisen include questions around

Developments in the Council and its Working Group 2016-2017

how information on violations attributed to troops in the report on Somalia was obtained and sensitivity over language on humanitarian access in Darfur, as well as familiar concerns related to going beyond the mandate and ensuring that distinctions are made between governments and non-state actors.

Observations on Working Group

Conclusions

As we have documented in past reports on children and armed conflict, the Working Group's conclusions have become far more

substantive and more specific over the years. Messages are now more clearly directed to particular parties with concrete actions that need to be taken clearly spelled out. While in general, the format of the conclusions adopted over the last two years does not differ fundamentally from previous years, there are some new elements. For example, the need for greater oversight by the Working Group following the adoption of conclusions has led to the inclusion of language inviting the government concerned to keep the Working Group informed on its efforts to implement

the recommendations of the Working Group and the Secretary-General. While this is certainly a step in the right direction, it could be useful if a follow-up meeting with the relevant governments were instituted in order to ascertain how the recommendations are being implemented. Another development is seen in the section on action by the Working Group addressed to donors, which is now more detailed and provides specific areas and programmes that need support.

Reports and Conclusions Adopted 2016 and 2017

SITUATION	DATE REPORT PUBLISHED	DATE REPORT PRESENTED	DATE CONCLUSIONS ADOPTED	DATE CONCLUSIONS PUBLISHED	INTERVAL FROM INTRODUCTION TO ADOPTION
Afghanistan	15 May 2015	6 July 2015	2 March 2016	11 May 2016	8 months
Iraq	9 November 2015	2 March 2016	17 May 2016	18 August 2016	2 months
CAR	12 February 2016	17 May 2016	14 December 2016	19 December 2016	7 months
Colombia	4 October 2016	9 January 2017	14 February 2017	7 March 2017	2 months
Somalia	22 December 2016	14 February 2017	18 April 2017	13 July 2017	2 months
Sudan	6 March 2017	18 April 2017	22 June 2017	31 July 2017	2 months
Philippines	5 April 2017	2 June 2017	3 August 2017	11 September 2017	2 months
Nigeria	10 April 2017				

Council Dynamics in the Working Group

The interest of France, the UK and the US in this Working Group has varied. France in the early years was strongly committed to the issue, and after it relinquished the chair, it continued to play a key role in advocating certain issues. In more recent years, France has taken a back seat, although it has been generally seen as very supportive. The UK over the years has been a strong supporter of the issue and has provided valuable inputs, but it has also had its attention diverted by taking the lead on the women, peace and security agenda. The US has generally not paid as much attention to this issue as it has to sexual violence and women, peace and security. It has also had some difficulty with the legal implications of some language used in the Working Group's conclusions, and at times contributed to a delay in issuing the conclusions. China and Russia have been consistent in their cautious approach to this issue. Although both were supportive of the

establishment of the Working Group, both have voiced concerns over any action by the Working Group that might be perceived as overstepping its mandate. Together with several elected members, China and Russia have expressed concern over what they referred to as "mandate creep", criticising a liberal interpretation of relevant resolutions that had led to some situations being included in the annual reports. Over the years, elected members with a strong interest in human rights and protection issues have played a key role in shaping its working methods.

While relations among the Working Group members are generally congenial, after 2011, divisions in the Council directly affected the dynamic in the Working Group. The need for consensus in adopting conclusions has meant that just one member could hold up the adoption of conclusions for a long period. In addition, there were times when negotiations were complicated by having a member in the Working Group who

was listed in the annexes or featured in the body of the annual report.

While the output of the Working Group has been impressive, the rigid schedule it has to follow has made it difficult for it to be more responsive either to a deteriorating situation already included in its work plan or to a new crisis where children are affected. For some time there has been a growing sense among some civil society groups and member states that the issue was suffering from too rigid an adherence to its working methods. The mood in the Working Group following several difficult years was to be cautious, and even members who were very supportive of the issue lacked the appetite to attempt innovations that were likely to face opposition and possibly result in backsliding. It is only more recently that there have been signs that the time might be right to consider new ideas that could help shape the future of this mandate.

Office of the Special Representative for Children and Armed Conflict

Virginia Gamba became the fourth Special Representative for Children and Armed Conflict in May 2017. Leila Zerrougui, the former Special Representative, had held the position from September 2012 until March 2017. Zerrougui had come into the position at a time when some members felt certain aspects of the children and armed conflict agenda had gone beyond the original mandate and there was a concerted effort to restrict the scope of the Special Representative's role. In her first few years in the position, Zerrougui focused on building trust both among Council members and with the wider membership. Among the priorities Zerrougui outlined at the start of her time as Special Representative was to work with regional organisations and focus on the implementation of action plans. Starting in 2014, her main focus was on getting governments to sign and implement action plans to stop the recruitment and use of children, and work towards their removal from the Secretary-General's annexes through the "Children, Not Soldiers" campaign.

The campaign was launched by the Special Representative and UNICEF in March 2014 and ended in December 2016. Its aim was to generate momentum, political will, local ownership, and international support to end and prevent the recruitment of children by national security forces in conflict situations. The governments of Afghanistan, Chad, the DRC, Myanmar, Somalia, South Sudan, Sudan and Yemen all had government forces listed in the annexes at the start of the campaign. Six of them had signed action plans to prevent the recruitment and use of children, with Sudan and Yemen being the two that had not done so. One of the aims of the campaign was to push those that had signed to do more to implement the action plans and to work towards being removed from the Secretary-General's annexes. Chad was delisted from the annexes of the Secretary-General's report in July 2014 having fully implemented its action plan. Yemen and Sudan signed action plans to prevent recruitment and use of children in May 2014 and March 2016, respectively. By the end of 2016, all the government forces listed in the Secretary-General's annexes had signed action plans to end recruitment and use of children.

Field Visits and Briefings

Special Representative Zerrougui made three field visits in 2016. She visited Afghanistan from 13 to 17 February, Sudan from 26 to

30 March, and Somalia from 15 to 21 July. As our case study below highlights, she also went to Colombia in May and September 2016.

Afghanistan

Zerrougui visited Afghanistan in February 2016 to follow-up on the Afghan government's commitments to implement its action plan to end and prevent the recruitment and use of children in the national security forces. She was able to take the Working Group's recently agreed conclusions on children and armed conflict in Afghanistan with her. During the visit, the government reiterated its commitment to the action plan. Zerrougui met with President Ashraf Ghani and other government officials, as well as with the Afghan Independent Human Rights Commission, NATO, the diplomatic community, and UN and NGO partners. She commended positive developments, including the launch of national age assessment guidelines, the progress made to end underage recruitment in the Afghan National Police, and the Presidential decree criminalising the recruitment and use of children in the Afghan National Security Forces. At the same time, she stressed the importance of effective enforcement of these tools and the lack of oversight of the recruitment processes for the Afghan Local Police. Following this field visit, Zerrougui briefed the Working Group.

Sudan

Zerrougui went to Sudan in March 2016 to witness the signature of an action plan between the government of Sudan and the UN to end and prevent the recruitment and use of children by Sudanese government armed forces. Besides setting out measures to protect children in armed conflict, the action plan committed the government to appoint a high-level focal point to coordinate the implementation of the action plan and to collaborate with the UN in monitoring its implementation.

Somalia

In July 2016, Zerrougui visited Somalia, where she focused on the implementation of the action plans on recruitment, sexual violence, the treatment of children suspected of association with Al Shabaab, and the use of children as informants. She called for stronger measures to protect children from recruitment and use by armed forces. She met with Prime Minister Omar Abdirashid Ali Sharmarke and the federal ministers of defence,

internal security, women and human rights, as well as other key members of the government. She also had meetings with the UN Mission in Somalia (UNSOM), the UN country team, the leadership of the African Union Mission in Somalia (AMISOM), and members of the civil society and diplomatic communities. In addition, she interacted with children who had been detained in Puntland and Mogadishu.

There have been no field visits in 2017, but there have been a number of advocacy missions, including to Berlin, London, Brussels, Geneva and Washington. Special Representative Gamba has indicated that she plans to start doing field trips only in 2018, after she better understands the different situations.

Zerrougui rarely briefed on the issue of children and armed conflict during the consideration of a country-specific situation by the Council. Special Representative Gamba, two months into the job, briefed Council members, together with Special Adviser on the Prevention of Genocide Adama Dieng, on 6 July under "other matters" on the impact on children of the conflict in the Kasai region of the DRC.

On 21 March, Special Representative Zerrougui and the Special Representative on Sexual Violence in Conflict, Zainab Bangura, briefed the 2206 South Sudan Sanctions Committee. They had both briefed the same committee in March 2015. Zerrougui provided information on the deteriorating security situation and the grave violations against children. Among the violations she highlighted were child recruitment and use, the targeting of civilians including children on the basis of ethnic identity by means of killing, abduction, unlawful deprivation of liberty, rape, sexual violence, burning of villages and looting, and the denial of humanitarian access. She also noted that a large number of children were among the 1.6 million South Sudanese refugees. Although the Working Group has not used sanctions as a tool for a long time, these briefings are a reminder to the sanctions committees of their possible use in addressing violations against children.

Future Directions

Special Representative Gamba has expressed interest in identifying best practices through lessons learnt exercises that would identify difficulties in strengthening the protection of children. These best practices can then be used to assist parties to conflict that are ready to enter into dialogue with the UN. Gamba

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plans to increase awareness of the issues and political advocacy in the hope that, together with direct engagement, this may prompt parties to reduce violations against children.

Her plans include further development of relationships with regional organisations, including the AU, the League of Arab States and the EU, and building relationships with sub-regional organisations, including the Intergovernmental Authority on Development, the Economic Community of West African States, the Economic Community of Central African States, and the Andean Community.

Gamba has also expressed interest in building on the momentum of the “Children, Not Soldiers” campaign and having a similar campaign for the other grave violations.

The Annexes of the Secretary-General’s Annual Report

The annexes in the Secretary-General’s report on children and armed conflict were created by resolution 1379, which was adopted on 20 November 2001 and requested the Secretary-General to create two sets of lists: one for situations on the Council’s agenda and

one for situations that could be brought to the attention of the Council by the Secretary-General in accordance with Article 99 of the UN Charter, as a situation that, in his view, threatens international peace and security.

Meant as a “naming and shaming” tool, they initially listed parties that recruit or use children in violation of international obligations. Over the years, killing and maiming, rape and other forms of sexual violence, attacks on schools and/or hospitals, and abductions have been added as triggers that can result in a party being listed in the annexes.

The Situations Listed in Annex I and Annex II in the Secretary-General’s Report

	2003	2005	2006	2007	2009	2010	2011	2012	2013	2014	2015	2016	2017
AFGHANISTAN													
Annex I	•			•	•	•	•	•	•	•	•	•	•
BURUNDI													
Annex I	•	•	•	•	•								
CENTRAL AFRICAN REGION													
Annex I								•	•	•	•		
CAR													
Annex I				•	•	•	•	•	•	•	•	•	•
CHAD													
Annex I					•	•	•	•	•				
Annex II			•	•									
REP. OF CHECHNYA													
Annex II	•												
COLOMBIA													
Annex I													•
Annex II	•	•	•	•	•	•	•	•	•	•	•	•	
CÔTE D’IVOIRE													
Annex I	•	•	•										
DARFUR													
Annex I				•	•	•	•						
DRC													
Annex I	•	•	•	•	•	•	•	•	•	•	•	•	•

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	2003	2005	2006	2007	2009	2010	2011	2012	2013	2014	2015	2016	2017
IRAQ													
Annex I					•	•	•	•	•	•	•	•	•
LIBERIA													
Annex I	•												
MALI													
Annex I									•	•	•	•	•
MYANMAR													
Annex I			•	•	•	•	•	•	•	•	•	•	•
Annex II	•	•											
NEPAL													
Annex I				•	•	•	•						
Annex II	•	•	•										
NIGERIA													
Annex I													
Annex II										•	•	•	•
NORTHERN IRELAND													
Annex II	•												
PHILIPPINES													
Annex II	•	•	•	•	•	•	•	•	•	•	•	•	•
SOMALIA													
Annex I	•	•	•	•	•	•	•	•	•	•	•	•	•
SOUTH SUDAN													
Annex I				•	•	•	•	•	•	•	•	•	•
SRI LANKA													
Annex I													
Annex II	•	•	•	•	•	•	•						
SUDAN													
Annex I		•	•					•	•	•	•	•	•
Annex II	•												
SYRIA													
Annex I								•	•	•	•	•	•

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	2003	2005	2006	2007	2009	2010	2011	2012	2013	2014	2015	2016	2017
UGANDA													
Annex II	•	•	•	•	•	•	•						
YEMEN													
Annex I									•	•	•	•	•
Annex II							•	•					

Action Plans

Resolution 1539 in 2004 called upon parties to prepare concrete, time-bound action plans to halt recruitment and use of children in armed conflict. The first step towards signing these action plans is dialogue between the UN and the relevant parties, which, if successful, leads to the formulation of an action plan to stop violations against children. The implementation of commitments to the action plans is the main way a party can be removed from the annexes.

Twenty-nine action plans have been signed by 28 parties since resolution 1539. (The SPLA signed twice, first as a non-state actor and then as a state actor.) The parties that have signed action plans include 11 governments and 17 non-state armed groups. Eleven parties have fully complied with their action plan and have been delisted.

In the last year there has been some progress with non-state armed groups. MILF in the Philippines was delisted in the 2017 annual report following the completion of its action plan. Two non-state armed groups, La Coordination des mouvements de l'Azawad (CMA) in Mali and SPLM-N in Sudan, signed action plans to stop recruitment and use of children. The last time a non-state party signed an action plan was in 2009. In Sudan, the leaders of the Justice and Equality Movement and a representative of the Sudan Liberation Army/Minni Minnawi have agreed to develop implementation plans to expedite their action plans.

An overwhelming majority of action plans signed are for the prevention of recruitment and use of children. Two (Afghanistan and Mali) have references to an annex on sexual violence. There is one action plan on killing and maiming, signed by the Transitional Federal Government of Somalia. So far, there have been no action plans on attacks on schools and hospitals, or on abductions.

An action plan to end recruitment and use of children by government forces might

require actions such as the criminalisation of the recruitment and use of children by armed forces, issuing a military order to prevent child recruitment, investigating and prosecuting those that recruit and use children, appointment of child protection specialists in security forces, the release of all children in security forces, unimpeded access to military camps, release and reintegration programmes for children, the strengthening of birth registration systems, and integration of age-verification mechanisms in recruitment procedures.

The “Children, Not Soldiers” Campaign

By the end of the “Children, Not Soldiers” campaign, all the armed forces on the annexes in 2014 had signed action plans on the prevention of the recruitment and use of children. Chad was delisted in 2014 after having implemented its action plan. The other government forces, which are all in Annex I, are at different stages of implementing their action plans. In the 2017 annual report, four of the seven government forces on the annexes—Afghanistan, the DRC, Somalia and Sudan—were moved to section B of Annex I, the newly created section for parties that had put in place measures during the reporting period to improve the protection of children. Myanmar, South Sudan and Yemen were in section A of Annex I, the category for parties that had not put in place measures during the reporting period to improve the protection of children.

Afghanistan

The Afghan government signed an action plan on preventing the recruitment and use of children in its armed forces on 30 January 2011. The government criminalised the recruitment of children and endorsed a road map to accelerate the implementation of its action plan. Child protection units set up in 21 Afghan National Police recruitment centres, which are using age verification guidelines, have prevented 1,300 children from joining the police.

Military directives have been issued, including for the prohibition of the transfer of children to a detention facility.

DRC

In September 2015, the government adopted a roadmap to accelerate the implementation of its action plan, which had been signed in 2012. Other actions include the appointment of a presidential adviser on sexual violence and child recruitment, establishment of an additional joint technical working group, validation of standard operating procedures for age verification, adoption of a Ministry of Defence directive for the dissemination of the standard operating procedures within the FARDC, and screening of new recruits. For a second year, there were no cases of child recruitment. As a result, the FARDC has been removed from Annex I for recruitment, but is still listed in section B of Annex I in the 2017 annual report because of incidents of sexual violence.

Myanmar

Since the action plan was signed in 2012, over 800 children have been released from Myanmar's army, with 101 released in 2016. In September 2015, Myanmar signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Steps taken towards implementing the action plan include the issuance of military directives, age assessment guidelines training, accountability measures against military personnel, and the release of children. Further action is needed on the joint age verification process for the release of child recruits, strengthening of accountability mechanisms, and finalising some aspects of the joint action plan, including the revised Child Law.

Somalia

The Somali government signed action plans on ending recruitment and use of children and on killing and maiming in 2012. In October 2015 it ratified the Convention on the

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Rights of the Child. A child protection unit was established in the Somali armed forces and mechanisms for the handover of children to the UN were established. Children detained due to their alleged association with Al-Shabaab were released. On 6 January, the Somali National Army issued a general staff order that an individual needed to be at least 18 to enlist.

Sudan

The government signed an action plan in March 2016. Among others, the action plan committed the government to strengthening the principles of the Child Act of 2010 and the Sudan Armed Forces Act of 2007, as well as to appointing a high-level focal point to coordinate implementation. A work plan has been developed on the implementation of the action plan and high-level and technical committees formed through presidential decrees. Command orders have been given for the dissemination of the action plan and focal points appointed to facilitate discussions on access.

South Sudan

The action plan which the Sudan People's Liberation Army (SPLA) signed in 2012 and recommitted to in 2014 has stalled, largely due to the ongoing conflict.

Yemen

Although Yemen signed an action plan soon after the start of the campaign in 2014, the escalation of the conflict has resulted in a lack of attention to its implementation.

Observations

The Special Representative's focus on government forces over the two-year period appears to have provided the pressure needed for some governments to move on action plans that had been dormant for a number of years. A strategy of providing support where needed and highlighting areas that needed further attention, as well as acknowledging progress, appears to have been successful in galvanising governments into taking steps to implement their action plans. However, in situations where there was a reemergence of active conflict, such as South Sudan and Yemen, this strategy did not work. A combination of political will, focused attention from the relevant UN bodies, adequate resources, and conducive conditions are needed to get governments to take the first step in ending violations against children and to commit to

action plans. The type of institutional change required by the action plans cannot take place without strong government backing, active involvement of the UN, and resources from the international community.

Parties that have been Delisted

Parties have been motivated to comply with action plans for different reasons, as the following cases illustrate:

Côte d'Ivoire

Côte d'Ivoire was listed from 2003 to 2006. It was the first situation to be taken off the Annexes following the delisting of five parties in 2007. The very first action plan was signed in November 2005 with the Forces Armées des Forces Nouvelles (FAFN), followed by action plans the following year with four pro-government militias. The factors that led to success included the ability to identify leaders of the listed armed groups, the presence of a UN peacekeeping mission—United Nations Operation in Côte d'Ivoire (UNOCI)—that could establish dialogue with the parties, strong support from UNOCI child protection advisers, and particular attention being paid to this issue by the Office of the Special Representative. In addition, it seems that the threat of targeted sanctions on individuals recruiting children as recommended by the Working Group in February 2007 may have been a contributing factor.

Chad

The situation in Chad was listed in Annex II from 2006–2007, and then in Annex I from 2008–2013. The government first signed an action plan in 2011, but there was little progress for several years. The acceleration in the implementation of the action plan in 2013 was directly related to the government's interest in providing peacekeepers to the new UN mission in Mali which was to be set up in early 2014. Chad had been serving with the African-led International Support Mission in Mali (AFISMA), but in order to be rehatted into the new UN mission, it needed to comply with the 2012 UN Policy on Human Rights Screening of UN Personnel, designed to prevent individuals who have committed violations of international humanitarian or human rights law from serving with the UN. In 2013, Chad started working closely with the Office of the Special Representative and UNICEF to implement the action plan. It was removed from the annexes in 2014, following

the compliance by Armée Nationale Tchadienne with the action plan to stop recruitment and use of children. The speed at which the necessary reforms were made illustrates the importance of political will combined with incentives in galvanising a government to act on child violations.

Uganda

The situation in Uganda was first listed in Annex II in 2003, the first year Annex II was drawn up. The first report on children and armed conflict in Uganda was published in May 2007, and the Working Group issued its conclusions on the report in July 2007. In an unusual move, it asked for a follow-up report on the implementation of the conclusions, which was published in June 2008. Following three years of dialogue with the Uganda government, the Uganda People's Defence Forces (UPDF) and the Uganda Task Force on Monitoring and Reporting, the Uganda government and the Task Force signed an action plan regarding children associated with armed forces in January 2009. The action plan called for the Uganda government to prevent and end association of children under the age of 18 with the armed forces and local defence units; appoint focal points at the highest level of government on the implementation of the action plan; provide access to military facilities; investigate promptly any allegations of recruitment and use of children; and prosecute perpetrators. Upon verification that there were no more children present in their ranks, the UPDF and the Local Defence Units (LDUs) were delisted from the eighth report of the Secretary-General on children and armed conflict in 2009. Uganda was also a Council member in 2009–2010 and played a decisive role in moving the Council towards approaching this issue from a regional perspective, in view of the presence of the Lord's Resistance Army (LRA) in the DRC, Sudan and Uganda.

DRC

The government of the DRC signed an action plan to end and prevent the recruitment and use of children and sexual violence against children by the FARDC in October 2012. There was little progress in the implementation of an action plan for the next few years. However, in the last two years there have been serious steps taken, including child protection training of the army and security forces by the child protection unit in the UN Organization

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Stabilization Mission in the DRC (MONUSCO), the creation of age verification mechanisms, the adoption of a road map to accelerate the implementation of the action plan in September 2015, and the appointment of a special adviser of the president on sexual violence and child recruitment. Following a second year when no child recruitment was documented, the FARDC was delisted for recruitment and use of children although it continues to be listed for sexual violence.

The Philippines

The MILF in the Philippines was delisted following the completion of a six-step action plan in early 2017. The non-state armed group, which had been listed since 2003, agreed to an action plan in 2009, which was extended in April 2013. However, the political and security situation was not particularly conducive to the implementation of the plan. It was only following the signing of the Comprehensive Agreement on Bangsamoro (a peace agreement signed between the MILF and the government) in March 2014 that there was renewed interest from the group in implementing the action plan. As a first step in this direction, a panel consisting of military and civilian representatives was reconstituted to engage with the UN and focal points in the base commands. Other actions included the public display of command orders on non-recruitment or use of minors; permission to the UN for unhindered access to its territory; and the launch of a local version of the “Children, Not Soldiers” campaign to bring about change in community practices and ensure

that children do not become associated with the armed wing of the group.

Observations

The above cases illustrate that beyond naming and shaming and pressure from the Council, both governments and non-state armed groups are more likely to be spurred into action if the issue of violations against children is placed within the context of national interest. Political will is more likely to be present if a government or armed group wants to improve its reputation in the eyes of the international community. The importance of using a peace process in getting traction in child protection issues is clearly illustrated by the Philippines case.

Focused attention from the UN country teams, particularly the child protection advisers, and the Office of the Special Representative, has been key in successful delistings as seen in the examples above. In addition, getting parties to trust in the process and the monitoring and reporting mechanism are important elements that have allowed for the successful implementation of the action plans.

Country-Specific Reports

The preparation and submission of the Secretary-General’s reports on children and armed conflict in country-specific situations by the Office of the Special Representative are essential to the Working Group’s adoption of conclusions with recommendations addressed to parties involved in the conflict.

Three Secretary-General’s reports on children and armed conflict were published

in 2016: the CAR on 12 February 2016 (S/2016/133), Colombia on 4 October 2016 (S/2016/837), and Somalia on 22 December 2016 (S/2016/1098).

So far in 2017, three country-specific reports have been published: the Philippines on 5 April 2017 (S/2017/294), Nigeria on 10 April 2017 (S/2017/304), and Sudan on 6 March 2017 (S/2017/191). The next report, on children and armed conflict in Myanmar, is expected in November.

In an ideal situation, reports on children and armed conflict on all the situations listed in the Secretary-General’s annual report would be published each year, and all corresponding conclusions would be promptly adopted by the Working Group. In both 2016 and 2017, there were 14 situations listed in the Secretary-General’s annexes. The reality is that the complex monitoring and reporting mechanism on which these reports are based does not allow for a quick submission, as the process of collecting and verifying information requires a substantial amount of time. In addition, the Working Group has frequently been slowed down by difficulties finding consensus regarding its conclusions on an issue, often as a result of the politics surrounding that issue in the Council. While producing 14 reports and having the Working Group adopt 14 conclusions in a year may be unrealistic, a shorter cycle would provide more up to date information and assert greater pressure on the parties listed. In the last few years there has been on average a four- to five-year gap between reports on a country-specific situation.

Colombia Case Study

Background

Colombia’s 50-year conflict has had a severe impact on children who have been orphaned, displaced, recruited into armed groups, killed, abducted, or subjected to sexual violence. They have been killed and injured by landmines and have had their education disrupted by damage to schools.

The Secretary-General’s annual report has included Colombia as a situation of concern since its first publication in 2000. In 2003, three of Colombia’s armed non-state groups—the Revolutionary Armed Forces of Colombia-Ejército del Pueblo (FARC-EP), the National Liberation Army (ELN) and four paramilitary groups—were listed in Annex II i.e. situations of concern that were not on the Council’s agenda. The paramilitary

groups went through a formal demobilisation process that led to their removal from the annexes in 2009.

From the start, the Colombian government—although it agreed to have a monitoring and reporting mechanism—made clear that the situation in Colombia was different from other cases being examined by the Working Group. It was not open to the UN establishing direct dialogue with non-state armed groups and expressed concern over the inclusion of “illegal armed groups” in the report on children and armed conflict in Colombia, maintaining that these types of groups were outside the mechanism established by resolution 1612 due to their non-military structure and criminal nature.

First Report and Conclusions

A monitoring and reporting mechanism was established in January 2009. In August 2009, the first report on children and armed conflict in Colombia was published. Although in 1999 FARC made a commitment to the Special Representative for Children and Armed Conflict that it would not recruit children under 15 years of age, the report noted that the group had continued to do so. Similarly, although ELN had signed an agreement with civil society representatives committing not to recruit children under the age of 16, such recruitment had continued. The report also highlighted linkages among child recruitment, sexual violence, landmines, and internal displacement. In his recommendations, the Secretary-General urged the government to

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include specific provisions for the protection of children in any peace agreements, including the unconditional release of all children. In its conclusions to this first report adopted in September 2010, the Working Group included a public statement by its chair addressed to the parties to the armed conflict that were listed in the annexes. (The Working Group has used the format of a public statement as a creative way of conveying messages, particularly to non-state armed groups.) The statement urged them to ensure that children were not used in military operations, to end sexual violence and killing and maiming of children, stop the use of anti-personnel landmines, release all abducted children, cease attacks against schools, and ensure access for the provision of humanitarian assistance and child protection. In the Colombia conclusions, the Working Group also agreed that the chair would send a letter, transmitted by the president of the Council, to the government of Colombia. The letter would welcome progress made by the government including the creation of an intersectoral commission for the prevention of recruitment and use of children by armed groups, as well as urging the government to continue to ensure compliance and implementation of the legislation and programmes put in place. In addition, it would urge the government to continue communications with the Special Representative regarding dialogue with the parties to armed conflict listed in the annexes.

Second Report and Conclusions

The Secretary-General's second report on children and armed conflict in Colombia covering the period from January 2009 to August 2011 was published on 21 March 2012. Like the first report, it provided detailed information on grave violations against children and reiterated the need to take specific measures to address grave violations and combat impunity for these violations. In addition, it recognised the efforts made by the government to protect children, including the establishment of a framework document on the prevention of child recruitment by non-state armed groups by the National Council on Economic and Social Policy. Another important development that was highlighted was the adoption of the Victims and Land Restitution Law in June 2011 which included a special chapter on attention to orphans, child victims of recruitment and, children affected by landmines. In his

recommendations, the Secretary-General highlighted the importance of ensuring that the separation of children from the armed groups is addressed as a priority in any dialogue to be held. He expressed his concern over the slow progress in bringing perpetrators of grave violations against children to justice and the persistence of rape and other forms of sexual violence perpetrated by armed groups. He also reiterated his call for the government to include provisions aimed at the protection of children in any peace agreement.

The Working Group's conclusions in response to the Secretary-General's second report were published on 21 December 2012. The negotiations of these second conclusions were complicated by Colombia being an elected member of the Council in 2012. The start of the peace talks between the government and FARC-EP, in November 2012 may also have made the Colombian government more sensitive to any actions that could affect the talks. In an unusual move at the time, the Working Group consented, "on an exceptional basis", to have the statement delivered by the representative of Colombia at the formal meeting of the Working Group introducing the report annexed to the conclusions. Although the Colombian representative on the Working Group had been constructive during the negotiations, it was clear that being involved in the negotiations gave Colombia an opportunity to influence the language in the conclusions. Like the first set of conclusions, the second set contained three main actions: a public statement issued by the chair of the Working Group; a letter, this time from the Council president directly, to the government of Colombia; and a letter from the chair of the Working Group to donors. Although it generally focused on the same areas as in the first set of conclusions, its statement to the parties contained stronger and more detailed language. The letter to the government commended the progress made by the government in preventing and responding to the recruitment of children and highlighted the various efforts taken to do so. In addition, it urged the government to strengthen its child protection initiatives and ensure that the military forces comply with legislation prohibiting the use of children for military intelligence and the separation of children from armed groups. Once again, the importance of the government working with the co-chairs of the monitoring and reporting mechanism

was stressed, as was the need to include provisions specifically aimed at the protection of children in any future peace agreement.

Peace Talks

In the three years following the start of the peace talks in 2012, according to UNICEF, more than 250,000 children continued to be affected by the conflict. However, the situation on the ground improved as the level of conflict decreased. Between 2013 and 2015, the number of children killed or injured by landmines and unexploded ordnance halved while the number of displaced children dropped by 40 percent.

It was during this period that Special Representative Leila Zerrougui and her office played an active role in ensuring that child protection was taken into consideration in the peace talks. She travelled to Havana twice in 2015, where she held "conversations" with the Colombian government and FARC-EP representatives and was able to obtain a commitment from FARC-EP to begin the process of reintegrating child soldiers back into their communities. On 15 May 2016, she went to Havana for the signing of the Agreement between the Government of Colombia and the FARC-EP on the Separation and Reintegration of Children in Colombia. As part of the commitment, children under the age of 15 would be released first from the FARC-EP, followed by the separation of all children under 18. The agreement took into account international standards on the protection of children, and, among other things, prohibited the granting of pardons or amnesties for the crime of recruitment of minors. By September 2016, the government and FARC-EP had begun the separation and reintegration of all children associated with the group. At this point, both parties also agreed on a protocol for the separation and reintegration of children leaving the FARC-EP camps that ensured that separated children would be treated primarily as victims.

Third Report and Conclusions

The third report on children and armed conflict in Colombia was published on 4 October 2016, four and a half years after the previous one. This was due to a growing gap between the publication of the Secretary-General's country-specific reports on children and armed conflict and adoption of conclusions by the Working Group, often due to difficult negotiations as a result of Council political sensitivities affecting the

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dynamics of the Working Group. There had been significant changes in Colombia in the years between the two reports. To some extent the Council had been kept abreast of the developments through the information on Colombia in the Secretary-General's annual reports on children and armed conflict, although the situation in Colombia was not discussed directly by the Working Group in these years. The annual reports also provided opportunities for the Office of the Special Representative and the UN country team in Colombia to interact directly with the Colombian authorities.

By early 2017 when the Working Group began discussion on its Colombia conclusions following the receipt of the 2016 report on the country, a ceasefire was in place and there was a cessation of hostilities between the government and the FARC-EP. The agreement for the separation and reintegration of children associated with the FARC-EP had been signed in May 2016, and the government and the ELN had announced that they would begin peace talks in March 2016. These significant events were reflected in the conclusions of the Working Group, which were adopted on 7 March 2017 (S/AC.51/2017/1).

The government of Colombia continued to strengthen the framework for ending, preventing and responding to violations against children during this period. It had put in place a legal and institutional framework to provide assistance and reparations to over 7 million victims of armed conflict. Legislation was passed in February 2016 which ensured that all child victims of recruitment could be included in the victims register and receive reparations, no matter which armed group they were associated with. The adoption of a law on victim and land restitution included special provisions for child victims. The report, therefore, focused on recommendations for the implementation of commitments and reinforcement of efforts to fight impunity in the post-conflict phase.

A new action in this third set of conclusions was the request for the president of the Council to transmit a letter from the chair of the Working Group to the guarantors (Cuba and Norway) and accompanying countries (Chile and Venezuela) of the peace process, welcoming their efforts and encouraging them to make child protection a core priority and give it due consideration as early as possible in the peace process.

Council Involvement

In January 2016, the Council became more directly involved in the situation in Colombia when the Colombian government and the FARC-EP requested the UN to become the international component of the tripartite monitoring and verification mechanism of the ceasefire and cessation of hostilities, and to monitor and verify the laying down of weapons. On 25 January 2016, the Council adopted its first resolution on Colombia which established a year-long political mission, the UN Mission in Colombia (S/RES/2261).

Following the signing of the peace agreement on 24 August 2016, which asked for a second political mission to be deployed with a three-year mandate following the end of the first mission's mandate, the Council adopted resolution 2307 on 13 September 2016. This resolution approved the Secretary-General's recommendations contained in his 18 August 2016 report on the size, operational aspects, and mandate of this second political mission (S/2016/729). On 24 November 2016, the two parties signed the "Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace" between the government of Colombia and the FARC-EP, which provided the go-ahead for the UN Mission in Colombia to implement its full range of mandated tasks.

On 10 July 2017, the Council adopted a resolution authorising the UN Verification Mission in Colombia with a mandate to verify the implementation of several measures of the Final Agreement, including the political, economic and social reincorporation of the FARC-EP; personal and collective security guarantees; and comprehensive programmes on security and protection measures for communities and organisations in conflict-affected areas. This was followed, on 14 September 2017, by resolution 2377 approving the Secretary-General's recommendations regarding the size, operational aspects and mandate of the UN Verification Mission. Following the bilateral and temporary ceasefire agreed by the government of Colombia and the ELN, the Council adopted resolution 2381 on 5 October 2017 expanding the mandate of the UN Verification Mission in Colombia and tasking it to monitor the ceasefire. On the same day, it adopted a presidential statement recognising the work of the UN Mission in Colombia, and welcoming the achievements in Colombia following the 2016 agreement (S/PRST/2017/18).

None of the Council resolutions or the presidential statements on Colombia in 2016 and 2017 included language on violations against children or specific provisions for the disarmament and reintegration of ex-combatants who were minors. This absence of provisions related to protection of children in the mandates of both the UN Mission in Colombia and the UN Verification Mission appears to be due to the very specific mandates of the missions, which were derived from the peace agreement and the Final Agreement and did not allow for much deviation. Although the Office of the Special Representative would have preferred to have language on protection of children included in the resolution establishing the political mission, they did not push particularly hard, as they already had an adequate mandate through the May 2016 agreement on the separation and reintegration of children.

Council Visiting Mission

The Council undertook a visiting mission in May 2017, shortly after the conclusions on the third report on children and armed conflict in Colombia were adopted. The terms of reference for the visiting mission did not include any references to children. It seems that the visit was at a particularly sensitive moment in the peace process and members were keen to keep the focus on support for the process. During the visit, the Swedish permanent representative, who is the chair of the Working Group, raised the issue of children, particularly in relation to the demobilisation by FARC-EP, in a number of meetings. He also met informally with the UN taskforce responsible for monitoring and reporting violations against children. In the presidential statement following the visit, which largely focused on the progress made in Colombia and the implementation of the peace agreement, there was no reference to children (S/PRST/2017/6). In this particular case, political sensitivities made it difficult to push for a greater focus on child protection issues.

Observations

The case study on Colombia illustrates the importance of having the political space to mainstream children's protection issues in peace negotiations. It seems that the two guarantors had been very open to organisations bringing specific areas of interest to the parties, which allowed for the initial entry point for discussions of child protection in

Office of the Special Representative for Children and Armed Conflict

the peace agreement. Working with the Colombian government in establishing and implementing the monitoring and reporting mechanism over the years had given the team from the Office of the Special Representative a deep understanding of the Colombian government's position on many child protection issues. It had not always been an easy relationship, as the government had made it clear that it did not believe it should be listed at all, given that it maintained that the country was not in a state of armed conflict. However, over the years a relationship was built, and the Colombian government was ready to be more open to involving the international community in addressing issues around children in non-state armed groups once a peace agreement was in sight.

Having Special Representative Zerrougui, a high-level UN official who had a legal background and had worked on the issue of children as a mission leader in the DRC, was helpful. She was particularly aware of the importance of

developing trust and using the issue of children as a confidence-building measure between the parties in the early stages of her interaction with the government and FARC-EP. The low-key way in which the early contact was conducted helped build the atmosphere of trust.

Flexibility was shown in using the peace agreement in lieu of an action plan, which is generally the first step towards a party being delisted. Although the idea of an action plan was raised it became clear that this would not be easy to obtain. Instead, it was accepted that an agreement signed by both parties committing to the release and reintegration of children served the same purpose. The FARC-EP is still listed in the Secretary-General's annual report on children and armed conflict this year, as delistings were based on actions taken in 2016.

With the peace process, the UN country team and the Office of the Special Representative were able to capitalise on the relationship they had built through the development

of a children and armed conflict architecture in Colombia. The Working Group's focus on the issue of children and armed conflict in Colombia over the years, coupled with the government's discomfort with being on the annexes, were also important elements in creating the right atmosphere for greater attention to be paid to the protection of children once the political space opened up. In this particular case, it seems that not mainstreaming the issue in the Council's country-specific work on Colombia did not make much difference, as separate structures had been set up for the release and reintegration of children from FARC-EP. However, given that there is no similar agreement with ELN on protection of children issues, it may be important in the future for the Council or its Working Group to have greater oversight of issues related to protection of children under that ceasefire.

Mainstreaming Children and Armed Conflict

There has been an increase over the years in the inclusion of language on protection of children, both in terms of quantity and quality, in relevant resolutions and presidential statements since the adoption of resolution 1612 in 2005. In the last few years, particularly as the chairs of the Working Group have actively sought to ensure child protection language in relevant resolutions, the general references to protection of children have remained relatively constant. We have seen more specific language in new mandates of peace operations, and attention being paid to specific violations such as attacks on schools and hospitals and detention of children. In this section, we point out several developments that may have affected some of the mainstreaming of children and armed conflict in relevant Council decisions in 2016 and the first half of 2017.

There has been a move, particularly in 2017, to attempt to streamline language in the mandate resolutions for peacekeeping and political missions. There is growing view that mandates should provide clear priorities rather than incorporate everyone's favorite issue in "Christmas tree" mandates. References to child protection in the UN Assistance Mission in Afghanistan's (UNAMA)

mandate have been greatly reduced this year compared to previous years, with only brief references to recruitment, attacks on schools and hospitals, the action plan, the need to give priority to child protection activities, and retaining capacity in UNAMA. Language on child recruitment by terrorist groups was eliminated, and there was little elaboration on the action plan to prevent recruitment and use or to the problems of sexual violence against children. In addition, references to the rehabilitation and reintegration of children formerly associated with armed groups were omitted compared to the 2016 resolution. The length of the UNAMA mandate made it an extreme case, and most other mandates with a protection of children aspect have not been affected so far.

Language on protection of children was less likely to be included in politically sensitive situations. While there were some references in the language of the preambular paragraphs renewing the Syria cross-border humanitarian relief resolution in December 2016, there were no specific references to the protection of children in the resolution on the evacuation of Aleppo, although mention was made of protection of civilians and medical and humanitarian

personnel. Of the two presidential statements on Yemen adopted on 25 April 2016 and 15 June 2017, the former did not include any references to children while the latter included a reference to end recruitment of children. The renewal of the 2140 Yemen sanctions regimes in both 2016 and 2017 did not contain any references to children.

Another significant development that may have an effect on language on child protection in the Council's country-specific outcomes is the consolidation of the child protection functions within human rights components in peacekeeping and political missions, which began in 2015 and has been implemented in most peace operations. Only the AU/UN Hybrid Operation in Darfur (UNAMID), UN Mission in South Sudan (UNMISS), and MONUSCO currently remain unconsolidated. In 2016, references to child protection advisers were seen in resolutions renewing MINUSCA, United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and UNMISS. It seems that rather than move towards more specific language, as we saw in the UN Integrated Peacebuilding Office in the Central African Republic (BINUCA)

Mainstreaming Children and Armed Conflict

resolution in 2014 asking for an “adequate” number of child protection advisers, resolutions in 2016 tended to include more general language focusing on the use of existing child protection advisers rather than additional deployment. It may be too early to determine if this is a consequence of the move away from standalone child protection capacity.

References to the implementation of action plans and conclusions of the Working Group were included in relevant country-specific situations such as Afghanistan, the DRC, Sudan and Somalia. Similarly, reference to the more recent conclusions in relevant situations, including Afghanistan, DRC, Mali and Iraq, continue to be the norm.

A relatively new development is the inclusion of language on taking into account child protection as a cross-cutting issue throughout a mission’s mandate. This was found in resolutions renewing mandates of MINUSCA and MONUSCO. Also, a new development was more robust language on violations against children in the context of human rights monitoring in resolutions on UNISFA in 2015 and 2016.

Two new thematic resolutions in 2016 focused on issues with a strong children and armed conflict dimension. Resolution 2286 on attacks on health care provides a wider Council focus on an issue already covered by the children and armed conflict agenda as one of the six grave violations and a trigger for listing of parties in the annexes. Resolution 2331 on combating human trafficking in conflict highlighted the high number of girls and boys among trafficked persons and their vulnerability to violations and abuses.

Secretary-General’s Reports

In resolution 1460 adopted in January 2003, the Security Council requested that all the Secretary-General’s reports to the Council on country-specific situations include protection

of children as a “specific aspect”. An analysis of the Secretary-General’s reports in 2015 and 2016 shows that although a number of the reports included numerous references to violations against children, the organisation of the information does not focus on protection of children clearly enough to provide an understanding of progress made in relation to the children and armed conflict mandate.

In the 2016 reports of the Secretary-General, child protection continued to be included within a larger section. The 2016 reports on the CAR, DRC, Somalia (UNSOM and AMISOM) and South Sudan, included a sub-section on the protection of children, with the CAR and DRC reports placing this under human rights, Somalia (UNSOM) under support for peacebuilding, Somalia (AMISOM) under cross-cutting issues, and South Sudan under protection of civilians. Unlike in previous years, none of the reports contained a sub-section on child protection under the section on mandate implementation. As more missions consolidate child protection functions under the human rights component, we are likely to see reporting on child protection subsumed under human rights, rather than as a separate section.

Children featured in the “Observations” section of eight reports on the situations: Afghanistan, DRC, Iraq, Mali, Somalia (reports on UNSOM and AMISOM), South Sudan and Syria. However, most of the references to children were in the context of the impact of the conflict on civilians or conflict-related sexual violence more generally. More specific references were found in the observations of a DRC report referring to an action plan, and in a Somalia (UNSOM) report with language on detention of children associated with Al-Shabaab. Action plans were mentioned in a number of reports including, Afghanistan, DRC, Mali, Somalia (UNSOM),

South Sudan and Sudan, with most of them including information on the support being provided for the implementation of the plans.

Council Visiting Missions

Resolution 2143 on children and armed conflict, adopted in 2014, stressed the importance of regular and timely consideration of violations and abuses against children in armed conflict, including through incorporating a children and armed conflict dimension in the terms of reference of Security Council field visits.

In 2016, the Council went on five visiting missions: Burundi and Addis Ababa from 21-23 January; Mali, Guinea-Bissau and Senegal from 3-9 March; Somalia, Kenya and Egypt from 17-22 May; South Sudan and Addis Ababa from 2-5 September; and the DRC and Angola from 10-14 November. In 2017, between January and September, the Council made four visits: Lake Chad Basin from 2-7 March; Colombia from 3-5 May; Haiti from 22-24 June; and Addis Ababa from 6-8 September.

References to children are found only in the terms of reference for the Lake Chad Basin and for the Mali visits. None of the briefings to the Council following the visiting missions mentioned children. Most of the reports from the visiting missions are not yet available. The Lake Chad Basin report, one of the few reports from visiting missions that has been published, did have a number of references to children in the context of meetings with government officials. The visit to the Lake Chad Basin, where members met with children who had been abducted by Boko Haram, appears to be the only visit where the impact of conflict on children was raised more formally in a number of discussions.

Observations and Options

The children and armed conflict mandate has shown resilience through some difficult years when the scope of the mandate was under scrutiny by Council members who were determined to reign in any signs of going beyond the dictates of resolution 1612. But the creation of a Working Group with a mandate to consider country-specific

reports on children and armed conflict provided the impetus for the mainstreaming of this issue in the country-specific work of the Council. Today it is unusual not to find substantive child protection language in relevant resolutions. However, such mainstreaming is not automatic and requires pro-active members who are willing to ensure that language

regarding the protection of children agenda is maintained and improved.

A possible weakening of the mandate is still a concern. The politicisation of the listings in the Secretary-General’s annual report raised uncomfortable questions about the monitoring and reporting mechanism and have led to greater awareness of the importance of

Observations and Options

ensuring a credible listing of perpetrators. The decision of Secretary-General Guterres to list the Saudi Arabia-led coalition for violations in Yemen in 2017 has helped restore some trust in the listing mechanism, but steps need to be taken to ensure that the system is better equipped to protect the mandate. Among the options are:

- regular outreach and advocacy between the Office of the Special Representative and the parties listed in order to enhance transparency and provide regular feedback over the year;
- providing updates on the progress made by parties that are listed under those that “have put in place measures during the reporting period” in a transparent and timely manner; and
- ensuring that the monitoring and reporting mechanism, which provides key information on violations against children, has adequate resources, including the appropriate number and level of child protection personnel.

Children in conflict situations today are facing some new challenges compared to when this issue first came to the Council’s attention. The “naming and shaming” approach has had some success with certain parties given the right political circumstances and sustained attention from the UN. It has been less successful with non-state armed groups. A fresh approach that maintains the core of the children and armed conflict mandate while adding new dimensions to address new challenges is needed. Among the options are:

- explore how the monitoring and reporting mechanism and the annexes can be used as tools for early engagement and prevention of conflict;
- consider how the information from the monitoring and reporting mechanism could feed into a more integrated information platform within the UN;
- make use of early warning mechanisms that could provide information on new threats to children in armed conflict;
- assess the list of grave violations to determine if any new violations need to be added;
- determine if the time is right to make denial of humanitarian access a trigger that could lead to a party being listed (it is currently the only one of the six grave violations that is not a trigger); and
- request an informal report from the Office of the Special Representative on recommendations for innovative tools in

addressing the new challenges.

As the case study on Colombia shows, peace talks can provide the right opening for a deeper conversation about protection of children. Other situations where child protection concerns can be raised at the early stages of a peace process should be considered and appropriate mediation expertise should be put in place.

The Working Group

In the last two years, although the negative factors that affected relations in the Working Group have not fully abated, the overall atmosphere in the Working Group has been quite congenial. This year there has been an efficient rhythm of the introduction of reports and the adoption of conclusions. An effort has been made to obtain information from the field, as exemplified by the video teleconference with the Sudan UN taskforce in March ahead of the start of the negotiations on Sudan conclusions. The inclusion of an invitation in recent conclusions to governments to keep the Working Group informed of their implementation is a good start, but there is room for a more pro-active approach by the Working Group. Options include:

- inviting representatives from the state being considered in a report on children and armed conflict to meet with the Working Group to discuss the implementation of the conclusions;
- requesting short, follow-up reports to put pressure on specific groups as was done in the past in the cases of Sri Lanka and Uganda;
- requesting regular updates from the Special Representative on emerging situations where child protection issues have arisen;
- enhancing interaction with child protection advisers from the field in order to get a better understanding of how the conclusions are being implemented and how they can be made more useful;
- initiating a meeting with child protection representatives from regional and sub-regional organisations in order to get a better understanding of how to integrate child protection considerations in planning, policy and training between the UN and these organisations;
- ensuring that the conclusions contain language that will allow the UN taskforce to push for implementation (in this context, more concrete suggestions in the recommendations of the Secretary-General’s reports on children and armed conflict in

country-specific situations would be useful);

- requesting that the Secretary-General’s reports on situations in the annexes include a separate section on follow-up to the implementation of Working Group requests;
- suggesting that the Global Horizontal Note, which has been a useful tool for providing detailed information but has become too long for easy use, be redesigned to focus on progress in implementation and be provided on a more regular basis; and
- having the chair of the Working Group, as a matter of practice, informally follow-up on Working Group conclusions or gather information for future conclusions during Council visiting missions, including through meetings with the UN taskforce.

The Office of the Special Representative

The role of the Special Representative and her Office has been crucial in the development of this issue over the years. There are, however, several areas that deserve further attention.

- Using the position of the Special Representative to press for action from parties has been fairly successful and should be resorted to as much as possible.
- If the new format of the annual report encourages parties to move on their action plans, it is important to ensure that the Office of the Special Representative has the resources to provide the assistance needed.
- The poor record of action plans on the other violations (killing and maiming, rape and other forms of sexual violence, attacks on schools and hospitals, and abductions) is a continuing concern and merits further examination, possibly through a lessons learnt study.
- Attacks on healthcare have been a focus of Council activity in the last two years since the adoption of resolution 2286, and there appears to be increasing interest in the Council for creating more awareness of attacks on schools as seen in the Arria-formula meeting in October. The timing might be right for the Office of the Special Representative to develop a specific strategy aimed at parties who are listed for this violation.
- It would be useful for the Working Group to have a clear schedule of reports presented at the start of the year and any constraints on delivering the reports on time should be conveyed promptly by the Office of the Special Representative.
- Regular briefings by the Special

Observations and Options

Representative to the Council will help raise the Council's awareness of the impact of conflicts on children in situations on the agenda and allow for further refinement of language on children and armed conflict in Council decisions.

- Instituting a regular schedule for interaction between the Working Group, the Special Representative and panels or groups of experts of relevant sanctions committees could be useful.
- Timing field visits by the Special Representative to take place shortly after the

Working Group's adoption of its conclusions would ensure that the Working Group's key messages are conveyed and received by their targets.

The children and armed conflict mandate appears to be on the brink of moving into a new phase. In order for the potential of some of these recent developments to be fully realized, the proper resources need to be in place and the children and armed conflict architecture brought in line to cope with potential changes. Those responsible for the monitoring and reporting mechanism may need to assess

what is required to adequately provide the appropriate information for the new annual report format in future. The impact of the cuts in peace operation budgets under pressure from the US and a pushback against human rights functions in peace operations by China, could both affect the resources given to child protection in peace operations. The support of those who believe in this mandate will be all the more crucial in the coming years as it navigates the new challenges.

Annex I: UN Documents and Useful Additional Sources

SECURITY COUNCIL THEMATIC RESOLUTIONS

Children and Armed Conflict

[S/RES/2225](#) (18 June 2015) added abductions as an additional violation to trigger inclusion of a party in the annexes of the Secretary-General's annual report.

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

[S/RES/2068](#) (19 September 2012) expressed the Council's commitment to deal with persistent perpetrators of violations against children.

[S/RES/1998](#) (12 July 2011) expanded the trigger to include parties that attack or threaten schools and hospitals.

[S/RES/1882](#) (4 August 2009) expanded the trigger to include killing and maiming and sexual violence.

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

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

[S/RES/1460](#) (30 January 2003) requested specific proposals to ensure more efficient and effective monitoring and reporting on children and armed conflict. It also asked the Secretary-General to include this issue in his country-specific reports.

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

SECURITY COUNCIL COUNTRY-SPECIFIC RESOLUTIONS

[S/RES/2381](#) (5 October 2017) requested, on behalf

of the Colombian government and the FARC-EP, the UN to become the international component of the tripartite monitoring and verification mechanism on the ceasefire and cessation of hostilities and monitor and verify the laying down of weapons.

[S/RES/2377](#) (14 September 2017) approved the Secretary-General's recommendations on the size, operational aspects, and mandate of the UN Verification Mission in Colombia.

[S/RES/2366](#) (10 July 2017) established the UN Verification Mission in Colombia, a successor mission to the UN Mission in Colombia.

[S/RES/2307](#) (13 September 2016) approved the Secretary-General's recommendations on the size, operational aspects and mandate of the UN Mission in Colombia.

[S/RES/2261](#) (25 January 2016) established a political mission to monitor and verify the laying down of arms and the bilateral ceasefire and cessation of hostilities between the Government of Colombia and the FARC-EP.

SECURITY COUNCIL PRESIDENTIAL STATEMENTS ON CHILDREN AND ARMED CONFLICT

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

SECURITY COUNCIL PRESIDENTIAL STATEMENTS

[S/PRST/2017/6](#) (11 May 2017); [S/PRST/2017/8](#) (5 October 2017)

SECRETARY-GENERAL'S REPORTS

Thematic Reports on Children and Armed Conflict

[S/2016/360](#) (20 April 2016) and [S/2016/360/ADD.1](#) (24 June 2016); [S/2015/409](#) (5 June 2015); [S/2014/339](#) (15 May 2014); [S/2013/245](#) (15 May 2013); [S/2012/261](#) (26 April 2012); [S/2011/250](#) (23 April 2011); [S/2010/181](#) (13 April 2010); [S/2009/158](#) (26 March 2009); [S/2007/757](#)

(21 December 2007); [S/2006/826](#) (26 October 2006) and [Corr.1](#) (5 December 2006); [S/2005/72](#) (9 February 2005); [S/2003/1053](#) (10 November 2003), [Corr. 1](#) (20 February 2004) and [Corr. 2](#) (19 April 2004); [S/2002/1299](#) (26 November 2002); [S/2001/852](#) (7 September 2001); and [S/2000/712](#) (19 July 2000).

Selected Country-Specific Reports on Children and Armed Conflict

[S/2017/304](#) (10 April 2017) was on Nigeria.

[S/2017/294](#) (5 April 2017) was on the Philippines.

[S/2017/191](#) (6 March 2017) was on Sudan.

[S/2016/1098](#) (22 December 2016) was on Somalia.

[S/2016/837](#) (4 October 2016) was on Colombia.

[S/2016/133](#) (12 February 2016) was on the CAR.

[S/2015/336](#) (15 May 2015) was on Afghanistan.

[S/2012/171](#) (6 March 2012) was on Colombia

[S/2009/434](#) (28 August 2009) was on Colombia

SECURITY COUNCIL MEETING RECORDS

Debates on Children and Armed Conflict

[S/PV.7753](#) (2 August 2016); [S/PV.7466](#) (18 June 2015); [S/PV.7414](#) (25 March 2015); [S/PV.7259](#) (8 September 2014); [S/PV.7129](#) (7 March 2014); [S/PV.6980](#) (17 June 2013); [S/PV.6838](#) and [Res.1](#) (19 September 2012); [S/PV.6581](#) and [Res.1](#) (12 July 2011); [S/PV.6341](#) and [Res.1](#) (16 June 2010); [S/PV.6176](#) (4 August 2009); [S/PV.6114](#) and [Res.1](#) (29 April 2009); [S/PV.5936](#) and [Res.1](#) (17 July 2008); [S/PV.5834](#) and [Res.1](#) (12 February 2008); [S/PV.5573](#) and [Res.1](#) (28 November 2006); [S/PV.5494](#) and [Res.1](#) (24 July 2006); [S/PV.5129](#) and [Res.1](#) (23 February 2005); [S/PV.4948](#) (22 April 2004); [S/PV.4898](#) and [Res.1](#) (20 January 2004); [S/PV.4695](#) (30 January 2003); [S/PV.4684](#) and [Res.1](#) (14 January 2003); [S/PV.4528](#) (7 May 2002); [S/PV.4423](#) (20 November 2001); and [S/PV.3896](#) (29 June 1998).

WORKING GROUP CONCLUSIONS

[S/AC.51/2017/4](#) (11 September 2017) was on the Philippines.

[S/AC.51/2017/3](#) (31 July 2017) was on Sudan.

Annex I: UN Documents and Useful Additional Sources

[S/AC.51/2017/2](#) (13 July 2017) was on Somalia.

[S/AC.51/2017/1](#) (7 March 2017) was on Colombia.

[S/AC.51/2016/3](#) (19 December 2016) was on the CAR.

[S/AC.51/2016/2](#) (18 August 2016) was on Iraq.

[S/AC.51/2016/1](#) (11 May 2016) was on Afghanistan.

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

[S/AC.51/2010/3](#) (30 September 2010) was on Colombia.

SECURITY COUNCIL LETTERS

[S/2017/345](#) (19 April 2017) was the letter from Liechtenstein transmitting the report from the Princeton Workshop on "Priorities for the UN's Children and Armed Conflict Agenda, 2017–2018".

[S/2016/1116](#) (23 December 2016) conveyed the annual report of the activities of the Working Group on Children and Armed Conflict to the president of the Security Council.

[S/2016/662](#) (29 July 2016) was the concept note for the 2 August 2016 open debate on children and armed conflict.

GENERAL ASSEMBLY DOCUMENTS

[A/72/361](#) (24 August 2017); [A/72/276](#) (2 August 2017); [A/71/205](#) (25 July 2016); [A/70/162](#) (20 July 2015); [A/68/267](#) (5 August 2013); [A/67/257](#) (6 August 2012); [A/66/256](#) (3 August 2011); [A/65/219](#) (4 August 2010); [A/64/254](#) (6 August 2009); [A/63/227](#) (6 August 2008); [A/62/228](#) (13 August 2007); [A/61/275](#) (17 August 2006); [A/60/335](#) (7 September 2005) and [Corr.1](#) (23 November 2005); [A/59/426](#) (8 October 2004); [A/58/328](#) (29 August 2003) and [Corr. 1](#) (16 January 2004); [A/57/402](#) (25 September 2002); [A/56/453](#) (9 October 2001); [A/55/442](#) (3 October 2000); [A/54/430](#) (1 October 1999); and [A/53/482](#) (12 October 1998) were the reports by the Special Representative to the Secretary-General for Children and Armed Conflict.

[A/RES/51/77](#) (20 February 1997) recommended that the Secretary-General appoint for a period of three

years a Special Representative for the impact of armed conflict on children.

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

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

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

USEFUL ADDITIONAL SOURCES

[2017 Annual Report: Putting Children's Rights Up Front](#), Watchlist for Children and Armed Conflict, March 2017

[The United Nations 1612 Monitoring and Reporting Mechanism: Lessons from Colombia and Sudan](#), Watchlist on Children and Armed Conflict, August 2016

Annex II: Background Information

Historical Development of the Issue of Children and Armed Conflict

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

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

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

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

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

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

Security Council Resolutions on Children and Armed Conflict

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

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

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

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

- to report on the progress made by parties in stopping the recruitment or use of children in armed conflict;
- to develop specific proposals for monitoring and reporting on the application of international norms on children and armed conflict; and
- to include protection of children in armed

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conflict as a specific aspect of all his country-specific reports.

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

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

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

Resolution 1882 was adopted on 4 August 2009. It expanded the criteria for identifying state and non-state parties that could be listed in the Secretary-General’s annexes to include killing and maiming and rape and other sexual violence against children. The resolution also called on parties engaged in killing and maiming and sexual violence against children to prepare action plans outlining steps to stop these crimes.

Resolution 1998 was adopted on 12 July 2011. It expanded the criteria for inclusion in the annexes to the report on children and armed conflict to parties that engage in recurrent attacks on schools and hospitals in armed conflicts, as well as recurrent attacks or threats of attacks against schoolchildren and educational and medical personnel. This

resolution also asked the Working Group to consider within one year a broad range of options for increasing pressure on persistent perpetrators of violations and abuses committed against children in situations of armed conflict.

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

Resolution 2143 was adopted on 7 March 2014 with all 15 members voting in favour. While reiterating a number of key issues, the resolution contained some new elements, including references to the use of schools by armed forces, encouraging member states to establish a vetting mechanism to ensure those who have committed violations against children are not included in army ranks, recommendations for child protection training for peacekeepers and military personnel, support for the “Children, Not Soldiers” campaign and the role of child protection advisers in integrating child protection in mission activities. The importance of security sector reform in mainstreaming child protection, including through age-assessment mechanisms to prevent underage recruitment and establishment of child protection units in national security forces, constituted new elements. The resolution focused also on the role regional organisations can play in child protection and the need to incorporate child protection provisions in peace agreements.

Resolution 2225 was adopted on 18 June 2015. It requested the Secretary-General to list parties in the annexes of his annual report “that engage in patterns of abduction of children in situations of armed conflict” along with those who recruit, kill, maim and sexually abuse children and target schools and hospitals. The resolution urged the immediate, safe and unconditional release of all abducted children and called upon those parties listed in the Secretary-General’s report to adopt without delay concrete time-bound action plans to halt all violations. Regarding children formerly associated with armed groups, it encouraged member states to consider alternatives to prosecution and detention, with a focus on rehabilitation and integration.

Secretary-General’s Reports on Children and Armed Conflict

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

A controversial aspect of the Secretary-General’s reports had been the inclusion since 2002 in the Secretary-General’s report of “naming and shaming” annexes, lists of parties to armed conflict that recruit or use children in violation of international obligations. The Council in resolution 1379, requested the Secretary-General to create two sets of lists: one for situations on the Council’s agenda, and one for situations that could be brought to the attention of the Security Council by the Secretary-General in accordance with Article 99 of the UN Charter. (The latter provision allows the Secretary-General to refer to the Council a situation that in his view may threaten international peace and security.) Having a list, compiled by the Secretary-General and endorsed by

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the Council, that actually named parties was significant. It was the first step towards putting pressure on those named to stop abusing children, or at minimum, to devise plans to reach this goal.

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

The Council's Tools

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

The Council has:

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

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

The Working Group was set up to consider

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

The six grave violations used in monitoring and reporting are:

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

The determination of the presence of particular type of violation does not, however, automatically place its perpetrator in an annex to the Secretary-General's report. The recruitment of children was the original trigger for placing an armed group in the Secretary-General's annexes. With the adoption of resolution 1882 in August 2009, two additional triggers were added: parties that engage in patterns of killing and maiming of children and/or rape and other sexual violence against children in situations of armed conflict. Resolution 1998 adopted in July 2011 added the fourth trigger, attacks against schools and/or hospitals. Resolution 2225 in 2015 added the fifth trigger, abduction of children in armed conflict.

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