

contribution towards the development of a well-targeted strategy and shared vision in the maintenance of international peace and security and of the deeper and broader involvement of Member States and the wider international community in that regard;

Underlined the need for closer cooperation and interaction within the United Nations system in addressing the challenges to

peace and security, including the root causes of conflicts, and intended to continue taking concrete steps in advancing that goal;

Decided to conduct a further review, with the active participation of non-members, of the implementation of the commitments made at its meeting at the level of Heads of State and Government.

38. Children and armed conflict

Decision of 11 August (4185th meeting): resolution 1314 (2000)

On 19 July 2000, the Secretary-General submitted the first report on children and armed conflict,¹ which contained an overview of the fate of children in conflict areas, traced the progress made in addressing the situation of children and indicated the challenges that lay ahead. Drawing on concrete activities from the field, the Secretary-General made a number of recommendations related to the normative foundation of the protection of children; the protection of children in the midst of conflict; integrating the protection of children into peacemaking and peacekeeping; post-conflict peacebuilding for children; regional initiatives on behalf of children affected by armed conflict; and the role of non-governmental organizations and civil society in shaping the agenda regarding children affected by armed conflict. With regard to the Security Council, the Secretary-General recommended, inter alia, that the Council urge armed groups to commit themselves to the child protection standards embodied in the Convention on the Rights of the Child and its Optional Protocol and in international humanitarian law, and to accept and cooperate in the monitoring of adherence to those standards; demand that parties involved in armed conflict not commit egregious crimes against children, or face the possibility of targeted sanctions if they failed to comply; call on all parties to conflict and other concerned actors to give systematic consideration to the special needs and particular vulnerabilities of girls; develop a coordinated and integrated approach to minimize the unintended consequences of sanctions on civilian populations, especially children, primarily through the establishment of effective humanitarian exemptions; reaffirm the responsibility of targeted States and armed groups to ensure the humanitarian

protection of all those under their control, particularly children; and encourage collaboration between the United Nations and regional organizations for the protection of children affected by armed conflict.

At its 4176th meeting,² on 26 July 2000, the Council included in its agenda the above-mentioned report.³ The Council was briefed by the Deputy Secretary-General, the Special Representative of the Secretary-General for Children and Armed Conflict and the Executive Director of the United Nations Children's Fund (UNICEF). Statements were made by most Council members⁴ and by the representatives of Austria (in his capacity as Chairman-in-Office of the Organization for Security and Cooperation in Europe), Barbados, Colombia, the Democratic Republic of the Congo, Ecuador, India, Indonesia, Iraq, Japan, Kenya, Lesotho, Mozambique, Nepal, New Zealand, Nigeria, Norway, Senegal, Sierra Leone, South Africa, the Sudan, the United Republic of Tanzania and Uganda, as well as by the head of the delegation of the International Committee of the Red Cross and the Permanent Observer of the Organization of the Islamic Conference.

Introducing the report, the Deputy Secretary-General noted that since the adoption of resolution 1261 (1999), which had placed the issue of children and armed conflict on the peace and security agenda,

² For more information on the discussion at this meeting, see chap. XI, part I, sect. B, with regard to the discussion relating to Article 39 of the Charter; and chap. XI, part III, sect. B, with regard to the discussion relating to Article 41.

³ S/2000/712.

⁴ The representative of Mali did not make a statement. The representative of France spoke on behalf of the European Union; Bulgaria, Cyprus, the Czech Republic, Estonia, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

¹ S/2000/712, submitted pursuant to paragraph 20 of resolution 1261 (1999).

progress had been achieved on the issue of protection of children in war-torn areas. Achievements included the adoption of the Optional Protocol to the Convention on the Rights of the Child, which focused on the involvement of children in armed conflict, and the deployment of child protection advisers in Sierra Leone and the Democratic Republic of the Congo. Despite those positive developments, children continued to be killed, maimed, sexually abused, recruited into armed forces or deprived of life-saving humanitarian assistance. She concluded by expressing the hope that the Council would show the necessary political leadership in the fight against those who exploited children.⁵

The Special Representative of the Secretary-General for Children and Armed Conflict detailed some of the progress that had been achieved on the agenda, which included an increase in public awareness; raising the minimum age for compulsory recruitment and deployment from 15 to 18; the systematic inclusion of child protection concerns into peace operation mandates by the Council; the insertion of sections on the protection and well-being of children in reports to the Council on specific conflict situations; the establishment and deployment of child protection advisers; the placing of children's concerns on peace agendas; the elaboration of training programmes for peacekeepers in the domain of the rights and protection of children and women; the increasing and widespread engagement of non-governmental organizations in advocacy work; increasing focus and resource allocation for children in post-conflict situations; and some innovative national initiatives on behalf of war-affected children, such as the National Commission for War-Affected Children in Sierra Leone and the enactment of a new law in Rwanda which opened the way for girls to inherit land and other property. He stressed that the challenge ahead was how to ensure that parties in conflict adhered to the commitments made concerning the protection of children. In that regard, the Council and other key actors could make a big difference by using their collective weight and influence to lean on parties in conflict. He stressed that the international community should make any assistance to parties in armed conflict contingent on their observing standards for the protection of children, and should encourage the corporate sector to develop voluntary codes of conduct regarding illicit trade with

⁵ S/PV.4176, p. 3.

parties in conflict where children and women are the primary victims. In the context of peace processes, he believed that crimes against children should be excluded from any amnesty provisions and legislation. He further hoped that the Council would continue to explore measures to ease the impact of sanctions on children. The Special Representative also praised the actions taken by regional groups and hoped that the Council would encourage regional organizations to systematically incorporate the rights and protection of children into their policies, activities and programmes. In his opinion, the international community needed to fill three gaps within the existing mode of response: the special needs of girls, the vulnerability of the adolescent and the importance of providing more consistent education to children both caught in the midst of, and in the aftermath of, conflict.⁶

The Executive Director of UNICEF asked Council members to do everything in their power to ensure that the words contained in the Secretary-General's report and in Council resolutions became deeds that made a difference to the lives of children. On the basis of the experiences of UNICEF in conflict areas, she highlighted several critical issues, such as the need for education programmes to be restarted as soon as possible, even when conflict still raged, and for hospitals, clinics, schools and other sites where children were more likely to be found to be protected from attacks and violence. Furthermore, she held that children should have their own demobilization programmes; that the parties to a conflict must be actively engaged in upholding the international standards protecting children; that the vulnerability of girls, especially to sexual abuse and other forms of violence and abuse, must be addressed; that the lack of security for humanitarian personnel reduced access to children in need; and that landmine-awareness programmes could significantly reduce death and injury rates. She expressed the hope that the Council's response to the report would be strong and unambiguous, with determined and intensive follow-up. That meant that in authorizing any peacekeeping missions, imposing sanctions, facilitating a ceasefire or finding ways to prevent conflict, the Council would ensure that children's rights were addressed in a practical and effective way. When warring parties or others violated the provisions of any resolution, including resolution 1261 (1999), she urged Council

⁶ *Ibid.*, pp. 3-5.

members to speak out collectively and individually, to make it clear that violators were overstepping the bounds of decent and acceptable behaviour.⁷

In their statements, speakers welcomed the adoption of the Optional Protocol to the Convention on the Rights of the Child by the General Assembly and insisted that the development of new legal standards had to be supported by effective efforts in the field to ensure their implementation. In that connection, they recommended the establishment of monitoring and reporting mechanisms to ensure the compliance of armed groups and non-State actors with their commitments regarding the protection of children. Referring to the necessity of ending impunity both for crimes committed against children and for the use of children as soldiers, most speakers welcomed the conclusion of the Rome Statute for the establishment of the International Criminal Court.

Observing that the best way to protect children was to prevent conflict, speakers also stressed the need to address the economic, social and political causes of conflict and establish systems which protected children before conflict broke out, and to improve access to education, which could play an important role in protecting children from forced recruitment. To achieve those goals, they called for improved coordination among the agencies of the United Nations and for enhanced cooperation with regional organizations, non-governmental organizations and civil society. Equally important, in their view, was the disarmament, demobilization and reintegration of child soldiers, which should be an integral part of the humanitarian relief and peacebuilding strategy. In the post-conflict phase, the emphasis should be on the reintegration of former child soldiers to avoid their return to armed groups. Speakers also expressed support for the recommendations in the report of the Secretary-General addressing gender violence and stressed the need for rehabilitation and reintegration programmes to take into account the special needs of girl soldiers.

Noting that the proliferation of small arms and light weapons had not only exacerbated conflicts around the world, but had also led to the increased use of children as combatants, speakers called for concrete measures to stem their illegal flow. Furthermore, they deplored the use of landmines, which

⁷ *Ibid.*, pp. 5-7.

disproportionately affected children and women, and espoused support for landmine-awareness programmes.

Referring to the unintended consequences of sanctions regimes on children, speakers called for the adoption of mechanisms to monitor and assess their impact on children.

Speakers, in general, agreed with the Secretary-General's recommendations. The representative of India held that the recommendations contained in the report did not delve into the larger implications, or lacked the necessary clarity. Furthermore, he held that several recommendations asked the Council to take actions well beyond its mandate, as they should be addressed by the Economic and Social Council or Member States. He concluded that where armed conflicts could be stopped or curbed if strong peacekeeping operations were quickly set up, the Council must do so.⁸ The representative of Iraq cautioned that the Council's discussion of the issue of children and armed conflict should in no way prejudice the competence of the General Assembly or the Economic and Social Council.⁹

The representative of Colombia protested against the use of the Arria formula for the Council's meetings with non-governmental organizations, as it did not allow States that were not members of the Council to participate in the discussions.¹⁰ Several speakers welcomed the Council's meetings with non-governmental organizations, which could serve as an early warning of impending crisis.¹¹

At its 4185th meeting, on 11 August 2000, the Council again included in its agenda the report of the Secretary-General on the implementation of resolution 1261 (1999) on children and armed conflict.¹²

The President (Malaysia) drew the attention of the Council to a draft resolution;¹³ it was put to the vote and adopted unanimously and without debate as resolution 1314 (2000), by which the Council, *inter alia*:

⁸ S/PV.4176 (Resumption 1), pp. 19-20.

⁹ *Ibid.*, p. 14.

¹⁰ *Ibid.*, p. 4.

¹¹ S/PV.4176, p. 11 (United Kingdom); p. 17 (Bangladesh); p. 19 (Namibia); and p. 20 (China).

¹² S/2000/712.

¹³ S/2000/787.

Urged all parties to armed conflict to respect fully international law applicable to the rights and protection of children in armed conflict, in particular the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977, the United Nations Convention on the Rights of the Child of 1989 and the Optional Protocol on the involvement of children in armed conflict of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court;

Urged Member States in a position to do so to sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

Requested parties to armed conflict to include, where appropriate, provisions for the protection of children, including the disarmament, demobilization and reintegration of child combatants, in peace negotiations and in peace agreements, and for the involvement of children, where possible, in those processes;

Underlined the importance of giving consideration to the special needs and particular vulnerabilities of girls affected by armed conflict, including, *inter alia*, those heading households, orphaned, sexually exploited and used as combatants, and urged that their human rights, protection and welfare be incorporated in the development of policies and programmes, including those for prevention, disarmament, demobilization and reintegration;

Urged Member States and relevant parts of the United Nations system to strengthen the capacities of national institutions and local civil society for ensuring the sustainability of local initiatives for the protection of children;

Called upon Member States, relevant parts of the United Nations system, and civil society to encourage the involvement of young persons in programmes for peace consolidation and peacebuilding.

**Decision of 20 November 2001
(4423rd meeting): resolution 1379 (2001)**

On 7 September 2001, the Secretary-General submitted a report on children and armed conflict, describing the progress made in the implementation of existing Council resolutions and identifying areas where further action was needed.¹⁴ In that respect, the Secretary-General presented a series of action points with regard to consolidation of the normative framework; monitoring of obligations and commitments and eliciting compliance; placing child protection on the United Nations peace and security agenda; the impact on children of illicit exploitation of natural resources in zones of conflict; child soldiers and abducted children; HIV/AIDS; the involvement

and protection of children in the truth- and justice-seeking process; peacebuilding for children during and after conflict; and regional responses to child protection concerns. More specifically, the Secretary-General called upon the Council to continue to ensure compliance by all parties to armed conflict with their child protection obligations. He recommended that the mandates of peace operations explicitly include provisions for the monitoring of the rights of children as well as child protection elements, and provide for child protection advisers and child-focused rights officers, where appropriate. He further observed that the Council might wish to continue to consider targeted measures against parties to armed conflict whose actions were contributing to the illegal exploitation of natural resources and decide to continue its development of strategic maps of resource flows in zones of conflict characterized by egregious harm to children and civilians. In that context, he called upon the Council to consider the inclusion, where feasible, of specific provisions in the mandates of peacekeeping operations to monitor such activity. He suggested that future Council missions might decide to include an assessment of the HIV/AIDS situation, with particular focus on the impact of that situation on children.

At its 4422nd meeting,¹⁵ on 20 November 2001, the Council included in its agenda the above-mentioned report.¹⁴ The Council was briefed by the Secretary-General, the Special Representative of the Secretary-General for Children and Armed Conflict and the Executive Director of UNICEF. Statements were made by all Council members and the representatives of Belgium (on behalf of the European Union¹⁶), Canada, Egypt, Iraq, Israel, Japan, Malaysia, Mexico, Nigeria, the Republic of Korea, Slovenia and South Africa. Additionally, the Council heard testimony from Alhaji Babah Sawaneh, a 14-year-old former child soldier from Sierra Leone.¹⁷

¹⁵ For more information on the discussion at this meeting, see chap. XI, part I, sect. B, with regard to the discussion relating to Article 39 of the Charter; and chap. XI, part III, sect. B, with regard to the discussion relating to Article 41.

¹⁶ Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

¹⁷ S/PV.4422, pp. 7-8.

¹⁴ S/2001/852, submitted pursuant to paragraph 21 of resolution 1314 (2000).

In his opening remarks, the Secretary-General drew attention to the draft resolution before the Council,¹⁸ which contained measures for protecting children in armed conflict. He stressed the importance of field monitoring through the presence of child protection advisers at the field level and the conveyance of accurate and timely information to the Council regarding the implementation of its resolutions. He further expressed readiness to bring to the Council's attention the identities of parties that were in violation of the draft resolution.¹⁹

The Special Representative of the Secretary-General for Children and Armed Conflict noted that despite an impressive body of practice that had developed over the past four years, which had been registered at the levels of advocacy to policies and programmes, the overall situation of children exposed to war remained grave and unacceptable. He highlighted the need to monitor and report more systematically and effectively the conduct of parties to conflict in relation to their treatment of children; take practical measures on the ground to apply the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; strengthen and give wider application to the appointment of child protection advisers to peacekeeping operations; integrate child protection into peacemaking, peacekeeping and peacebuilding processes; and pay more attention to the protection and rehabilitation of girls.²⁰

Calling attention to the Optional Protocol and the Rome Statute, the Executive Director of UNICEF stated that understanding and awareness of the situation of children in armed conflict had come a long way. However, access to children caught up in conflict remained a major problem. She commended the inclusion in the draft resolution of the issue of HIV/AIDS and the pledge to put children at the centre of recovery and rehabilitation efforts.²¹

Saying he was speaking on behalf of all child soldiers, Alhaji Babah Sawaneh provided a description of his life as a child soldier in Sierra Leone. He spoke of his release, his fear of re-recruitment, the reaction of the local community to his being a former child soldier,

and his experience under the disarmament, demobilization and reintegration programme. He appealed to the Council to help all the children of his country who, like himself, had experienced life as a child soldier.²²

Speakers noted that continued progress in the Council's efforts would require full cooperation with the United Nations system in general, particularly with UNICEF and the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and also with non-governmental organizations operating in the field and civil society. Speakers also advocated better and more effective cooperation and coordination with regional and subregional organizations.

Speakers also stressed the need for international legal standards to be upheld in the area of child protection and children's rights, and urged Member States to ratify all relevant legal instruments, including the Rome Statute of the International Criminal Court and International Labour Organization Convention No. 182 concerning the prohibition and elimination of the worst forms of child labour. They welcomed the fact that the Optional Protocol to the Convention on the Rights of the Child was due to enter into force by February 2002, establishing a minimum of 18 years of age for the recruitment of soldiers.

Reaffirming their commitment to keeping children and armed conflict high on the Council's agenda, some representatives emphasized that the issue remained within the Council's primary mandate to maintain international peace and security.²³ The representative of the United Kingdom held that the failure to recognize the issue of children and armed conflict and tackle its effects would have a damaging effect on the international peace and security efforts of the Council.²⁴ The representative of South Africa observed that while the consideration of the issue of children and armed conflict raised its political profile, the Council needed to take a lead in establishing the parameters of acceptable conduct with regard to children in armed conflict.²⁵

In their interventions, speakers, *inter alia*, endorsed the recommendations contained in the

¹⁸ S/2001/1093.

¹⁹ S/PV.4422, pp. 2-3.

²⁰ *Ibid.*, pp. 3-5.

²¹ *Ibid.*, pp. 5-7.

²² *Ibid.*, pp. 7-8.

²³ *Ibid.*, p. 9 (United Kingdom); and p. 14 (Mali).

²⁴ *Ibid.*, p. 9.

²⁵ S/PV.4422 (Resumption 1), p. 22.

Secretary-General's report; stressed the need to effectively monitor compliance with commitments and obligations by parties to conflict and mobilize resources for supporting activities to help child victims; held that there should be no impunity for those found guilty of inflicting pain on children or recruiting children as soldiers; highlighted the well-documented link between the flow of small arms and children's involvement in armed conflict; noted the link between armed conflict, sexual exploitation and abuse of children and the spread of HIV/AIDS; underlined the importance of education for children in the post-conflict phase; and highlighted the situation of refugees and internally displaced children in and around Afghanistan. In addition, a number of speakers drew attention to the plight of children in Palestine.²⁶

At its 4423rd meeting, on 20 November 2001, the Council again included in its agenda the report of the Secretary-General on children and armed conflict.²⁷

At the same meeting, the President (Jamaica) drew the attention of the Council to a draft resolution;²⁸ it was put to the vote and adopted unanimously and without debate as resolution 1379 (2001), by which the Council, *inter alia*:

Expressed its readiness explicitly to include provisions for the protection of children when considering the mandates of peacekeeping operations, and reaffirmed, in that regard, its readiness to continue to include child protection advisers in peacekeeping operations;

Supported the ongoing work of the Secretary-General, the Special Representative of the Secretary-General for Children and Armed Conflict, UNICEF, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights, other agencies of the United Nations system and other international organizations dealing with children affected by armed conflict;

Expressed its intention to consider taking appropriate steps to address the linkages between armed conflict and terrorism, the illicit trade in precious minerals, the illicit trafficking in small arms and light weapons, and other criminal activities;

Undertook to consider the economic and social impact of sanctions on children, with a view to providing appropriate humanitarian exemptions that take account of their specific needs and their vulnerability, and to minimize such impact;

²⁶ *Ibid.*, p. 6 (Tunisia); p. 16 (Egypt); p. 25 (Iraq); and pp. 28-29 (Malaysia).

²⁷ S/2001/852.

²⁸ S/2001/1093.

Requested the Secretary-General to submit a report to the Council by 31 October 2002 on the implementation of the resolution and of resolutions 1261 (1999) and 1314 (2000).

**Decision of 7 May 2002 (4528th meeting):
statement by the President**

At its 4528th meeting, on 7 May 2002, the Council was briefed by the Special Representative of the Secretary-General for Children and Armed Conflict, the Executive Director of UNICEF and the former independent expert of the Secretary-General on the impact of armed conflict on children.²⁹ The Council also heard personal testimonies from three child delegates to the Children's Forum of the special session of the General Assembly on children.³⁰

Noting that the meeting was being held in support of the special session of the General Assembly on children, the President of the Council (Singapore) traced the decisions taken by the Council since 1998, comprehensively laying out the Council's extensive support and guidance for international efforts to protect and assist children in armed conflict.³¹

Stressing that the greatest burdens of war were borne by children, the Special Representative of the Secretary-General for Children and Armed Conflict commended the Council for its commitment to incorporate the protection of children into the peace and security agenda of the United Nations. He, *inter alia*, called on the Council to do more to ensure that child protection would become part of peace accords and the mandates of peacekeeping operations.³²

The former independent expert of the Secretary-General on the impact of armed conflict on children echoed the Special Representative's praise of the Council and pointed to successes achieved on the ground, including the demobilization of child soldiers in the Sudan. She stressed, however, that the prevention of armed conflict, which was the primary mandate of the Council, remained the best means of protecting children. She further called upon the Council to implement means of monitoring its child

²⁹ Cameroon was represented by its Minister of State in charge of External Relations; Norway was represented by its Minister for International Development. Also present were the Minister of Children and Family Affairs of Norway and the Minister for Social Affairs of Guinea.

³⁰ S/PV.4528, pp. 7-9.

³¹ *Ibid.*, pp. 2-3.

³² *Ibid.*, p. 4.

protection mandates and to take new measures when implementation thereof was deemed too slow.³³

The Executive Director of UNICEF welcomed the Council's engagement with non-governmental organizations, stressing that only through such a partnership could UNICEF advocate policy, programmes and strategies to strengthen the protection of children in armed conflict. She indicated that UNICEF would continue to invest in education, particularly in the education of girls, as a means of ensuring the long-term well-being and sustainable protection of the rights of war-affected children.³⁴

The three child delegates to the Children's Forum of the special session of the General Assembly on children, from Liberia, Bosnia and Herzegovina, and East Timor respectively, each described how conflict in their homelands had affected them and other children, and appealed for an end to conflict and for the protection of children.³⁵

The President then made a statement on behalf of the Council,³⁶ by which the Council, *inter alia*:

Expressed its concern at the grave impact of armed conflict on children and reiterated its strong condemnation of the continued targeting and use of children in armed conflicts, and called on all parties to conflict to desist from such practices immediately;

Reaffirmed its call for the inclusion of provisions for the protection of children, with particular attention to the special needs of girls in, *inter alia*, peacekeeping and peacebuilding operations;

Looked forward to a successful final document concerning the protection of children affected by armed conflict on the occasion of the special session of the General Assembly on children;

Urged Member States to consider ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

Underscored the importance of unhindered humanitarian access for the benefit of children.

**Decision of 30 January 2003 (4695th meeting):
resolution 1460 (2003)**

³³ *Ibid.*, pp. 4-5.

³⁴ *Ibid.*, pp. 6-7.

³⁵ *Ibid.*, pp. 7-9.

³⁶ S/PRST/2002/12.

At its 4684th meeting,³⁷ on 14 January 2003, the Council included in its agenda the report of the Secretary-General on children and armed conflict dated 26 November 2002.³⁸ In his report, the Secretary-General reviewed activities and progress made with respect to the protection of children affected by situations of armed conflict and in post-conflict situations, as well as in the implementation of resolutions 1261 (1999), 1314 (2000) and 1379 (2001). The Secretary-General provided an overview of the issue of child protection on the peace and security agenda of the United Nations, welcoming the inclusion of child protection provisions in the mandates of peacekeeping operations and the deployment of child protection advisers or units in the United Nations missions in Angola, the Democratic Republic of the Congo and Sierra Leone. As requested in paragraph 16 of resolution 1379 (2001), the Secretary-General, for the first time, presented a list of parties to armed conflict that recruited or used children as soldiers in violation of relevant international obligations, in situations of which the Council was seized, in an annex to his report. He stressed the need for action to promote and disseminate the standards and norms put in place to protect children and to raise awareness about them on the ground. Similarly, he underscored the need to put in place strengthened monitoring and reporting mechanisms to identify the violators and to take measures against them. Dissemination, advocacy, monitoring and reporting were seen as the key components of an era of application.

At the meeting, the Council was briefed by the Secretary-General, the Special Representative of the Secretary-General for Children and Armed Conflict and the Executive Director of UNICEF. Statements were made by all Council members, the representatives of Austria (in his capacity as Chair of the Human Security Network), Bahrain, Burundi, Canada, Colombia, Costa Rica, the Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Greece (on behalf of the European Union³⁹), Indonesia, Israel, Japan,

³⁷ For more information on the discussion at this meeting, see chap. X, part IV, with regard to the recourse to investigation by the Security Council in the light of Article 34 of the Charter; and chap. X, part IV, with regard to referrals by the Secretary-General in the light of Article 99.

³⁸ S/2002/1299, submitted pursuant to paragraph 15 of resolution 1379 (2001).

³⁹ Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary,

Liechtenstein, Malawi, Monaco, Myanmar, Namibia, Nepal, the Philippines, Rwanda, Sierra Leone, Slovenia, Switzerland and Ukraine, and the Permanent Observer of Palestine.

Expressing satisfaction with the steady progress that had been made in embedding the protection, rights and well-being of children affected by armed conflict into the United Nations peace and security agenda, and with the progressive development of a body of international norms and standards on the subject, the Secretary-General stressed that it was time to ensure that those norms and standards were put into practice on the ground. He reported that the list contained 23 parties in five conflict situations on the Council's agenda and highlighted other conflicts not on the Council's agenda where children were recruited or used. By naming parties that continued to recruit or use child soldiers, the international community was serving notice that it was finally willing to back expressions of concern with action. He urged the Council to maintain its resolve on the issue.⁴⁰

Joining the Secretary-General's call for translating words into action, the Special Representative for Children and Armed Conflict called on the Council to lead the way by example and action. The list annexed to the report provided an important opportunity for the Council to respond. In that context, he recommended the following measures for the Council's consideration: a call on the parties on the list to immediately end recruiting and using child soldiers and to provide full information on measures they had taken to that effect; consideration of imposing targeted measures against parties where substantial progress was not found to have been made; and a comprehensive list in the next report of the Secretary-General to include all parties involved in armed conflict which continued to recruit and use child soldiers. Child soldiering was only one aspect of the impact of war on children, he added, emphasizing that all child victims of war deserved the attention and protection of the international community.⁴¹

The Executive Director of UNICEF was convinced that the naming and shaming of parties who

Iceland, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia aligned themselves with the statement.

⁴⁰ S/PV.4684, pp. 3-4.

⁴¹ *Ibid.*, pp. 4-6.

recruited and used children in armed conflict would help to establish a culture of accountability, which could, in turn, prevent such abuses from occurring in the future. She thus encouraged the Council to consider the Secretary-General's list in all its deliberations, and to update it regularly, expanding its scope to include parties to armed conflict in situations not on the Council's agenda at the time. For its part, UNICEF would use the list to intensify its advocacy efforts, both globally and locally. In closing, she noted that the recent allegations of sexual exploitation and abuse of refugee and internally displaced children and women in West Africa by peacekeepers served as a wake-up call for the entire international community, and called on the Council to follow up on the statement by the President of 20 December 2002⁴² on the protection of civilians, which encouraged States, in particular troop-contributing countries, to adopt six core principles to prevent sexual abuse and exploitation.⁴³

In their interventions, speakers reaffirmed that using children as a tool of war was intolerable, and that the international community and the Council had to commit to a new era of action, as called for by the Secretary-General. While welcoming the progress achieved since the adoption of resolution 1379 (2001), and expressing support for the work of the Office of the Special Representative for Children and Armed Conflict, as well as the role played by United Nations agencies and non-governmental organizations, speakers noted that much remained to be done. Pointing to the interconnectedness of the items relating to children and armed conflict and those relating to the protection of civilians in armed conflict and women, peace and security, the representatives of the United Kingdom and Japan called for an integrated approach to address them, with the representative of Japan suggesting that the Council consider them as a single item.⁴⁴

Referring to the normative framework for child protection in armed conflict, speakers welcomed the entry into force of the two landmark international instruments, namely, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and the Rome Statute of the International Criminal Court, which classified conscription, enlistment or use in

⁴² S/PRST/2002/41.

⁴³ S/PV.4684, pp. 6-8.

⁴⁴ *Ibid.*, p. 18 (United Kingdom); S/PV.4684 (Resumption 1), p. 40 (Japan).

hostilities of children below the age of 15 as a war crime in both international and internal armed conflicts. Speakers concurred that those two legal instruments strengthened the international framework for the protection of children in situations of armed conflict. Nevertheless, they stressed that the challenge was to ensure that those standards were implemented on the ground. The representative of the Russian Federation held the view that the International Criminal Court would merge harmoniously with the existing United Nations system and the role of the Council in making sure that there could be no evasion of punishment for crimes against children.⁴⁵

Speakers stated that the list of parties to armed conflict that recruited or used child soldiers, annexed to the report of the Secretary-General, represented an important step forward in the efforts to induce compliance by parties to conflict with international child protection obligations. A number of speakers called for the list to be updated regularly and suggested that the criteria for inclusion on the list be broadened to include all situations where children were recruited or used as soldiers or where their protection was severely threatened.⁴⁶ In that connection, the representative of the United States expressed regret that some of the worst violators of children in armed conflict were not included on the list, pointing to Myanmar, Uganda and Colombia.⁴⁷ Expressing similar views, the representative of the United Kingdom also noted that Myanmar had not been included on the list despite consistent reports indicating wide, systematic and forced recruitment and training of children for use in combat.⁴⁸ In contrast, the representative of Myanmar stressed that there had been no credible evidence of the use and recruitment of children in his country's armed forces, while it was a practice of armed insurgent groups in Myanmar to recruit and abuse child soldiers. He stated that such information should be verified before it was presented to the Council.⁴⁹ While his country was included on the list, the representative of the Democratic Republic of the Congo reaffirmed that his country had ended the enlistment of children in the Congolese armed forces, unlike the armed groups

operating in certain occupied provinces.⁵⁰ The representative of Burundi, while recognizing the existence of child soldiers on the Government side who were recruited on a voluntary basis, pointed out that a project for the demobilization of child soldiers had been established in cooperation with UNICEF. With respect to the non-State armed groups in Burundi, however, he remarked that the situation for children remained distressing.⁵¹

Speakers joined the Secretary-General's appeal for the creation of monitoring and reporting mechanisms aimed at identifying violators and taking measures against them. The representative of Pakistan proposed that the mandate of existing peacekeeping operations and observer missions be broadened to encompass such monitoring and reporting activities.⁵² The representative of Canada, echoed by the representative of Austria, suggested that the Council dispatch missions to visit those conflict situations mentioned specifically in the report of the Secretary-General. He held that the Council should ask for a six-month interim report, evaluate progress made in those situations, and commit itself to follow up in one year on the parties named in the report.⁵³ The representative of Mexico noted that at the 13 January 2003 Arria formula meeting, the establishment of an informal Security Council group had been proposed, which would assess compliance with international norms by the parties to conflict.⁵⁴

Speakers commended the Secretary-General's call for child protection to be an explicit feature of the mandates of peacekeeping operations and for those operations to include child protection units, and welcomed the implementation of those recommendations to date in Angola, the Democratic Republic of the Congo and Sierra Leone. The representative of the United Kingdom was pleased that an inter-agency working group would do further work on developing guidelines on the integration of child protection issues in the context of United Nations peace efforts, and expected the working group to play an active part in

⁴⁵ S/PV.4684, p. 14.

⁴⁶ *Ibid.*, p. 21 (United States); and pp. 25-26 (Guinea); S/PV.4684 (Resumption 1), p. 7 (Switzerland); p. 18 (Austria); p. 24 (Costa Rica); and p. 29 (Slovenia).

⁴⁷ S/PV.4684, p. 21.

⁴⁸ *Ibid.*, p. 19.

⁴⁹ S/PV.4684 (Resumption 1), p. 30.

⁵⁰ *Ibid.*, p. 36.

⁵¹ *Ibid.*, p. 39.

⁵² S/PV.4684, p. 23.

⁵³ S/PV.4684 (Resumption 1), p. 8 (Canada); and p. 18 (Austria).

⁵⁴ S/PV.4684, p. 13.

the regular briefings provided to the Council and in the Council's subsequent discussions of those countries.⁵⁵

Speakers also underlined the importance of ensuring that children were able to participate in the process of post-conflict reconstruction, and the need to focus on child soldiers in disarmament, demobilization and reintegration programmes, while calling for the allocation of sufficient resources to that end.

Speakers also reiterated their condemnation of reports of sexual exploitation and abuse of refugee and internally displaced women and children in West Africa and elsewhere, involving aid workers and peacekeepers among others. The representative of the Russian Federation called for comprehensive training for United Nations personnel, as well as monitoring and measures to prevent impunity.⁵⁶ Several representatives welcomed the Plan of Action, submitted by the Inter-Agency Standing Committee's Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises, which called for the incorporation of the Committee's codes of conduct of six core principles.⁵⁷

Many speakers emphasized the need to mitigate the impact on children of illicit commercial exploitation of natural resources in conflict zones, speed up the clearance of anti-personnel mines and regulate the proliferation of small arms and light weapons.

At its 4695th meeting, on 30 January 2003, at which no statements were made, the Council again included in its agenda the report of the Secretary-General on children and armed conflict.⁵⁸

The President (France) drew attention to a draft

⁵⁵ Ibid., pp. 17 and 19.

⁵⁶ Ibid., p. 14.

⁵⁷ S/PV.4684, p. 13 (Mexico); and pp. 17-19 (United Kingdom); S/PV.4684 (Resumption 1), p. 9 (Canada); and p. 33 (Malawi).

⁵⁸ S/2002/1299.

resolution;⁵⁹ it was put to the vote and adopted unanimously and without debate as resolution 1460 (2003), by which the Council, *inter alia*:

Supported the call of the Secretary-General for "an era of application" of international norms and standards for the protection of children affected by armed conflict;

Expressed its intention to enter into dialogue, as appropriate, or to support the Secretary-General in entering into dialogue with parties to armed conflict in violation of the international obligations applicable to them on the recruitment or use of children in armed conflict, in order to develop clear and time-bound action plans to end that practice;

Noted with concern the list annexed to the Secretary-General's report, and called on the parties identified in that list to provide information on steps they had taken to halt their recruitment or use of children in armed conflict in violation of the international obligations applicable to them to the Special Representative of the Secretary-General for Children and Armed Conflict, bearing in mind the provisions of paragraph 9 of its resolution 1379 (2001);

Reiterated its determination to continue to include specific provisions for the protection of children in the mandates of United Nations peacekeeping operations, including provisions recommending child protection advisers on a case-by-case basis and training for United Nations and associated personnel on child protection and child rights;

Noted with concern all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crisis, including those cases involving humanitarian workers and peacekeepers, and requested contributing countries to incorporate the six core principles of the Inter-Agency Standing Committee on Emergencies into pertinent codes of conduct for peacekeeping personnel and to develop appropriate disciplinary and accountability mechanisms;

Requested the Secretary-General to ensure that in all his reports to the Security Council on country-specific situations, the protection of children in armed conflict was included as a specific aspect of the report.

⁵⁹ S/2003/112.