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Children and Armed Conflict



Source: www.flickr.com

Foreword

The CIMIC messenger role is to inform the CIMIC family and our civilian partners on relevant and current issues within the world of civil military interaction and CIMIC.

This third issue will focus on children and armed conflict. Armed conflicts can have tremendous effects on the civilian population. Children are among the most vulnerable parts of the population and deserve the best protection against a conflict they are innocently trapped in and might change or destroy their lives. Therefore, the topic of children and armed conflict is an issue that concerns us all, whether you are part of an organization, civilian or military. I speak out the hope that all of us working in the civil military dimension strive for a comprehensive approach to provide the best protection for children in an armed conflict situation. Let this messenger be a starting point to continue discussion, exchange of knowledge, information and most of all cooperation on the topic of children and armed conflict.

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Director CCOE

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INTRODUCTION

Today's conflicts drag on for extended periods of time without a clear beginning or end. The distinction has faded between combatants and civilians. Crops, civilian sites of (religious) significance, hospitals and schools have been attacked. Families and entire communities have fallen victim to violence. The pattern of contemporary armed conflict has led to an increased risk for civilians and with that for children. That is exactly why exploring the topic of Children and Armed Conflict (CAAC) and becoming more knowledgeable of the issue is also relevant for military forces.

Around the world, armed conflict inflicts in various ways upon the lives of children. Currently, in the Central African Republic (CAR), it is estimated that 0.5 million children have been driven from their homes and another 6,000 children are thought to currently be associated with armed forces and groups. Sexual violence is pervasive and the children from CAR have been directly attacked, maimed, killed and beheaded.² In Syria, children are (in)directly struck by shelling of residential areas and the attacks on schools and hospitals left many children without shelter, in hunger and in need of protection. Syrian children are trapped in conflict zones which are inaccessible to humanitarian assistance, exacerbating their suffering.³

This article aims to explore the CAAC topic by compiling the most relevant information and to determine and clarify the role of the military in dealing with the matter. Therefore, the article starts with outlining the importance of protecting children from the effects of armed conflict including the international legal framework. Furthermore, the Six Grave Violations, developed by the United Nations (UN) Secretary-General will be described as well as the other

efforts undertaken by the UN. The focus on CAAC from several organizations including the North Atlantic Treaty Organization (NATO), European Union (EU), African Union (AU) and other International Organizations and (non) governmental organizations (IOs and (N)GOs) will be examined. The role of the military regarding the topic of CAAC in three stages, pre-deployment, execution and transition, will be outlined and the role of Civil Military Cooperation (CIMIC) will be specifically examined. Thereafter, the conclusion will end the article. As such, the article provides a general overview but does not exhaustively describe how the topic of CAAC should be implemented in the military.

1. The protection of children as one of the main concerns of the international community

*"It is unforgivable that children are assaulted, violated, murdered and yet our conscience is not revolted nor our sense of dignity challenged. This represents a fundamental crisis of our civilization."*⁴

Though children should have no part in warfare, it is clear they are in various ways heavily involved in armed conflicts. It should be stressed that the involvement of children in conflict has long term (destabilizing) implications for society. Patterns of violence engrained in communities, are passed on to younger generations threatening long-term stability and increasing chances of a renewal of violent conflict.⁵ Children, both victim to and former perpetrators of violence, report psycho-social disturbances making rehabilitation and reintegration into society an increasingly challenging and complex endeavour. The protection of children from armed conflict is an important aspect of a comprehensive strategy towards resolving conflict and building a durable peace. It is thus a legal obligation and a matter of peace and security.

¹ The authors work as respectively the legal advisor and staff officer Training & Education CCOE. Ms Posthumus is a former intern at the CCOE. This article has been peer reviewed by UNICEF, Democratic Control of the Armed Forces (DCAF), Nordic Centre for Gender in Military Operations and civilian subject matter experts. The authors thank the peer group for their useful contributions and insights.

² Office of the Special Representative of the UN Secretary-General on CAAC, <http://childrenandarmedconflict.un.org/brutality-against-children-in-central-african-republic-reaches-unprecedented-levels-un/> (last visited: 24-3-14).

³ Office of the Special Representative of the UN Secretary-General on CAAC, <http://childrenandarmedconflict.un.org/un-humanitarian-community-urge-protection-access-to-aid-for-syrian-children/> (last visited: 24-3-14).

⁴ Mrs Graca Machel, Mozambican politician and humanitarian and the widow of Nelson Mandela, submitted the report "The Impact of Armed Conflict on Children" to the UN in 1996.

⁵ It is estimated that between a quarter and a third of the agreements concluded by peace civil war resumed in the five years following these agreements: "Our record of success in mediating and implementing peace agreements is sadly blemished by some devastating failures. Indeed, several of the most violent and tragic episodes of the 1990s occurred after the negotiation of peace agreements — for instance in Angola in 1993 and in Rwanda in 1994. Roughly half of all countries that emerge from war lapse back into violence within five year", Report of the Secretary-General Kofi Annan, In a larger freedom (...), UN Doc. A/59/2005, 24 mars 2005, § 114.



The importance of protecting children from the effects of armed conflict is a

- Legal obligation;
- Question of peace and security;
- Moral imperative.

2. The international legal framework

Different languages and professional fields can use different terminology to refer to the same issues. There is no single definition of 'a child'. The Convention on the Rights of the Child, the most widely ratified Convention, defines a child as "every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier".⁶ For this article, a *child* will therefore be considered as "every human being below the age of 18 years".

The key legal instruments for protecting children from armed conflict are:⁷

International humanitarian law

- The Four Geneva Conventions (1949)
- Additional Protocols to the Geneva Conventions (1977)
- Rome Statute of the International Criminal Court (1998)
- Customary International Humanitarian Law

International human rights law

- Convention on the Rights of the Child (1989) and its Optional Protocols (2000/2012)
- UN Declaration of Human Rights (1948)
- International Covenant on Civil and Political Rights (1966)
- International Covenant on Economic, Social and Cultural Rights (1966)
- Regional human rights instruments
- ILO Conventions 29 (1930) and 182 (1999)
- Convention against Torture (1984)
- Customary International Human Rights Law

⁶ Article 1 Convention on the Rights of the Child.

⁷ International treaties bind only those States that have signed and ratified them while customary law is universally binding (as long as this custom is seen as "evidence of a general practice accepted as law" (ICJ Statute, Article 38§1 b)).

⁸ Office of the Special Representative of the UN Secretary-General on CAAC, <http://childrenandarmedconflict.un.org/library/documents/publications/WorkingPaper#1>, p. 3 (last visited: 24-3-14).

International jurisprudence

Case law of the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal Rwanda (ICTR), the Special Court for Sierra Leone (SCSL), the International Criminal Court (ICC) and the International Court of Justice

Security Council Resolutions on children and armed conflict

1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012)

3. The Six Grave Violations

The UN Secretary-General has identified Six Grave Violations against children in armed conflict. The violations have been identified based on their suitability for monitoring and verification, their egregious nature and the severity of their consequences on the lives of children.⁸ Each violation is a severe breach and violation of the identified legal instruments and can amount to international crimes.⁹

The killing or maiming of children

The right to life and the prohibition of the killing and maiming of civilians including children are enshrined in almost every international legal document.

The International Criminal Tribunal for the former Yugoslavia (ICTY) has specifically recognized that in the instances where children are the victims of murder, torture or other injuries, this is likely to amount to 'aggravating circumstances' resulting in lengthier than ordinary prison charges for perpetrators.¹⁰

⁹ See, for instance, Rome Statute: "Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities" is a war crime (Art. 8§2 b) (xxvi) and (Art. 8§2 e) (vii).

¹⁰ *Supra* 8, p. 9.



Picture: The effects of experiencing armed conflict during childhood can be visible in many ways.

Source: www.tumblr.com

Attacks on Schools and Hospitals

In contradiction to legal obligations, schools and hospitals are frequently targeted and attacked in the course of armed conflict.¹¹ Next to the direct possible physical damage, armed conflict may lead to the forced closure or disruption of these institutions.¹² Warring parties may use the physical building for military purpose. A general sense of insecurity can also cause parents to keep their children at home or obstruct teachers and medical personnel to go to work.

Denial of Humanitarian Access

Humanitarian access is crucial in times of armed conflict in order to assist the civilian population. However, 80 million children are denied humanitarian assistance as fighting interrupts assistance and the parties to conflict hamper access for security or political reasons.¹³

Abduction of children

During armed conflict children are abducted from their homes, schools and refugee camps which result in further violations against children that include but are not limited to forced labour, sexual slavery, trafficking, enslavement and recruitment. Child abduction is a means of parties in conflict to instil fear,

intimidate and retaliate against the civilian population.

Abduction by the Lord's Resistance Army

In the Ugandan Lord's Resistance Army (LRA), abduction was frequently followed by (one or more) of the six grave violations. With the exception of a handful of senior officers, nearly all individuals within the LRA have been forcibly abducted as the leadership has adopted a policy of forced recruitment, particularly of children since 1990.¹⁴

Sexual violence against children

Sexual violence has increasingly become a part of conflict and is in some instances used as a tactic of war. Sexual abuse can take various forms, such as rape, sexual slavery, enforced prostitution, forced pregnancy, and enforced sterilization as described in the Rome Statute.¹⁵ It has severe and devastating consequences. Child victims suffer long-term health issues such as psychological trauma, sexually transmitted diseases and early pregnancy. Reintegration of the latter is a challenge in itself as communities often stigmatize girls that carry babies of rape. Boy victims of sexual violence should not be overlooked nor should the trauma boys face as witnesses or perpetrators of sexual violence.



Picture: Making a statement to put an end to sexual violence.

Source: www.wikipedia.org

¹¹ See, for instance, the Report of the Secretary-General on children and armed conflict in the Syrian Arab Republic (UN Doc. S/2014/31), especially §§ 39-53.

¹² See, in particular, reports and work of the Special Representative for the Right to Education (e.g. the right to education in emergency situations (2010), UN Doc. A/RES/64/290).

¹³ Office of the Special Representative of the UN Secretary-General on CAAC, <http://childrenandarmedconflict.un.org/effects-of-conflict/six-grave-violations/denial-of-humanitarian-access/> (last visited 24-3-14).

¹⁴ Office of the Special Representative of the UN Secretary-General on CAAC, <http://childrenandarmedconflict.un.org/the-lords-resistance-army-and-children/> (last visited 24-3-14).

¹⁵ Article 7(1)(g) Rome Statute.



Sexual Violence in Congo

*"I was with the group for two years. I used a gun many times, in many battles. We fought the Rwandans over the DR Congo because it is our country. We suffered a lot. I had lice in my hair. In the morning they would take us to guard places like the houses of a military authority. We also had to do all the cooking for lots of people who were there. It was hard work. They didn't start to rape me at the beginning, for the first year. It was later on that it began. I felt like I had no more energy left within me. I felt so weak and feeble and like I had lost all of my intelligence."*¹⁶

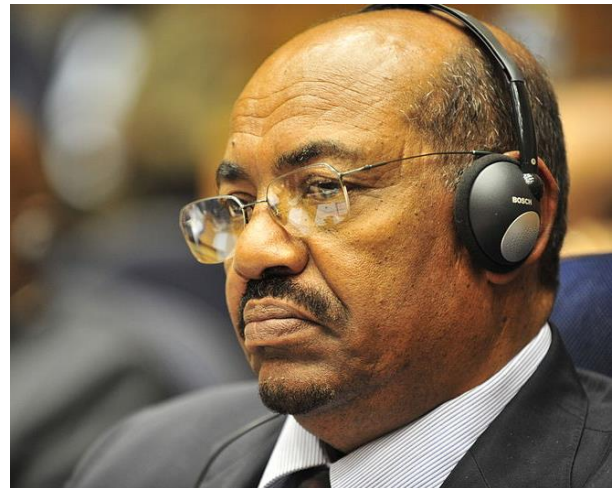
Recruitment or use of children as soldiers

The recruitment or use of children under the age of 15 is prohibited.¹⁷ The international community tried to raise the minimum age for recruitment and use of children to 18.¹⁸

The use of children in combat varies. Many girls and boys do not directly participate in the fight but start off in, or maintain, supporting functions that similarly entail great risk and hardship. Children act as porters, human mine detectors, carrying heavy ammunition or injured soldiers, lookouts, suicide bombers, messengers, cooks or take care of other routine duties. Girls are often used as sex slaves or Commander's or rebel leader's wives.

The Lubanga Case

Lubanga Dyilo was charged for war crimes consisting of the enlistment, conscription and active participation in hostilities of children under the age of 15 into the Forces Patriotiques pour la libération de Congo. In March 2012, he was convicted by the International Criminal Court (ICC) and sentenced to 14 years of imprisonment.



Picture: Lubanga Dyilo standing on trial at the ICC.

Source: www.wikipedia.org

*"The Lubanga case is noteworthy as it was the first in its kind that demonstrated a general stance on the fact that the line between voluntary and forced recruitment is irrelevant concerning children's association with armed forces and groups during conflict. The Court also applied the broad interpretation of "active participation in hostilities" in order to assure that justice could be obtained for all children associated with the Congolese armed groups, for both boys and girls and, irrespective of whether they carried a weapon, or functioned in an (unarmed) supporting role."*¹⁹



Picture: An Iranian child soldier during the Iran-Iraq war.

Source: www.wikipedia.org

¹⁶ BBC, 'Tales of rape in DR Congo', http://news.bbc.co.uk/2/shared/spl/hi/picture_gallery/05/africa_tales_of_rape_in_dr_congo/html/3.stm (last visited 24-3-14).

¹⁷ See article 38 Convention Rights of the Child, article 3(c) Additional Protocol Geneva Conventions and article 8(2)(xxvi) Rome Statute.

¹⁸ The Optional Protocol of Convention Rights of the Child requires the increase of age for compulsory recruitment into state forces to a minimum of 18 years (for direct participation in hostilities). Voluntary recruitment of children under the age of 18 requires installation of strict safeguards for the protection of the child. http://child-soldiers.org/global_report_reader.php?id=562/ Global Report, P. 11 (last visited 24-3-14). A worldwide campaign to raise the age at

which children could be legally recruited and involved in hostilities from 15 to 18 began in the early 1990s. Many regional Declarations have since been adopted which call for a prohibition on the use of child soldiers (including the 1999 Maputo Declaration, the 1999 Montevideo Declaration and the 1999 Nordic Declaration). Since November 1999, the African Charter on the Rights and Welfare of the Child, which has adopted an 18-year age limit for recruitment of children or their involvement in conflict, has been in force. http://www.asser.nl/Default.aspx?site_id=9&level1=13336&level2=13374&level3=13457 (last visited: 25-3-14).

¹⁹ *Supra* 8, p. 6.



Different push and pull factors are at play that encourage children to become involved in armed conflict. Children voluntarily join military groups in order to escape lingering poverty, to seek refuge from social and economic insecurities, to look for parental surrogates and group membership or to avenge harm caused to loved ones.

Recruiting children proves beneficial for many armed groups as children are cheap, effective, easily intimidated and brainwashed. Given that many child soldiers are recruited from a very young age, they are unfamiliar with a world outside of their (rebel) forces and lack a childhood. In addition, their understanding of what is morally just, an adequate moral foundation, is incorrect or completely lacking.²⁰

Child Soldier in Sierra Leone

*"Somebody being shot in front of you, or you yourself shooting somebody became just like drinking a glass of water. Children who refused to fight, kill or showed any weakness were ruthlessly dealt with. Emotions weren't allowed, for example a nine-year-old boy cried because he missed his mother: he was shot."*²¹

The increased recruitment of children in armed conflict has severe implications for the military. Though the general rule is that those people who are fighting you are the legitimate targets of attack, one can question whether it is morally just to target children, even when armed.²² Consequently, diverging perceptions on the use of children in war, can create a situation in which both the moral and the resilience of (Western) military personnel is put to the test. Accordingly, if a nation wishes to wage war ethically, these are matters that need to be considered in advance and demand adequate integration into every soldier's pre-deployment preparation.



Picture: A child soldier.

Source: www.wikipedia.org

Ethical dilemma

"The discussion of the possibilities of confrontation with child soldiers in pre-deployment training has proven to be very useful already. It was considered very relevant by 2 reconnaissance platoons of the Royal Netherlands Marine Corps preparing for a EUFOR mission in Chad from March 2008 to March 2009."

"In these discussions the lessons identified in the British confrontation with child soldiers in Sierra Leone in 2000 were used. British forces operating in West Africa in 2000 had to deal with many problems of individual soldiers who had faced child soldiers and now suffered from clinical depression and post-traumatic stress disorders. In the specific case of a British rifle group, captured and held hostage for more than ten subsequent days, resilience as part of moral professionalism was key. Afterwards, there were several cases of severe depression, especially when the British mass media reported in great detail about the killing of over 25 child soldiers by these British Special Air Services troops during their liberation."

"One of the lessons used from this specific example is the public perception and media coverage which seem to have a great impact on the way military personnel cope with engagements with child soldiers; as a result soldiers tend to draw on their

²⁰ See also M.A. Drumbl, *Reimagining Child Soldiers in International Law and Policy*, OUP, 2012.

²¹ CNN, I. Beah, <http://edition.cnn.com/2012/10/08/world/africa/ishmael-beah-child-soldier/> (last visited 24-3-14), see also, I. Beah, 'A Long Way Gone: Memoirs of a Boy Soldier', Sarah Crichton Books, 2007.

²² BBC Ethics Guide, http://www.bbc.co.uk/ethics/war/just/whom_1.shtml (last visited 24-3-14).



own cultural framework to understand a situation that, it seems, cannot be comprehended using this framework."²³

4. CAAC and the United Nations

The past decade saw a strong increase in the attention and commitment given to ending the use and abuse of children in conflict and with that, a further commitment to ending the Six Grave Violations. With a strengthened framework to protect children and to bring perpetrators to justice, significant steps have been undertaken in the right direction.²⁴

UNICEF and UN Special Representative of the Secretary-General

In addition to UNICEF, the lead organization for the protection of children in general, and the Committee on the Rights of the Child, the Special Representative of the Secretary-General for CAAC was established in 1996. The mission of this office is "to promote and protect the rights of all children affected by armed conflict".²⁵

Department of Peacekeeping Operations and Child Protection Advisors

The protection of children in conflict has been included in the mandates of peacekeeping operations since 2001. The work of the Department of Peacekeeping Operations (DPKO) is complementary to other actors in child protection. Cooperation within child protection coordination groups is critical to provide a comprehensive response. Child Protection Advisers, within DPKO, are specialist staff sent to missions to help fulfil the child protection mandate.²⁶

Monitoring and Reporting Mechanism

The UN Security Council passed several resolutions which together helped establish a Monitoring and Reporting Mechanism (MRM).²⁷ Violations with regard to the Six Grave Violations are gathered by UN agencies and IOs and (N)GOs. This information is then passed on to the Security Council Working Group whom analyses the findings and develops a response. In several conflict situations up to date, the MRM has led to the development of Action Plans in order to respond to the recruitment and use of child soldiers.²⁸

Naming and shaming

Since 2002, the annual report on CAAC includes a public listing and shaming of parties that have recruited or used child soldiers. In 2009 and 2011 the annex was expanded and now includes the killing and maiming of children, sexual violence and the recurrent attacks or threats of attacks on schools, hospitals and protected persons in relation to schools and hospitals.²⁹

Progress

Though the statistics provide a relatively good impression of armed groups that have signed special action plans with the UN and multiple measures and monitoring and reporting instruments have been installed to decrease the occurrences of the Six Grave Violations, much work still needs to be done.³⁰

The gap between what governments promise they will do in order to deal with the issue of child abuse when signing the Action Plans and what they actually do remains wide. The greatest progress is primarily seen in reducing the recruitment of children

²³ J. Soeters & P. Fenema, 'Managing Military Organisations: Theory and Practice', Routledge 2010, p. 144.

²⁴ For example, in 2006, integrated standards were developed for the Disarmament, Demobilization and Reintegration and the introduction of the Paris Principles and Guidelines on children associated with armed groups in 2007 further targeted child recruitment and aided those children currently involved in combat. In 2012, the Security Council put forward three main strategies, which read as following: Firstly, increased political pressure by the Council through use of the Working Group on Children and Armed Conflict Toolkit. Secondly, strengthening the sanctions regime through and expansion of the criteria of sanctions committees and establishing an ad hoc sanctions committee for violations against children and, lastly, closer cooperation between the Council and the International Criminal Court in relation to crimes committed against children.

²⁵ Office of the Special Representative of the UN Secretary-General on CAAC, <http://childrenandarmedconflict.un.org/about-us/> (last visited 24-3-14).

²⁶ United Nations Peacekeeping on CAAC, <http://www.un.org/en/peacekeeping/issues/children/> (last visited 27-3-14).

²⁷ See UNSCR 1539 (2004) and 1612 (2005) and UNICEF, http://www.unicef.org/oPt/UNICEF-oPt_May_update.pdf (last visited 24-3-14)

²⁸ See for example, South Sudan, <http://childrenandarmedconflict.un.org/countries/south-sudan/> (last visited 24-3-14).

²⁹ UNICEF, http://www.unicef.org/oPt/UNICEF-oPt_May_update.pdf (last visited 24-3-14).

³⁰ The 2012 report on CAAC lists 32 parties that come under the category of persistent perpetrators. Of these, 13 were similarly designated in previous years, while 19 were newly added to the 2012 annual report. Due to this naming-and-shaming, by the beginning of 2012 a total of seventeen Action Plans had been signed. <http://www.securitycouncilreport.org/cross-cutting-report/cross-cutting-report-no-3-children-and-armed-conflict.php> (last visited 24-3-14).



and only one Action Plan has been signed on the killing and maiming.³¹ Additionally, the UN does not monitor every country in which grave violations occur. Such as in Côte D'Ivoire, other countries are known to involve children in combat but are nevertheless not tracked or reported on. Similarly, while some countries no longer recruit children into the force, many children are still associated to the armed forces through support roles. Additionally, governments are not the only problem. Rebel groups abide by their own rules and though international law may outlaw the recruitment of children, armed groups may likely continue to do so.

5. CAAC and NATO, EU, AU and other organizations

The growing involvement of both regional and sub-regional entities in conflict mediation and peace-keeping and their commitment in tackling the CAAC matters, require looking further than just the UN bodies. Therefore, the statements of the most relevant organizations for military forces will be described.

North Atlantic Treaty Organization

Ever since the Heads of State and Government addressed CAAC in the declaration of the Chicago Summit in 2012, the Military Alliance is committed to preventing and responding to violations against children in conflict.³²

NATO has issued military guidelines on CAAC and installed a CAAC Focal Point at Supreme Headquarters Allied Powers Europe (SHAPE). In addition, NATO offers an e-learning comprehensive course module which covers the legal foundation of children, identifies legal and policy obligations of military personnel and aids in becoming familiar with examples of authorized actions.



Picture: Children looking at a soldier performing his duties.
Source: www.flickr.com

With regard to NATO-led operations, UNSCR 2120 recognizes the International Security Assistance Force's high-level commitment on CAAC and the commitment to assist the Government of the Islamic Republic of Afghanistan in the full implementation of its Action Plan for Prevention of Underage Recruitment and of its annexes on Killing and Maiming and Sexual Violence Against Children, developed with the UN.

European Union

Children affected by armed conflict is one of the prior concerns of the EU as reflected in their 2012 Human Rights Strategy and Action Plan. In 2003, the EU developed guidelines on CAAC.³³ Within these guidelines, the member states are committed to addressing the impact of armed conflict on children in non-Union settings. As such, CAAC is within the scope of the EU's human rights policy, common foreign and security policy and its policies on humanitarian assistance and development cooperation.³⁴

³¹ Second Action Plan from Transitional Federal Government of Somalia, see UNICEF http://www.unicef.org/evaldatabase/files/Evaluation_of_UNICEF_Programmes_to_Protect_Children_in_Emergencies_-_Synthesis_Report.pdf (last visited: 25-3-14).

³² NATO Chicago Summit 2012: "We also remain committed to the implementation of UNSCR 1612 and related Resolutions on the protection of children affected by armed conflict. We note with concern the growing range of threats to children in armed conflict and strongly condemn that they are increasingly subject to recruitment, sexual violence and targeted attacks. NATO-led operations, such as ISAF in Afghanistan, are taking an active role in preventing, monitoring and responding to violations against children, including through pre-deployment training and a violations alert mechanism."

This approach, based on practical, field-oriented measures, demonstrates NATO's firm commitment on this issue, as does the recent appointment of a NATO Focal Point for Children and Armed Conflict in charge of maintaining a close dialogue with the UN. NATO-UN cooperation in this field is creating a set of good practices to be integrated in NATO training modules and taken into account in possible future operations".

³³ M. van Reisen & G. Hrabovszki, 'The implementation of the EU guidelines on children in armed conflict, Brussels, Europe External Policy Advisors and War Child, 2012, http://www.eepa.be/wcm/dmdocuments/publications/The_Implementation_of_the_EU_Guidelines_on_Children_in_Armed_Conflict.pdf (last visited: 25-3-14).

³⁴ UN Report of the Secretary General (2013) S/2013/245 and A/67/845 S/2013/245 p. 6.



African Union

In September 2013, UNICEF and the AU agreed to strengthen the protection of children in armed conflicts in Africa.³⁵ The agreement calls for the development of a joint program that aligns domestic legislation with both regional and human rights. Additionally, it requires the development of African based guidelines and improved training programs on the protection of the child for nations contributing troops to the AU peace missions.

Other organizations

Besides the bigger international organizations like UNICEF and the International Committee of the Red Cross, there are many IOs and (N)GO's committed to the topic of CAAC. Well known organizations are War Child, Save the Children, Child Soldiers International, Watchlist on Children and Armed Conflict and Invisible Children.³⁶ It must be stressed that these are just a handful of organizations and initiatives whilst many more exist

War Child Story

*Jasmin lived in east Mostar with his parents whilst it was besieged by Croat forces for 9 horrific months in 1993. The constant sniper and artillery fire kept the children imprisoned in their own homes for months on end, without the chance to play, or to meet with friends. When the ceasefire finally arrived in February 1994, so did our mobile bakery and, later, our music therapy projects. Jasmin remembers: "Suddenly there were all these foreigners, bringing a new world, a new language, and music – old stuff, their music. I loved it, and the bakery, where I made a heart-shaped loaf for my mum."*³⁷

³⁵ See, <http://www.peaceau.org/en/article/the-united-nations-working-together-with-the-african-union-to-protect-children-in-armed-conflict> (last visited: 25-3-14).

³⁶ War Child focuses on reintegration and rehabilitation of children traumatized by armed conflict. The organization's work focuses on child protection, child education, the (re)building of livelihoods and child advocacy. Save the Children is an NGO who runs many programs in the United States but also around the world, the topics vary from education, emergency response, health and nutrition, HIV and Aids, hunger and livelihood to child protection. As a network of international non-governmental organizations, the Watchlist on Children and Armed Conflict strives to protect children in war zones. Information on violations against children is collected and disseminated and used to advocate for change. Lastly, Invisible Children is an initiative that focuses

6. Armed Forces and CAAC

CAAC is a topic military personnel are likely to come across in their Area of Operations (AOO). All military personnel needs to be knowledgeable and properly prepared for dealing with the matter. This means it should be addressed in pre-deployment, execution and transition.

Pre-Deployment

Deployment necessitates relevant training, thorough planning and preparation. Well prepared personnel will prove to be beneficial for the execution of the mission. Preparedness also implies that personnel are aware of and knowledgeable on the CAAC topic. When conducting pre-deployment training, it is important to address soldiers' expectations, to train appropriate responses and to prepare them for the context-specific violations of children they may face on a mission.

As this article has illustrated, each country faces its own challenges in relation to children's both active and passive involvement in conflict. Though the military may not be in the lead when it comes to dealing with CAAC issues, being knowledgeable of the matter is a first priority in order to be able to adequately support and cooperate with other actors on CAAC in the same AOO. Additionally, and relatively evident, military personnel need to know the applicable Rules of Engagement when encountering a situation with civilians. This assures the military's ability for an apt response but at the same time, continuing to adhere to their mandate. As mentioned earlier, NATO has developed an e-learning module on CAAC. This module provides basic information and can help military forces to enlarge their awareness on the topic.

on the Joseph Kony LRA conflict in Uganda. The initiative has specifically made use of social media as a means to mobilize crowds for the protection of children from abuses in conflict and their recovery, after conflict. *Child Soldiers International* works to prevent the military recruitment of children and their involvement in armed conflict through a combination of targeted country work, thematic research and global monitoring. See websites organizations: www.warchild.nl, www.savethechildren.org, www.watchlist.org, <http://invisiblechildren.com/> and <http://www.child-soldiers.org/index.php> (all last visited: 25-3-14).

³⁷ War child Personal Story, <http://www.warchild.org.uk/impact/stories/jasmin> and The Guardian, <http://www.theguardian.com/world/2010/jul/04/war-child-help-album-bosnia-herzegovina-charity> (both last visited 24-4-13).



Preparedness for occurrences with child soldiers may demand in depth discussions on the ethical stance towards children's involvement in hostilities, prior to deployment. As explained earlier, facing child soldiers may bring psychological trauma for military personnel and therefore thinking through such instances and the related choices that may have to be made in such a situation may help to guide actual conduct in theatre.

Questions that may be of interest

- *Is a child soldier's behaviour exempt from moral evaluation?*
- *Though they may be wrong, is it because of their nature as children that they may be fully exculpated for their actions?*
- *Can they be regarded as moral responsible agents or do they deserve punishment or blame?*
- *How should then, morally conscious adult combatants respond to or fight against these children?*
- *What is the moral requirement to exercise restraint in fighting them?*
- *Should adult fighters accept greater risks, to minimize the harm they are likely to inflict on child combatants?*³⁸



Picture: First aid to young children in Afghanistan.
Source: www.flickr.com

Also included in the pre-deployment phase is planning. At the beginning of a planning process it is crucial to get as much situational awareness as possible about the AOO. Within NATO the Comprehensive Operations Planning Directive is used. In addition, CAAC is intertwined with gender given that the focus of the latter is on both boys and girls, next to women and men. Hence, it is important to stress that a gender perspective should be included in the planning-process from the very first beginnings.

With the increased attention to the violations of children's rights in armed conflicts, it may be of interest to install focal points for CAAC specifically. Though CAAC should be a matter of concern for every individual, installing CAAC Focal Points will assure that military personnel are made and kept attentive to the matter.

Execution

On arrival in the mission area it is good to comprehend the existing mission documents³⁹ and include, where appropriate, the CAAC topic. Military forces should be aware of the violations that may occur to children. This can again be addressed in the planning process. When the military encounters a violation to a child, it should always report on it. The concrete reaction to the situation is of course contextual to the situation on the ground including, among others, the mission's mandate, specific tasks and applicable Rules of Engagement. It is important that strong and effective monitoring and reporting mechanisms should always be in place, making sure that among others, human rights violations, gender based violence and indications of domestic or international trafficking of human beings are reported, addressed and handled in a comprehensive manner. To the greatest extent possible, reporting on CAAC issues should be integrated with other standard reporting procedures and lessons learned or best practices mechanisms.⁴⁰ Proper reporting comes

³⁸ J. McMahan, 'Child Soldiers: The Ethical Perspective', 2007 and http://www.childtrafficking.com/Docs/mc_mahan_07_child_ethical_0109.pdf p.2 (last visited 24-4-13). See also M.A. Drumbl, *Reimagining Child Soldiers in International Law and Policy*, OUP, 2012.

³⁹ For example, Operation Plan, Fragmentation Orders, Standard Operating Procedures, Tactical Techniques and Procedures, assessments and reports.

⁴⁰ Reporting can for example take place on the following topics:

-How does the security situation (armed conflict) affect girls and boys?

-Considering a gendered analyses, consider whether there are differences between how girls and how boys are affected by conflict: What risks, similar and/or different do girls and boys face?

-What are the differences in vulnerabilities between these groups (women, men, girls and boys)?

-Are the security concerns for particularly children known, and what is currently undertaken to support children and to challenge these concerns?

-What role do children play in the military and (government and non-state) armed groups and forces?



from good and appropriate data collection. In addition, reporting is also a pre-requisite for the creation of accountability. No one can be held accountable, particularly the perpetrators, without adequate data collection. In that way, reporting done by the military can contribute to accountability for the perpetrator in question.

Cooperation with the International Community is key when considering the CAAC topic. Military forces should make an effort into network creation and liaison, a key function of the CIMIC Branch. This is vital in order to facilitate the exchange of information.

Transition

Before the mission ends and the military will redeploy from the mission theatre, transition will need to have taken place. Authority and responsibility need to be handed over to host nation authorities (or, if this is not possible yet, to the UN, other international organizations or a follow-on force). This is a fundamental stage which needs to be kept in mind from the start. In order to ensure that the mission's best efforts regarding CAAC have not been in vain it is necessary to facilitate this transition.

7. CIMIC and CAAC

CIMIC has three core functions: civil-military liaison, support to the force, and support to the civil actors and their environment.⁴¹ CAAC is relevant in all these three functions.

Civil-Military Liaison aims to establish and maintain liaison with civil actors at appropriated levels to facilitate cooperation and information sharing. The probable interaction with children in the mission area makes it essential that military personnel understand how to engage with these children according to legal obligations.

Liaison with IOs and NGOs to gather information on CAAC and closely cooperate with these same actors in dealing with CAAC is vital. As the military is relatively new to the matter, close interaction with civilian actors in this field is likely to yield great

benefits for the military. As mentioned before in many mission areas there will be child protection coordination groups. CIMIC should establish liaison with these groups and participate as much as possible.

In Afghanistan members of the International Security Assistance Force (ISAF) HQ and NATO Training Mission Afghanistan (NTM-A) worked closely with the Child Protection Advisor of the United Nations Assistance Mission in Afghanistan (UNAMA) to create a pocket guide for international military forces on how to report cases of the recruitment of children within Afghan National Security Forces or Armed Groups and to report all forms of sexual violence against children. A special focus was put on the issue of Baccha Baazi or "boy plays" [literal translation].



Picture: A soldier in contact with a local child.

Source: www.flickr.com

When it comes to *Support to the force*, CIMIC plays a proactive role by contributing to the planning and conduct of operations. In relation to the CAAC matter CIMIC could for example provide information on the civil situation (everything that is non-military), which includes considering the situation (i.e. living conditions) of children as bystanders in the conflict and/ or as active participants in the conflict. CIMIC could also identify civil key indicators and sensitive factors (including children's position in society) which may critically impact the conduct of operations as well as the impact of military activities on the civil environment.

-What part do children play in society? What are the differences between boys and girls?

-How have their roles become affected by conflict and what implications does this have for their health and safety?

⁴¹ Note; Civil Military Interaction (CMI) and CIMIC are not the same. This article describes the relationship of CIMIC and CAAC and will not elaborate on CMI.



CIMIC could appoint CAAC focal points within their branch and/or units. These focal points can support the rest of the unit by for example providing training on CAAC.

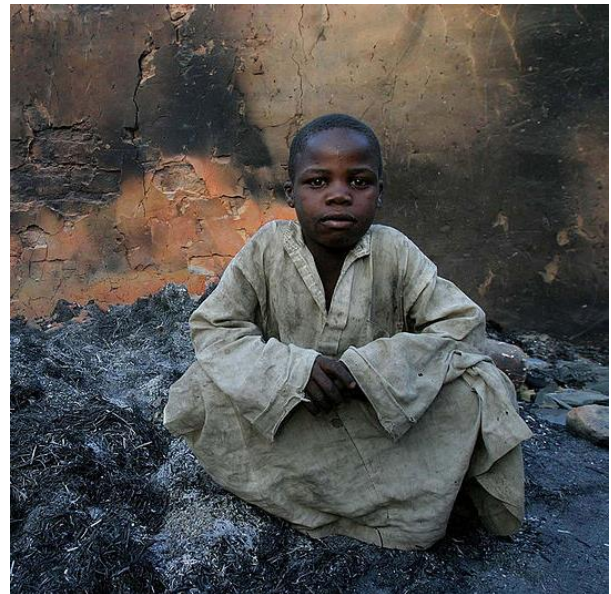
Related to *Support to Civil Actors and their environment* CIMIC could enable information sharing concerning CAAC, for example CIMIC assessments including CAAC should be shared with IOs and NGOs. CIMIC could also facilitate sharing reports on child rights violations and work closely with civilian child protection advisors.

8. Conclusion

Children deserve the best possible protection from the effects of armed conflict. This is a moral imperative, a legal obligation and moreover, a question of peace and security. However, today's conflicts do not provide sufficient protection and children suffer in various ways from armed conflicts.

The international community, with the UN in the lead, has undertaken several initiatives to provide sufficient protection. Through the UNSCRs a system has been established to which nations should oblige. The Six Grave Violations have been identified, the UN has installed a Special Representative on CAAC, a name and shaming process becomes public and the MRM reports on CAAC. All these efforts are undertaken to urge nations to fulfil their obligations under international law. In addition, several organizations have given priority to the topic. Among them are NATO which has a clear outspoken commitment towards implementing the related UNSCRs.

This article has identified the ways in which armed forces can contribute towards the efforts of the international community in order to give the best protection to children in armed conflict. In pre deployment, execution and transition, the military should be aware of CAAC and therefore become knowledgeable and trained to different scenarios. In these scenarios soldiers' expectations should be addressed and appropriate responses should be trained. By doing so soldiers will be better prepared and able to respond to CAAC matters.



Picture: In all current and future mission areas military forces will encounter children.

Source: www.flickr.com

In order to effectively integrate knowledge of CAAC in the planning and execution of operations, the military should include the topic in their planning process and in existing reporting mechanism, liaise with relevant organizations and share the information concerned. It is in all these aspects that CIMIC has a role. However, more actions need to be undertaken by CIMIC.

CIMIC assessments should include the role and situation of children in the civil society as well as the various organizations working on the topic. In general, a Comprehensive Approach is essential in order to effectively implement the UNSCRs on CAAC and live up to the moral and legal obligation to protect children from the effects of armed conflicts and thereby strive for sustainable peace and security.



CCOE Announcements

NATO CIMIC EDUCATION AND TRAINING CONFERENCE (NCETC) 2014

On behalf of the Joint Force Trainer CCOE has invited the NATO nations and several entities to the NCETC 2014.

The NCETC 2014 will be conducted at the St. Bernardin Convention Centre in Portoroz, Slovenia in the period from 20th until 23rd May 2014.

The aim of the conference is to conduct the annually discipline conference for CIMIC E&T and to inform the CIMIC community on the latest developments as well as the coordination of the instructor support for 2015 in accordance with a final coordinated Course and Instructor Support Plan for 2014.



CCOE The Hague – The global hub for Civil-Military Cooperation

With this announcement,
the CCOE wants to inform you that we will move to

The Hague.

With the date of 08th July 2014 we will operate from our new location.

**Brasserskade 227 A
The Hague**

The relocation will have a significant impact on the CCOE, The Hague, as the “International City of Peace and Justice”, is home to more than 150 international organizations and academic institutions.



The CCOE is looking forward to welcome you in this important city.

The CCOE will announce the ongoing status of the move to The Hague, to inform our Community of Interest, in every CIMIC Messenger and on the [CCOE-website](#).



Civil-Military Cooperation Centre of Excellence

At CCOE we believe that operations are both kinetic and non-kinetic. To facilitate this holistic view for the military the CCOE follows academic anthropological models and incorporates all relevant sectors of any society, as well as all influence factors to this society, which the military forces need to understand and imply in their planning and execution to enable success in Missions.

CCOE looks at the society divided into five segments:

- Physical dimension
- Economic dimension
- Social dimension
- Political dimension
- Identity dimension



CCOE aims for making the importance of understanding the culture in a mission understood. Resulting from that it is a part of our program to publish easy guidelines for each single segment, if not covered in other publications or doctrines. CCOE publishes the “....Makes Sense. A way to improve your mission” publications.

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Any comments or suggestions to this information leaflet? Would you like to contribute an article?

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