

Ending the Victimization of Children in Situations of War: Moving from Words to Deeds

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This talk today is excerpted from a report presented to a special session of the Security Council devoted to taking action to ensure the protection of children exposed to armed conflict. It is about instituting a serious formal and structured compliance and enforcement regime to ensure the protection of children who are presently being brutalized in many situations of conflict.

This talk brings together all the necessary components for the establishment of such a regime, marking a turning point in what I call a collective campaign for the “era of application” for transforming protective standards into compliance, and condemnation into accountability.

The stage that we have reached today

I would like to draw your attention in particular to three features, which together comprise the key components of the compliance and enforcement regime:

- Review of the conduct of parties to conflict, resulting in the systematic naming and listing of offending parties; the purpose of the compliance and enforcement regime is to ensure that offending parties take heed and undertake the necessary actions to end the violations for which they have been named.
- Assurance of accountability for offending parties, particularly through the imposition of concrete and targeted measures. The targeted measures should include the imposition of travel restrictions on leaders and their exclusion from any governance structures and amnesty provisions, the imposition of arms embargoes, a ban on military assistance and restrictions on the flow of financial resources to the parties concerned.
- Establishment of a monitoring and reporting mechanism.

The efforts deployed over the last several years have yielded significant advances and created a strong momentum for the protection of conflict-affected children. These gains include: global awareness of, and advocacy for, child protection has greatly increased; an impressive and comprehensive international body of protection instruments and norms has been established; the protection of war-affected children has been firmly placed on the international peace-and-security agenda; the protection and well-being of children are increasingly reflected in the mandates, training and reports of peacekeeping missions as well as in the deployment of Child Protection Advisors; children's concerns are being incorporated in peace negotiations, peace accords and in post-conflict programs for rehabilitation and rebuilding; and issues regarding the mainstreaming of Children Affected by Armed Forces (CAAC) issues are taking hold in several institutions and mechanisms, within and outside the U.N.

Review of violations and the listing of offending parties

Clearly a great deal has been achieved in the space of a few years, but much more remains to be done; far too many children continue to be brutalized in situations of conflict. The United Nations Security Council has received three reports, that systematically document the following grave abuses. Although the overall figure has decreased in the last few years, over 250,000 children continue to be exploited as child soldiers—used variously as combatants, porters, spies and sex slaves. Tens of thousands of girls are being subjected to rape and other forms of sexual violence, including use as a deliberate tool of warfare. Abductions are becoming widespread and brazen, for example, in Northern Uganda, Nepal and Burundi. Since 2003, over 11.5 million children were displaced within their own countries, and 2.4 million children have been forced to flee conflict and take refuge outside their home countries. Approximately 800 to 1000 children are killed or maimed by landmines every month. In the last decade, over two million children have been killed in conflict situations and over six million have been seriously injured or permanently disabled. As the horror of Beslan and other incidents have demonstrated, schools are increasingly being targeted for atrocities and abductions.

The Security Council has already received three reports that systematically document grave abuses as mentioned above. The Council has expressed its intention to take concrete and targeted measures against these parties. The purpose of the compliance and enforcement regime is to ensure that offending parties take heed and undertake the necessary actions to end the violations for which they have been named.

Establishing a monitoring, reporting and compliance mechanism

I recommend a concrete plan of action for establishing a comprehensive from-the-ground-up monitoring, reporting and compliance mechanism to provide for the gathering of objective, specific, reliable and timely information—“the whom, where and what”—on grave violations being committed against children in situations of armed conflict. In turn, this information must lead to action and accountability. The plan identifies six grave violations that should be particularly monitored. These are: killing or maiming of children; recruiting or using child soldiers; attacks against schools or hospitals; rape and other grave sexual violence against children; abduction of children; and denial of humanitarian access for children.

Underscoring some pertinent issues

As we establish a compliance and enforcement regime, it is important to underscore and clarify a few issues of concern in this context.

- Any actions by United Nations entities and international NGOs at the country level should always be designed to support and complement the protection and rehabilitation roles of national authorities, never to supplant them. In situations where national protection institutions have been greatly weakened by the experience of protracted armed conflict, international partners should make it a priority to support the rebuilding of local institutions and capacities for protection and rehabilitation.
- It is crucial to engage in protection dialogue with all parties whose actions have a significant impact on children. Such dialogue must be conducted in full transparency and with the knowledge and cooperation of national governments. Over the last several years, I have developed a systematic practice of engaging in such dialogue with all parties in many situations of conflict.

Monitoring lists should not name states or countries as such. The purpose of the lists is to identify particular *parties to conflict*, whether governments or rebels, that are responsible for specific grave violations against children. In this respect, the names of countries are referred to only in order to indicate the locations or situations where offending parties are committing the grave violations in question. The idea of drawing up the lists of offending parties is to ensure accountability.

- It is important to stress that the monitoring and reporting mechanism is of limited value unless it leads to action. The Security Council has to lead the way because of its primary responsibility for peace and security.

The question is often raised as to how the international community can influence the conduct of all parties involved conflict, particularly insurgents. The imposition of carefully calibrated and targeted measures can have the desired impact on governments as well as insurgents. Recent examples include the effective sanction measures against UNITA in Angola and RUF in Sierra Leone. At political and practical levels there are levers of influence that can have significant sway with all parties embroiled in a conflict.

Conclusion

The struggle to ensure the protection, rights and well-being of children exposed to armed conflict has reached a watershed moment. At the normative level, there is now a comprehensive body of norms and commitments, which provide powerful tools for advocacy and a well-defined basis for enforcement. At the level of application and enforcement, the international community can be brought to bear on parties in conflict to ensure the observance of these standards on the ground. Yet in reality, in so many conflict situations, children continue to be abused and brutalized on a massive and horrendous scale. The most pressing challenge facing the international community, therefore, is to galvanize and unify these two assets—normative tools and the power of collective influence—into a coherent and concerted project—an effective regime of protection for war-affected children.

In today's world, parties in conflict do not operate in isolation. The viability and success of their political and military projects depend crucially on networks of cooperation and goodwill that link them to the outside world. Thus, the force of international and national public opinion, the search for acceptability and legitimacy at national and international levels, international accountability as represented, for example, by the International Criminal Court and ad hoc tribunals, the growing strength and vigilance of international and national civil societies, and media exposure—all of these represent powerful means to influence the conduct of parties in conflict.

The core task is to establish a systematic and integrated monitoring and reporting network that can provide objective, regular and accurate reports on violations being committed against children. Such reports should, in turn, serve as “triggers for action” on the part of various international, regional and local bodies, mechanisms and actors, each employing all means and levers of influence at their disposal for the protection of war-affected children.

As we reflect here today on what measures to take for the protection of children, I return to Bob Marley, whose life and music are being celebrated worldwide. I return to his prophetic voice, to his spiritual rendition of the themes of suffering and redemption for those who are vulnerable and abused.

As we deliberate here, I can hear Bob Marley challenging us, singing:

Hear the children cryin'
Hear the children cryin'
From Beslan to Bar-Lonyo to Bunia
And so we tell them:
No, children, no cry
Don't worry about a thing, oh no!
'Cause everything gonna be all right.

Hear the children cryin'
From Mazar-i-Sharif to Jumla to Darfur
Won't you help to sing
'Cause all they ever asked:
Redemption Songs. Redemption Songs.

Rising up this mornin',
I saw three little birds
Pitch by the doorstep of the Council
Singin' sweet songs
Of melodies pure and true,
Sayin', This is our message to you-ou-ou.

Hear the children cryin'
From Apartado to Malisevo to the Vanni
But I know they cry not in vain
'Cause now the times are changin'
Love has come to bloom again.