

Forum: General Assembly 1

Issue: Question of children in armed conflicts

Student Officer: Ji Hannah Nan

Position: Chair of General Assembly First Committee

Introduction

Throughout history and in many cultures, children have been extensively involved in military. The military use of children, also known as “Children in armed conflicts”, takes three distinct ways: children can take direct part in hostilities as child soldiers; they can be used in support roles such as porters, spies, messengers, lookouts; or they can be used for political advantage as human shields or in propaganda. Girls may be forced into sexual slavery.

The rise of extremist armed groups such as the Islamic State and Boko Haram has brought renewed attention to the plight of children—both as victims of abuses, and as fighters and militants. All too often, the concern and assistance governments offer abuse victims does not extend to those children caught up on the wrong side of the law or front line.

In countries embroiled in civil strife or armed conflict, state security forces arrest and detain children for reasons of “national security.” Often empowered by new counterterrorism legislation, they apprehend children who are linked to non-state armed groups or who pose other perceived security threats, and often hold them without charge or trial for months or even years. Their treatment and conditions of detention frequently violate international legal standards.

Children fall victim in wars and conflicts because of several reasons. Firstly, they are easier to manipulate than adults, which makes it effortless to abduct them and force them into becoming a soldier. Secondly, children are often separated from their parents during the chaos of war, thus falling prey to child abductors and abuses, including recruitment by armed groups and forces. Refugee children can be particularly vulnerable. Many are seized and recruited by force, but not all children are abducted. Some children feel that they don’t have any other choices in life, therefore they ‘volunteer’ to join armed forces to escape their circumstances.

During World War I, Great Britain had 250,000 boys under 18 who managed to join the army. Nowadays worldwide, an estimated 300,000 children are engaged in armed conflicts—with tragic consequences. They are often forcibly recruited or abducted to join armies, some under the age of 10. Many of them have witnessed or taken part in acts of unbelievable violence, often against their own families or communities.

Definition of Key Terms

Child soldiers

Child soldiers are children (under 18) who are used for military purposes. Over the last ten years, two million children have been killed in conflict. Over one million have been orphaned, over six million have been seriously injured or permanently disabled and over ten million have been left with serious psychological trauma. War affects every aspect of a child's development. Children affected by armed conflict can be injured or killed, uprooted from their homes and communities, internally displaced or refugees, orphaned or separated from their parents and families, subjected to sexual abuse and exploitation, victims of trauma as a result of being exposed to violence, deprived of education and recreation, at risk of becoming child soldiers. It is highly probable that children living in conflict areas will be deprived of basic needs such as shelter, food and medical attention. In addition, relief for children tends to be the last priority in war, resulting in insufficient or no protection for minors. Besides, children are, due to their physical constitution and growth, most vulnerable to being deprived of food, medical assistance and education, which has a severe and lasting impact on their development.

Human Shield

Human shield is a military and political term describing the deliberate placement of non-combatants in or around combat targets to deter the enemy from attacking these combat targets. U.N. human rights experts have "received confirmed reports of children as young as 12 or 13 undergoing military training organized by ISIL in Mosul," according to a report written jointly by the Office of the U.N. High Commissioner for Human Rights and the human rights office of the U.N. Assistance Mission in Iraq.

Child Soldiers International

The Child Soldiers International, formerly the Coalition to Stop the Use of Child Soldiers, refers to a UK-based non-governmental organization that works to prevent the recruitment, use and exploitation of children by armed forces and groups. They collaborate with communities, helping them to safeguard their children from recruiters, while also building information about the problem and developing effective responses. Working with those communities, Child Soldiers International then engage with national and international authorities to better protect children's rights.

Geneva Conventions

The Geneva Conventions comprise four treaties, and three additional protocols, that establish the standards of international law for humanitarian treatment in war. The singular term Geneva Convention usually denotes the agreements of 1949, negotiated in the aftermath of the Second World War (1939–45), which updated the terms of the two 1929 treaties, and added two new conventions. The Geneva Conventions extensively defined the basic rights of wartime prisoners (civilians and military personnel); established protections for the wounded and sick; and established protections for the civilians in and around a war-zone.

Convention on the Rights of the Child (CRC)

The United Nations Convention on the Rights of the Child (commonly abbreviated as the CRC or UNCRC), refers to a human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children. The Convention defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation.

United Nations Children's Fund (UNICEF)

The United Nations Children's Fund (UNICEF) is a United Nations (UN) program headquartered in New York City that provides humanitarian and developmental assistance to children and mothers in developing countries. It is a member of the United Nations Development Group. Currently, the UNICEF defines a child soldier as "any child – boy or girl – under eighteen years of age, who is part of any kind of regular or irregular armed force or armed group in any capacity". More than 1,000 children have been freed by UNICEF from the ranks of armed groups in the Central African Republic (CAR) in 2014.

Islamic State of Iraq and the Levant (ISIS/ISIL)

The Islamic State of Iraq and the Levant, also known as ISIS, refers to a Salafi Jihadist militant group that has been designated a terrorist organization by the United Nations and many individual countries. ISIS is widely known for its videos of beheadings of both soldiers and civilians, including journalists and aid workers, and its destruction of cultural heritage sites. Children were uniquely victimized by ISIS. First, as bystanders caught in a brutal war, but more shockingly, as soldiers who were recruited, indoctrinated with a deadly ideology, then trained to kill and fight on the battlefield. As they are freed from ISIS, traumatized and untreated, they're now melting back into society -- still heavily influenced by their experience.

Boko Haram

Boko Haram is an Islamic extremist terrorist group based in northeastern Nigeria, also active in Chad, Niger and northern Cameroon. The group had alleged links to al-Qaeda, but in March 2015, it announced its allegiance to the Islamic State of Iraq and the Levant (ISIS). Since the current insurgency started in 2009, it has killed tens of thousands and displaced 2.3 million from their homes and was ranked as the world's deadliest terror group by the Global Terrorism Index in 2015. The Nigerian insurgent group Boko Haram recruited 2,000 children to fight in 2016, a United Nations report released Tuesday said.

At least 65,000 children worldwide, were released from military and armed groups in the past 10 years. An estimated 17,000 children were recruited in South Sudan since 2013; there have been nearly 1,500 cases of child recruitment in Yemen the escalation of hostilities in 2015; and child soldiers in the Central African Republic have numbered 10,000, the report by UNICEF said. Of those released from military servitude, more than 20,000 were in the Democratic Republic of Congo, nearly 9,000 in the Central African Republic and 1,600 in Chad.

General Overview

History of children in armed conflicts

Throughout history and in many cultures, children have been extensively involved in military campaigns. Young boys often took part in battles during early modern warfare. When Napoleon was faced with invasion by a massive Allied force in 1814, he conscripted many teenagers for his armies. Orphans of the Imperial Guard fought in the Netherlands with Marshal MacDonald and were between the ages of 14 and 17. During the age of sail, young boys formed part of the crew of British Royal Navy ships and were responsible for many important tasks including bringing powder and shot from the ship's magazine to the gun crews. These children were called "powder monkeys".

Countries where children in armed conflicts is severe

Since 2011, United Nations Secretary-General Ban Ki-moon has repeatedly raised concerns regarding the detention of children who are perceived to be a threat to national security, suspected of participating in violent activity, or alleged to belong to armed groups. In 2014, he reported that such detention took place in 17 of the 23 situations of armed conflict or concern covered by his annual report on children and armed conflict. In countries including Afghanistan, Iraq, Israel, Nigeria, Somalia, and Syria, hundreds of children may be detained at any given time for alleged conflict-related offenses.

Afghanistan

Since January 2015, Afghan security forces have detained hundreds of children on suspicion of being Taliban fighters, attempting suicide attacks, manufacturing or placing improvised explosive devices (IEDs), or otherwise assisting opposition armed groups. According to the Ministry of Justice, 214 boys were detained in juvenile rehabilitation centers on national security-related charges as of December 2015.

Democratic Republic of Congo

In the Democratic Republic of Congo (DRC), security forces have arrested and detained hundreds of children suspected of association with armed groups. According to the UN, Congolese armed forces arrested and detained at least 257 children during 2013 and 2014. Forty percent of the children interviewed by the UN said they had been subjected to ill-treatment during their detention. Officials released the children only after advocacy by the UN.

Iraq

Iraqi security forces have detained children on suspicion of armed activity, including association with the armed extremist group Islamic State (also known as ISIS). Iraq's 2005 Anti-Terrorism Law permits the death penalty for "those who commit ... terrorist acts," and "all those who enable terrorists to commit these

crimes.” According to the UN, at least 314 children, including 58 girls, had been charged or convicted of terrorism-related charges under the law and were being held in detention facilities as of December 2015. Some had been detained for more than three years.

Israel / Palestine

Israel prosecutes between 500 and 700 Palestinian children in military courts each year, charging the vast majority with throwing stones at Israeli soldiers or settlers in the occupied West Bank. The Israeli military court system tries Palestinian children from the West Bank, with the exception of East Jerusalem, for security-related offenses. As of 2009, children are tried in a designated juvenile military court, whose judges receive special training. The military justice system, however, does not focus on rehabilitation and social reintegration for children, as required under international law.

Nigeria

Since it began its attacks in 2009, the extremist armed group Boko Haram has recruited hundreds, and possibly thousands, of boys and girls for its military operations, used dozens of children—mostly girls—as suicide bombers, and launched increasingly brutal attacks against civilians. Between 2009 and 2015, Boko Haram’s attacks destroyed more than 910 schools and forced at least 1,500 more to close. The group has abducted more than 2,000 civilians, many of them women and girls, including large groups of students.

Syria

Since the beginning of the Syrian conflict in 2011, Syrian authorities have detained tens of thousands of people in dozens of detention centers scattered across the country. According to the Violations Documentation Center in Syria, at least 1,433 of these detainees have been children. In cases documented by Human Rights Watch, detained children were usually between the ages of 13 and 17, but some witnesses and defectors have reported seeing boys as young as 8 in Syrian detention centers.

Legislation

In recent years, a growing number of countries have introduced, enacted, or amended laws allowing authorities greater scope to detain individuals, including children, who are perceived to be security threats. These laws increase the periods of time that suspects can be detained without charge, allow preventive and indefinite detention, and expand the scope of military courts and detention under military authority.

Australia

In late 2015, the Australian government proposed counterterrorism legislation that would reduce the age for children who are subject to a control order from 16 to 14. The justice minister stated that the government would also consider extending control orders to children as young as 12. Such control orders

could include electronic tagging, curfews, requirements to report to police, and restrictions on movement and association.

UN Involvement, Relevant Resolutions, Treaties and Events

- On 17th November 2011, the First General Assembly passed the resolution ‘Strengthening collaboration on child protection within the United Nations system’. Same year, on 12th July, it amended Resolution 1998 (2011). This resolution expanded the criteria for listing parties to conflict in the Secretary-General’s report on children and armed conflict to include parties that attack or threaten schools and hospitals. On 19th September 2012, Resolution 2068 (2012) was passed, this resolution Expressed deep concern about perpetrators who persisted in committing violations against children and reiterated its readiness to adopt targeted and graduated measures against them. The resolution was adopted by a vote of 11 in favor, none against and four abstentions (Azerbaijan, China, Pakistan and Russia). On 7th March 2014, Resolution 2143 (2014) was passed. This resolution Urges parties to armed conflict to respect the civilian character of schools and to protect schools from attacks and use, the mainstreaming of child protection in security sector reforms, child protection training for peacekeepers and military personnel and the need to incorporate child protection provisions in peace agreements. On 18th June 2015, Resolution 2225 (2015) added abductions as an additional violation to trigger inclusion of a party in the annexes of the Secretary-General’s annual report. In years 2015, 2016 and 2017, reports of the Secretary-General on children and armed conflict in Afghanistan, (S/2015/336), Central African Republic, and at the 71st session of the General Assembly were also given to provide specific details of the current situations on child soldiers in distinct areas of the world.

Timeline of Events

Date	Description of event
July 28 th 1914 to November 11 th 1918	World War I
1939-1945	World War II The Warsaw Uprising was a major World War II operation by the Polish underground resistance led by the Home Army to liberate Warsaw from German occupation. During the conflict, child soldiers were used. Jewish resistance under the Nazi rule took various forms of organized underground activities conducted against German occupation regimes in Europe by Jews during World War II. Due to military strength of Nazi Germany and its allies, as well as the administrative system of ghettoization and the hostility of various sections of the civilian population, few Jews were able to effectively resist the Final Solution militarily. Nevertheless, there are many cases of attempts at

resistance in one form or another including over a hundred armed Jewish uprisings.

February 12th, 2002

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict came into force

The Optional protocol is a commitment that:

- States will not recruit children under the age of 18 to send them to the battlefield.
- States will not conscript soldiers below the age of 18.
- States should take all possible measures to prevent such recruitment –including legislation to prohibit and criminalize the recruitment of children under 18 and involve them in hostilities.
- States will demobilize anyone under 18 conscripted or used in hostilities and will provide physical, psychological recovery services and help their social reintegration.
- Armed groups distinct from the armed forces of a country should not, under any circumstances, recruit or use in hostilities anyone under 18.

November 17th, 2011

At present, 166 countries have ratified the Optional Protocol on the involvement of children in armed conflict. There are 18 countries that have neither signed nor ratified the protocol and 13 countries that have signed but are yet to ratify.

12 July 2011

Resolution 1998 (2011)

United Nations Security Council Resolution 1998, adopted unanimously on July 12, 2011, after reaffirming resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005) and 1882 (2009) on the protection of children in armed conflict, the Council declared schools and hospitals off limits for both armed groups and military activities, asking the Secretary-General for such crimes to be placed on a list of those committing "grave violations" against children.

June 18th 2015

Resolution 2225 (2015)

This resolution condemns the abductions of children, the vast majority of which are carried out by non-state armed groups, including terrorist organizations such as Daesh and Boko Haram. It also complements the mechanism introduced by the Security Council in 2005, at the instigation of France, aimed at responding to the serious violations perpetrated against children. Like murder, mutilation, the recruitment of children, sexual violence and

attacks against schools and hospitals, abduction has now become a reason for adding those responsible to the UN secretary-general's "List of Shame," published in his annual reports.

August 24th, 2017

Children and armed conflict Report of the Secretary-General

The present report, which covers the period from January to December 2016, is submitted pursuant to Security Council resolution 2225 (2015). It highlights trends regarding the impact of armed conflict on children and provides information on violations committed in 2016, as well as related protection concerns. Where possible, violations are attributed to parties to conflict and, in line with the resolutions of the Council, the annexes to the report include a list of parties that, in violation of international law, engage in the recruitment and use of children, the killing and maiming of children, rape and other forms of sexual violence against children, attacks on schools and/or hospitals and attacks or threats of attacks against protected personnel, and the abduction of children.

Possible Solutions

There are several possible solutions.

The first is to release all children detained for alleged security related offenses unless they have been charged with a recognizable criminal offense. This is crucial to resolving the conflict and helping children process trauma and stress when they are being retained, as it doesn't prosecute them harshly while showing the friendly side of society. This could be done by a drafting of a new resolution of the General Assembly or Security Council that calls for countries to release detained children.

The second is to strictly comply with international legal obligations to detain children only as a last resort and for the shortest possible period of time. This again mitigates the stress and trauma of detained children, further eliminating the use of child soldiers, child abduction and child detainment. This could be done with governmental collaboration with respective NGOs such as Child Soldiers International.

The third is to investigate all allegations of torture and ill-treatment against children in detention, and appropriately prosecute those responsible. This is an effective way to establish authority and control over areas that abuse children. Again, this could be done through establishment of international, national, regional and domestic law, with help and collaboration with respective NGOs.

The final resolution is to allow independent humanitarian agencies, including UNICEF, unrestricted access to all children in all detention facilities. This is a case by case solution that might appeal differently to respective countries, but is effective in the valid report, monitoring and mapping of the current situation of child soldiers in distinct areas, which would be extremely helpful for the UN to plan its next goals in relation to this issue.

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