

ARMED CONFLICT - CHILDREN

II. CONCLUDING OBSERVATIONS

CERD

- Yugoslavia, CERD, A/53/18 (1998) 45 at para. 204.

It is noted with serious concern that a great number of the victims of the recent events in Kosovo and Metohija are civilians, including women and children, whose deaths cannot be justified by any means. Any attempt to push for a military solution of the long-standing crisis in Kosovo could have distressing consequences.

- Rwanda, CERD, A/55/18 (2000) 31 at para. 151.

Recent reports on the setting up of village-based local defence forces are of concern. Such forces are armed with firearms and machetes. They receive very limited training and include among their recruits very young persons. It is recommended that the State party avoid any action which might lead to new outbursts of ethnic violence, especially violence involving juveniles.

ICCPR

- Colombia, ICCPR, A/52/40 vol. I (1997) 44 at paras. 290 and 305.

Paragraph 290

Much remains to be done to protect children from violence within the family and society at large, from forced recruitment by guerrilla and paramilitary groups and from employment below the legal minimum age, and specifically to protect street children from being killed or otherwise abused by vigilante groups and security forces.

Paragraph 305

The Government is urged to adopt effective measures to ensure the full implementation of article 24 of the Covenant, including preventive and punitive measures in respect of all acts of child murder and assault and protective, preventive and punitive measures in respect of children caught up in the activities of guerrilla and paramilitary groups.

- Congo, ICCPR, A/55/40 vol. I (2000) 43 at paras. 289 and 290.

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Paragraph 289

The increase in the number of children at risk owing to civil wars is of concern, particularly the enlistment of children in armed groups and militias.

Paragraph 290

The State party should redouble its efforts to take care of children at risk, assist them, ensure them adequate development, and adopt measures to afford them the protection required by their status as minors, in accordance with article 24 of the Covenant.

CEDAW

- Croatia, CEDAW, A/50/38 (1995) 110 at para. 585.

It is noted with concern that following the war in which Croatia was the victim, the situation of women in the occupied areas is alarming. Violations of the rights of women, violence, rape and sexual abuse were perpetrated against women and girls because of their sex.

- Democratic Republic of the Congo, CEDAW, A/55/38 part I (2000) 21 at paras. 217 and 218.

Paragraph 217

The situation of refugee and displaced women suffering from the consequences of war and the psychological and mental trauma experienced by women and girls as a result of the forced conscription of children, are matters of concern.

Paragraph 218

The Government should introduce awareness-raising measures to emphasize the importance of maintaining human rights standards in times of war. The Government should ensure that children are not recruited as soldiers.

CRC

- Sweden, CRC, CRC/C/16 (1993) 16 at para. 56.

With respect to the definition of the child, the State party should consider an approach which is more coherent and more closely reflects the general principles and the provisions of the Convention. Steps might be taken to close the gap in the law which at present allows for the possibility of conscripting children under the age of 18 into the armed forces.

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- Sudan (preliminary), CRC, CRC/C/16 (1993) 27 at para. 118.

The effects of armed conflict on children, including the provision of humanitarian assistance and relief and protection of children in situations of armed conflict, are of concern. In emergency situations, all parties involved should do their utmost to facilitate humanitarian assistance to protect the lives of children.

- Peru, CRC, CRC/C/20 (1993) 16 at paras. 59, 61 and 71.

Paragraph 59

Political violence and terrorism have had a considerable negative impact on the situation of children in Peru. Many children have been subjected to various forms of violations and have been obliged to flee areas affected by such violence.

Paragraph 61

The continued violence which has already caused thousands of killings, disappearances and displacements of children and parents is of deep concern. It is therefore necessary that the Peruvian Government and Peruvian society adopt an urgent, effective and fair response to protect the rights of the child.

Paragraph 71

Specific measures should be undertaken to provide undocumented children fleeing zones affected by internal violence with adequate identity documents.

- El Salvador, CRC, CRC/C/20 (1993) 19 at para. 86.

The large number of children who have been abandoned, displaced or have become orphans as a result of the armed conflict, as well as those who, in order to survive, are forced to live and work in the street is alarming.

- Philippines, CRC, CRC/C/38 (1995) 12 at para. 60.

The lack of practical measures to ensure the full enjoyment of the rights recognized in the Convention by certain categories of children, including girl children, disabled children, children of mixed marriages, children of overseas workers, working children, and children affected by armed conflicts, is of concern.

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- Sri Lanka, CRC, CRC/C/43 (1995) 26 at para. 158.

The large number of children affected by the armed conflict and especially those who have been displaced and those who have become orphans as a result of the war is a cause of preoccupation. The hazardous provision of health services in areas affected by the armed conflict is also worrisome. It is of regret that the initial report of Sri Lanka did not give comprehensive information on the effect of armed conflict on children, their involvement in the armed forces and the way the authorities handle child soldiers prisoners of war.

- Yemen, CRC, CRC/C/50 (1996) 9 at paras. 34 and 45.

Paragraph 34

Insufficient measures and programmes have been taken for the protection of the rights of the most vulnerable children, in particular girls, children living in rural areas, children victims of abuse, children affected by armed conflicts, disabled children, "akhdam" children and children who are forced to live and/or work in the streets, including child beggars.

Paragraph 45

The State party should undertake all appropriate measures, to the maximum extent of the available resources, to ensure budgetary allocations to services for children, particularly in the areas of education and health, and priority attention should be paid to the protection of the rights of children belonging to the most disadvantaged groups, including girls, children living in rural areas, children affected by armed conflicts, disabled children, "akhdam" children and children who are forced to live and/or work in the streets.

- Guatemala, CRC, CRC/C/54 (1996) 31 at para. 229.

The problems of children traumatized by the effects of armed conflict and violence in society are matters of serious concern. In this connection, the State party should give consideration to the implementation of specific projects for children, to be carried out in an environment which fosters the health, self-respect and dignity of the child.

- Ethiopia, CRC, CRC/C/62 (1997) 12 at para. 80.

The insufficient measures taken by the authorities for the physical and psychological recovery and social reintegration of children victims of war are of concern.

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- Myanmar, CRC, CRC/C/62 (1997) 25 at paras. 155, 156, 159, 175 and 176.

Paragraph 155

The numerous documented cases of rape of young girls by soldiers and cases of children systematically being forced into labour, including as porters are of concern.

Paragraph 156

The numerous reported cases of forced and under-age recruitment of child soldiers are of grave concern.

Paragraph 159

The insufficient measures taken to provide physical and psychological recovery and social reintegration to children victims of any form of neglect, abuse and/or exploitation, particularly victims of armed conflicts, sexual exploitation and child labour are of concern.

Paragraph 175

It is strongly recommended that all reported cases of abuse, rape and/or violence against children committed by members of the armed forces be rapidly, impartially, thoroughly and systematically investigated. Appropriate judicial sanctions should be applied to perpetrators and wide publicity should be given to such sanctions.

Paragraph 176

The State party should absolutely refrain from recruiting under-aged children, in the light of existing international human rights and humanitarian standards. All forced recruitment of children should be abolished, as well as their involvement in forced labour.

- Paraguay, CRC, CRC/C/66 (1997) 29 at paras. 188 and 207.

Paragraph 188

Despite the policy that no person under 18 can be recruited for military service or serve, even with parental authorization, concern is expressed over the fact that there are still under-age juveniles coerced or pressured into military service.

Paragraph 207

Legislation on the minimum age for recruitment into the military should be rigorously enforced.

- Algeria, CRC, CRC/C/66 (1997) 35 at para. 261.

The appropriate measures should be adopted with a view to preventing to the maximum possible

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extent the negative impact of prevailing violence, through education and information campaigns in schools on peaceful cohabitation and peaceful resolution of conflicts. Steps should also be taken to address the specific problem of the rising number of children orphaned by this violence.

- Azerbaijan, CRC, CRC/C/66 (1997) 41 at paras. 269, 283, 287 and 289.

Paragraph 269

The major problems experienced as a consequence of the armed conflict, which has imposed serious hardships on the entire population, including heavy casualties, long-lasting physical, emotional and psychological effects, and the disruption of some basic services, are noted. Particular note is taken of the unknown number of children who have suffered the most fundamental violations of their right to life, and of the existence of a large population of refugees and displaced persons, who are being attended to by international aid.

Paragraph 283

The consequences of armed conflict on families, in particular the emergence of a population of unaccompanied children, orphans and abandoned children, are of deep concern.

Paragraph 287

The impact of armed conflict on education, and the lack of measures to implement programmes to reduce the drop-out rate are of serious concern.

Paragraph 289

The inadequate measures for the physical, psychological and social rehabilitation of children affected and traumatized by armed conflict are of serious concern.

See also:

- Croatia, CRC, CRC/C/50 (1996) 31 at para. 192.

- Lao People's Democratic Republic, CRC, CRC/C/69 (1997) 8 at para. 76.

Long-term external financial assistance should be sought in order to build national capacity with regard to Unexploded Ordnance (UXO), to establish a sustainable clearing process in each area, to provide continual community awareness programmes, through schools, pagodas and local organizations, and to develop rehabilitation programmes. It is also suggested that a study be undertaken on the effects on children of toxic chemical contamination of soils and water as a result of the armed conflict, and that studies on this matter undertaken in neighbouring countries be

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consulted.

- Uganda, CRC, CRC/C/69 (1997) 21 at paras. 136, 141 and 151.

Paragraph 136

Concern is expressed over the violation of the rules of international humanitarian law applicable to children in armed conflict. The abduction, killings and torture of children occurring in this area of armed conflict and the involvement of children as child soldiers are also of concern.

Paragraph 141

The insufficiency of the measures taken for the physical and psychological recovery and social reintegration of children victims of war and abuse is of concern. That existing alternative care institutions lack material and financial resources and specialized personnel is also of concern.

Paragraph 151

Awareness of the duty to fully respect the rules of international humanitarian law, with regard to children, and that violations of the rules of international humanitarian law entail responsibility being attributed to the perpetrators, should be made known to the parties to the armed conflict in the northern part of the State party's territory. Furthermore, measures should be taken to stop the killing and abduction of children and the use of children as child soldiers in the area of the armed conflict.

- Iraq, CRC, CRC/C/80 (1998) 15 at para. 72.

The early legal minimum age of voluntary enlistment into the armed forces is of deep concern. It is therefore recommended that the legal minimum age of voluntary enlistment into the armed forces be raised in the light of international human rights and humanitarian law.

- Belize, CRC, CRC/C/84 (1999) 12 at para. 73.

The proposal of the State party to establish 16 years as the legal minimum age for conscription is of concern. The State party is encouraged to set the legal minimum age for conscription at 18 years rather than 16 years.

- Yemen, CRC, CRC/C/84 (1999) 33 at para. 181.

All appropriate measures should be taken for the protection of children affected by armed conflicts, including their physical and psychological rehabilitation and social reintegration. All necessary measures should be taken, especially awareness-raising programmes on landmines for the population

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at large, including children. In this regard, it is encouraged that international cooperation be considered.

- Chad, CRC, CRC/C/87 (1999) 45 at para. 200.

The lack of resources available to support the rehabilitation and social reintegration of demobilized child soldiers is of serious concern. The situation of traumatized or permanently disabled former child soldiers and their lack of access to compensation or other support services is of particular concern. Legislation banning the recruitment of children under 18 years should be enforced. The redoubling of efforts to allocate the necessary resources, if necessary with international assistance, to the rehabilitation and social reintegration of former child soldiers, and in particular to provide compensation and support services to traumatized or permanently disabled former child soldiers, is encouraged.

- Nicaragua, CRC, CRC/C/87 (1999) 54 at para. 242.

All necessary measures, including awareness-raising programmes on landmines and training for the population at large, should be continued with a view to protecting children. Furthermore, all appropriate measures should be taken to promote the physical and psychological recovery and social reintegration of children victims of landmines and of child victims of past armed conflict.

- Russian Federation, CRC, CRC/C/90 (1999) 18 at paras. 118 and 119.

Paragraph 118

The lack of respect for the rights of children in areas of ongoing armed conflict is of concern. Of special concern are the involvement of children in armed conflict, the violations of provisions of international humanitarian law and the number and situation of internally displaced children. The application of the death penalty and certain corporal punishments, including mutilation, when sentencing children and the reports of alleged summary executions, involuntary disappearances, arbitrary detention, torture and ill-treatment of children, are also of concern.

Paragraph 119

It is encouraged that protection be ensured to children and other civilians during periods of conflict and that support and rehabilitative assistance, including psychological aid, be made available to internally displaced children and children living in regions of armed conflict.

- Mexico, CRC, CRC/C/90 (1999) 34 at para. 179.

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Effective measures should be taken to protect children against the negative effects of confrontations with “irregular armed civilian groups.” The establishment of rehabilitation measures for child victims of these confrontations should be sought.

- The Netherlands, CRC, CRC/C/90 (1999) 53 at para. 255.

It is urged that present recruitment policies be reconsidered, with a view to setting the age of recruitment into the armed forces at 18 years.

- India, CRC, CRC/C/94 (2000) 10 at paras. 95 and 96.

Paragraph 95

Areas of conflict, particularly Jammu and Kashmir and the north-eastern states, have seriously affected children, especially their right to life, survival and development (art. 6 of the Convention). In the light of articles 38 and 39, the Committee expresses its very serious concern at reports of children who are involved in and are victims of these conflicts. Moreover, it is concerned at reports of involvement of the security forces in disappearances of children in these conflict areas.

Paragraph 96

The State party should at all times ensure respect for human rights and humanitarian law aimed at the protection and care of children in armed conflict. The State party is called upon to ensure impartial and thorough investigations in cases of rights violations committed against children and the prompt prosecution of those responsible, and the provision of just and adequate reparation to the victims. Clause 19 of the Protection of Human Rights Act should be repealed to allow inquiries into alleged abuses committed by members of the security forces to be conducted by the National Commission on Human Rights. In line with the recommendations of the Human Rights Committee (CCPR/C/79/Add.81), the requirement of governmental permission for criminal prosecutions or civil proceedings against members of the security forces should be abolished.

- Sierra Leone, CRC, CRC/C/94 (2000) 24 at paras. 135, 141, 142, 159, 160, 185-189, 198, 202 and 203.

Paragraph 135

Recognizing the particular importance of an understanding of children’s rights in post-conflict reconstruction in the State party, and particularly in contexts where some customary law or traditional practices may be harmful for some children, the Committee acknowledges the progress made by the State party in disseminating the principles and provisions of the Convention. However, concern remains that dissemination and understanding of the Convention has not been followed by corresponding implementation in the everyday activities or work of civil servants and the population

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at large.

Paragraph 141

Deep concern is expressed about the massive participation of children in armed forces in the State party, either as combatants or in other roles. No minimum age is established in national legislation for voluntary recruitment when the consent of a specified adult party is given.

Paragraph 142

The State party's announcement of its intention to pass legislation raising the minimum age of recruitment to 18 is noted. The State party is urged to move quickly towards this goal and to ensure that the new legislation is enforced.

Paragraph 159

Grave concern is expressed over the reported massive occurrence of torture and other cruel, inhuman or degrading treatment or punishment, including amputations and mutilations, committed against children.

Paragraph 160

Recognizing that the majority of these acts were committed in the context of the armed conflict, and with a view to achieving reconciliation and prevention, the State party is urged to use the truth and reconciliation commission process to raise discussion on such acts. The State party is urged to undertake measures which will ensure that such acts will, in the future, receive an appropriate response through the judicial process.

Paragraph 185

The Committee expresses its extremely deep consternation at the very high numbers of children who have been forcibly recruited into armed forces, including children as young as five years old, and who have often been forced to commit atrocities against other people, including other children and members of their community. Great concern is expressed at the horrifying amputation of hands, arms and legs, and at the many other atrocities and acts of violence and cruelty committed by armed persons against children, including, in some cases, against very young children.

Paragraph 186

The Committee is deeply saddened by the direct effects of the armed conflict on all child victims, including child combatants, and is concerned at the tragic loss of life and severe psychological trauma inflicted upon them. The very high number of children who have been internally displaced within the country or who have been forced to leave as refugees is also a concern, including, in particular, those who have been separated from their parents.

Paragraph 187

The indirect effects of the armed conflict are a concern - the destruction of educational and health infrastructures, of water collection, purification and distribution systems, of the national economy,

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of agricultural production, of communication infrastructure - all of which have contributed to a massive and continuing violation for a majority of children in the State party of many of the rights provided for in the Convention.

Paragraph 188

The State party is urged to take every feasible measure to have all child abductees and combatants released and demobilized and to rehabilitate and reintegrate them into society. The State party should establish and strictly enforce legislation prohibiting the future recruitment, by any armed force or group, of children under the age of 18, in accordance with the African Charter on the Rights and Welfare of the Child.

Paragraph 189

The State party is urged to take all necessary measures in cooperation with national and international NGOs and United Nations bodies, such as UNICEF, to address the physical needs of children victims of the armed conflict, in particular child amputees, and the psychological needs of all children affected directly or indirectly by the traumatic experiences of the war. The State party should develop as quickly as possible a long-term and comprehensive programme of assistance, rehabilitation and reintegration.

Paragraph 198

The recent and rapid increase in the abuse of drugs by children, particularly among former child combatants is a concern.

Paragraph 202

Deep concern is expressed about the many incidents of sexual exploitation and abuse of children, particularly in the context of the conscription or abduction of children by armed persons and in the context of attacks on civilian populations by armed persons. Concern is also expressed at reports of commercial sexual exploitation and of widespread sexual abuse of girls within the family, within internally displaced person camps and within communities.

Paragraph 203

The State party is urged to include studies of incidents of sexual abuse in the context of the armed conflict among the issues to be discussed by the truth and reconciliation commission. The State party should initiate information campaigns alerting the public to the risks of sexual abuse within the family and within communities. In addition, the State party is urged to provide the necessary psychological and material assistance to the victims of such exploitation and abuse and to assure their protection from any possible social stigmatization.

See also:

- Colombia, CRC, CRC/C/100 (2000) 64 at paras. 332, 378 and 379.

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- Armenia, CRC, CRC/C/94 (2000) 53 at paras. 342 and 343.

Paragraph 342

Concern is expressed about the negative impact of recent armed conflicts on children. The alleged conscription of young children into the State party's armed forces is a concern.

Paragraph 343

In the light of article 38 and other relevant articles of the Convention, it is recommended that the State party at all times ensure respect for human rights and humanitarian law aimed at the protection and care of children in armed conflict, and provide care and physical rehabilitation and psychological recovery measures for these children. It is recommended that the State party refrain from conscripting children into the armed forces.

See also:

- Tajikistan, CRC, CRC/C/100 (2000) 53 at paras. 313 and 314.

- Peru, CRC, CRC/C/94 (2000) 64 at para. 371.

Concern is expressed about the short- and long-term consequences of the decreasing but still prevailing climate of violence in several regions of the State party's territory (emergency zones), which threatens the development and right to life of children. The State party should continue taking effective measures to protect children against the negative impact of internal violence, including the establishment of rehabilitation measures for child victims of this violence.

- South Africa, CRC, CRC/C/94 (2000) 81 at para. 449.

Insufficient efforts have been made to introduce adequate programmes to facilitate the rehabilitation of children affected by armed conflict during the *apartheid* era, whose situation is reflected in the current high levels of violence and crime within the State party. All appropriate measures should be taken to introduce new and to reinforce existing programmes to facilitate the rehabilitation and reintegration of children affected by armed conflict.

- Georgia, CRC, CRC/C/97 (2000) 18 at paras. 85, 94, 120, 121, 128, 134 and 135.

Paragraph 85

The civil and political unrest which emerged soon after the State party declared its independence in 1991 is noted. This has slowed the period of transition and prevented the implementation of adequate

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programmes and services for children, especially those in conflict zones.

Paragraph 94

While it is noted that the civil and political unrest, the economic crisis and the structural adjustment programme have had adverse effects on social investment, concern is expressed that in light of article 4 of the Convention, not enough attention has been paid to allocating budgetary resources in favour of children “to the maximum extent of ... available resources”.

Paragraph 120

Concern is expressed about the health situation of children which continues to be affected by the poor economic situation. In particular, note is taken of the limited access to and quality of health services, particularly among children living in conflict zones as well as in the mountainous regions; the increasing cost of basic health care of which the State party covers only 15-20 per cent; the inadequate allocation of funding for health; the high maternal, child and infant mortality rates; the increasing malnutrition rate; and the deteriorating situation of sanitation and safe drinking water.

Paragraph 121

Appropriate resources should be allocated for the implementation of the National Health Policy and, where appropriate, additional policies and programmes should be developed to improve the health situation of children, especially those living in mountainous regions and conflict zones; facilitate greater access to and quality of primary health services; ensure the availability of vaccines; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially in vulnerable and disadvantaged groups of children; and increase access to safe drinking water and sanitation.

Paragraph 128

While the Constitution provides for the right to education and while the 1997 Education Act was adopted with a view to improving the situation of education in the State party, concerns remain about the situation of education, particularly of children in conflict zones and the mountainous regions. In this connection, concern is expressed about the impact of the economic situation on the education system; the decline in enrolment and attendance rates, particularly at the secondary level; the poor infrastructure, including inadequate heating, classrooms and other facilities for instruction; the limited availability of learning materials; insufficient resources, both human and financial; and inadequate instruction in local languages.

Paragraph 134

Insufficient efforts have been made to guarantee and protect the rights of children living in conflict areas, including in South Ossetia and Abkhazia (especially in the Gali district). Grave concern is expressed at the significant number of landmines still in the State party, especially in the western regions along the border zones. Insufficient efforts have been made to locate and clear these landmines and to protect children in this regard. Concern is also expressed about the inadequate programmes to facilitate the care and rehabilitation of child victims of landmines and the insufficient

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efforts to raise awareness and to prevent accidents involving children and landmines.

Paragraph 135

In light of articles 38 and 39 of the Convention, appropriate measures should be taken to ensure the protection and care of children affected by armed conflict, including their physical and psychological recovery and social reintegration. It is strongly recommended that all appropriate measures be taken to locate and clear the landmines in its territory, and promote awareness about the potential dangers. A study should be undertaken to determine the impact of landmines in its territory, particularly as this affects children living in the western regions along the border. The State party should reinforce its efforts to accede to the Convention on the Prohibition of the Use, Production, Transfer and Stockpiling of Anti-Personnel Landmines and on Their Destruction, which it signed in December 1997. Additionally, the State party is encouraged to seek technical cooperation with the United Nations Mine Action Service, among others.

- Cambodia, CRC, CRC/C/97 (2000) 64 at paras. 338, 347, 348, 378 and 388-390.

Paragraph 338

It is noted with concern that the State party is facing many difficulties in the implementation of the Convention, in particular owing to the legacy of more than 20 years of genocide, armed conflict and political instability as well as to the isolation suffered by the State party for many years. The State party's very difficult socio-economic situation is affecting the most vulnerable groups, including children, and hampers the enjoyment of their rights.

Paragraph 347

While most of the State party's infrastructure and social services were destroyed as a result of decades of war, concern is expressed about the insufficient attention paid to the provisions of article 4 of the Convention concerning budgetary allocations to the "maximum extent of ... available resources".

Paragraph 348

Priority should be given to ensuring that the maximum available resources are allocated to health, education and social services for children and that particular attention is paid to the protection of children belonging to vulnerable and marginalized groups. In this regard, the State party is encouraged to continue and foster open cooperation with the international community, in particular within the coordinated framework of the donors' Consultative Group on Cambodia.

Paragraph 378

Deep concern is expressed that as a result of the prolonged armed conflict, the State party has one of the highest levels of disability in the world. In this regard, it is noted that most services for children with disabilities are provided by NGOs, which need substantial resources to maintain the current high standards of care and rehabilitation services.

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Paragraph 388

While welcoming the enactment of legislation prohibiting the military recruitment of children under 18 years and the State party's willingness to demobilize the remaining under-age soldiers in the army, concern is expressed at the insufficient measures for social reintegration and physical rehabilitation of former child soldiers. Concern is also expressed at the high number of landmines planted in the territory during the recent armed conflict which represent a threat to the lives of children.

Paragraph 389

Effective measures should be taken for the identification, demobilization and psychological rehabilitation and reintegration in society of child soldiers and awareness-raising campaigns should be undertaken for army officials to prevent the further recruitment of child soldiers.

Paragraph 390

Budget allocations should be increased for demining in post-conflict areas and awareness-raising campaigns should be conducted to prevent mine-related accidents. Furthermore, the State party should continue to work in cooperation with international agencies for the elimination of landmines.

- Djibouti, CRC, CRC/C/97 (2000) 96 at paras. 560 and 561.

Paragraph 560

The adoption in Paris on 7 February 2000 of an agreement to end the violence in the north of the country is welcomed. Concern is expressed that insufficient efforts have been made to introduce adequate programmes to facilitate the rehabilitation of children affected by armed conflict during the civil war and subsequent violence.

Paragraph 561

Every effort should be made to conclude negotiations and obtain international assistance allowing the launching of activities to demine areas affected by the conflict. The State party should take all appropriate measures to introduce programmes to facilitate the physical and psychological recovery and social reintegration of children affected by armed conflict.

- Finland, CRC, CRC/C/100 (2000) 8 at paras. 77 and 78.

Paragraph 77

The Committee notes with concern the number of asylum-seeking and refugee children coming from areas affected by war and who may have been victims of traumatic experiences.

Paragraph 78

Every effort should be made to identify children who require special support upon their arrival in the

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territory, and the provision of adequate psychological assistance to them and their parents should be considered.

- Burundi, CRC, CRC/C/100 (2000) 17 at paras. 95, 96, 109-111, 115, 116, 147, 148, 156, 157.

Paragraph 95

Children's rights have not been sufficiently taken into consideration in past efforts to achieve peace in the State party.

Paragraph 96

The protection of child rights and the implementation of programmes to address priority child rights concerns should be included in peace agreements.

Paragraph 109

Concern is expressed about the low minimum age of recruitment to the armed forces.

Paragraph 110

Legislative measures should be taken to raise the minimum age of recruitment into the armed forces to 18.

Paragraph 111

Deep concern is expressed at the gross violations of the right to be protected from discrimination and at the impact of discrimination upon children in the State party. It is noted that discrimination takes different forms including by ethnic origin, gender, geographical origin (within the country) and social status. The Committee notes that killings and other acts committed in the armed conflict, and which have affected children, have frequently been perpetrated on the basis of ethnic origin.

Paragraph 115

Deep concern is expressed about the extensive violations of the right to life of children by, *inter alia*, armed conflict, deliberate killings by armed persons including members of the armed forces, State regroupment policies, other forms of population displacement, poor health and sanitation facilities, severe malnutrition and related illnesses, and as a result of the prevailing conflict between groups of the population.

Paragraph 116

The State party is strongly urged to make every effort to reinforce protection of the right to life, survival and development of all children within the territory through policies, programmes and services that target and guarantee protection of this right. The State party is urged to seek as much

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international assistance as possible in this regard.

Paragraph 147

Noting the current efforts to address trauma, concern is expressed at the inadequacy of specialized psychological care in almost all regions and the substantial need for such assistance among children who have suffered from, *inter alia*, the ongoing armed conflict, displacement, regroupment, sexual abuse and living conditions in camps. The current ratio of mental health workers to population is very low.

Paragraph 148

Efforts should be increased to make psychological assistance available to those children who have experienced trauma and to increase human resources in the area of psychological care by providing specialized mental health training for existing health professionals.

Paragraph 156

Concern is expressed about the participation of children in the State party's armed forces, either as soldiers, or as helpers in camps or in the obtaining of information. Reports of widespread recruitment of children by opposition armed forces and sexual exploitation of children by members of the armed forces are also matters of concern. Deep concern is expressed about violations of the provisions of international humanitarian law relating to the treatment of civilians in armed conflict.

Paragraph 157

The State party is urged to end the use of children as soldiers or in any other way related to the armed conflict and to demand, in the context of peace negotiations, that opposition armed forces also cease to use children as soldiers. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts should be ratified at the earliest opportunity. In addition, the State party is urged to ensure that the sexual exploitation of children by members of the armed forces is brought to an end and that the perpetrators are prosecuted. Demobilized children, and others who have been linked to armed forces or groups should be provided with assistance toward their social reintegration. The full respect of the provisions of international humanitarian law should be guaranteed.

- United Kingdom of Great Britain and Northern Ireland (Overseas Territories), CRC, CRC/C/100 (2000) 40 at para. 266.

The State party should consider ratifying and extending to the Overseas Territories the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

- Colombia, CRC, CRC/C/100 (2000) 64 at paras. 331, 334, 335, 348, 349, 356, 357, 359,

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375-377 and 380.

Paragraph 331

Although the State party is undertaking efforts to find a peaceful solution to the ongoing armed conflict, the Committee is concerned that the general climate of violence largely caused by or related to this conflict is not only negatively affecting the implementation of the Convention but has led to systemic violations of children's rights.

Paragraph 334

In view of the overwhelmingly negative impact of the armed conflict on the life of Colombian children, it is of deep concern that no consideration has been given to inclusion and respect for the rights of the child in the ongoing peace negotiations.

Paragraph 335

It should be ensured that the protection of the rights of the child are a high priority on the agenda of the ongoing peace negotiations and throughout the process of consolidating peace in the aftermath of the conflict. The State party is urged to implement the recommendations made by the Security Council in its resolution 1261 (1999).

Paragraph 348

Concern is expressed about the limitations imposed by the current socio-economic crisis and the armed conflict on the full implementation of social programmes for children.

Paragraph 349

The Committee reiterates its recommendation that all measures to implement economic, social and cultural rights should be undertaken "to the maximum extent of ... available resources", in the light of articles 2, 3 and 4 of the Convention, and that particular attention be paid to the protection of children belonging to vulnerable and marginalized groups. A locally based system should be developed to monitor and evaluate the situation of children living in areas of extreme poverty in order to give priority to budget allocations for these groups of children.

Paragraph 356

In the light of article 6 and other related provisions of the Convention, deep concern is expressed at the threat posed by the armed conflict to children's lives, including instances of extrajudicial killing, disappearance and torture committed by the police and paramilitary groups; at the multiple instances of "social cleansing" of street children; and at the persistent impunity of the perpetrators of such crimes.

Paragraph 357

The Committee reiterates its recommendation that effective measures should continue to be taken to protect children from the negative effects of the armed conflict. The State party is urged to protect

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children against “social cleansing” and to ensure that judicial action is taken against the perpetrators of such crimes.

Paragraph 359

In the light of article 7 of the Convention, the State party should continue its measures to ensure the immediate registration of the birth of all children. Special emphasis should be placed on the registration of children belonging to the most vulnerable groups, including children living in areas affected by the armed conflict and in camps for internally displaced groups.

Paragraph 375

In view of the ongoing armed conflict, the State party should strengthen its programmes on human rights education, including on the rights of the child, in its teacher training programmes and school curricula, and ensure that every child receives such education.

Paragraph 376

While the prohibition of recruitment of children under the age of 18 into the armed forces is welcomed, the very high numbers of children who have been forcibly recruited into guerrilla and paramilitary groups is of deep concern.

Paragraph 377

Deep concern is expressed about the extremely negative impact of the armed conflict on all children, including children formerly involved in hostilities, and about the serious threat to their right to life, survival and development and the severe psychological trauma inflicted upon them. The lack of a national policy to guarantee the social reintegration of children formerly involved in hostilities is also of concern.

Paragraph 380

The Committee endorses the recommendations made to the State party by the Special Representative of the Secretary-General for Children and Armed Conflict (see A/54/430, paras. 122-127 and E/CN.4/2000/71, paras. 60-71) and recommends that the State party, in cooperation with the international community, urgently implement these recommendations in order to give the highest priority to the protection of children from the negative effects of the armed conflict.

- Central African Republic, CRC, CRC/C/100 (2000) 77 at paras. 479 and 480.

Paragraph 479

Concern is expressed about the several incidents of internal disturbance, including mutinies, within the State party and the effect of such incidents on children.

Paragraph 480

Children should be protected from the effects of armed conflict or other strife. The State party should

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consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict at the earliest opportunity.

- Slovakia, CRC, CRC/C/100 (2000) 100 at para. 596.

The State party is encouraged to ratify and implement the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

See also:

- Tajikistan, CRC, CRC/C/100 (2000) 53 at para. 321.
 - Comoros, CRC, CRC/C/100 (2000) 110 at para. 644.
 - Ethiopia, CRC, CRC/C/100 (2001) 24 at para. 194.
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- Comoros, CRC, CRC/C/100 (2000) 110 at paras. 600, 642 and 643.

Paragraph 600

Ongoing peace negotiations with the separatist forces in the island of Anjouan and the embargo imposed on that island are noted. The negative effects of the political instability and the current socio-economic crisis on children is noted with concern, especially regarding the enjoyment of their human rights.

Paragraph 642

While aware of the limitations posed by the continuing violence in the breakaway island of Anjouan, the reported use of child soldiers by the different militias on that island and the lack of adequate rehabilitation services for the children affected by the armed conflict are matters of concern.

Paragraph 643

The State party is urged to take every feasible measure, including through international mediation, to have all child abductees and combatants released and demobilized and to rehabilitate and reintegrate them in society. The State party is urged to take all necessary measures in cooperation with national and international NGOs and United Nations bodies, such as UNICEF, to address the physical needs of child victims of the armed conflict, in particular child amputees, and the psychological needs of all children affected directly or indirectly by the traumatic experiences of the war.

- Latvia, CRC, CRC/C/103 (2001) 9 at paras. 80 and 81.

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Paragraph 80

It is noted that the Government of Latvia has started the internal procedure of accession to the Optional Protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflicts.

Paragraph 81

The State party is invited to continue this process and to ratify the two Optional Protocols to the Convention.

- Liechtenstein, CRC, CRC/C/103 (2001) 19 at paras. 114 and 115.

Paragraph 114

The State party has signed the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

Paragraph 115

The State party is encouraged to reinforce its efforts to ratify these instruments.

See also:

- Colombia, CRC, CRC/C/100 (2000) 64 at para. 381.

- Ethiopia, CRC, CRC/C/103 (2001) 24 at paras. 158, 159, 184 and 185.

Paragraph 158

In the context of population displacement caused by natural disasters or armed conflict, many children have been separated from their families, and this is of concern.

Paragraph 159

The State party should continue and strengthen its efforts to ensure family reunification. Assistance should be sought from UNICEF and the Office of the United Nations High Commissioner for Refugees in this regard.

Paragraph 184

The effect of the recent armed conflict on children, particularly children living in the conflict region, is of concern.

Paragraph 185

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The State party is urged to make every effort to ensure that the recent peace agreement leads to a lasting peace and that children are protected from the effects of armed conflict. In particular, the State party should ensure that relevant children's rights concerns are taken into consideration in peace related deliberations and other activities.

- Palau, CRC, CRC/C/103 (2001) 79 at para. 480.

While noting that the State party does not have an army or military service, the State party should consider signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

- Turkey, CRC, CRC/C/108 (2001) 18 at paras. 137 and 138.

Paragraph 137

It is noted that personnel dealing with child asylum-seekers and refugees do not have training on child rights issues, in particular on how to deal with children who are unaccompanied and in cases of family reunification, as well as with children who come from areas affected by war and who may have been victims of traumatic experiences.

Paragraph 138

Adequate training should be provided to officials who deal with child asylum-seekers and refugees, in particular in child-interviewing techniques and on how to ensure family reunification. Also, in accordance with the UNHCR Guidelines on Protection and Care of Refugee Children, every effort should be made to identify children who require special support upon their arrival in the country, and the State party should consider providing adequate psychological assistance to them.

- Democratic Republic of the Congo, CRC, CRC/C/108 (2001) 31 at paras. 153, 155, 175, 176, 213 and 214.

Paragraph 153

The issuance of decree No. 066 of 9 June 2000 with regard to the demobilization of children from the armed forces and the establishment of a special bureau to review the implementation of this decree is noted as an important positive step.

Paragraph 155

The Committee notes the negative impact on children of the armed conflict within the State party's territory and the role of numerous actors in this conflict, including the armed forces of several States all party to the Convention, armed groups and numerous private companies, as cited in a United Nations report on the illegal exploitation of natural resources and other forms of wealth of the

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Democratic Republic of the Congo. Particularly noted are grave violations of the Convention within territory outside of the control of the Government of the State party and where armed elements, including armed forces under the jurisdiction of other States parties to the Convention, have been active. It is also noted that article 38 of the Convention requires States parties to respect provisions of international humanitarian law applicable to them and that, as indicated by United Nations sources (see, *inter alia*, Security Council resolution 1341 (2001) of 22 February 2001), this law has been violated, particularly with regard to children. In this context, in addition to the responsibility of the State party, the Committee also emphasizes the responsibilities of several other States and certain other actors for the negative impact of the armed conflict upon children and for violations of some provisions of the Convention and international humanitarian law within areas of the State party.

Paragraph 175

It is of deep concern that children's rights to life, survival and development are severely violated within the State party. Reports of massive numbers of deaths related to the armed conflict in the eastern part of the State are of particular concern, as is the practice of infanticide.

Paragraph 176

The State party is strongly urged to take all measures to prevent deaths related to the armed conflict and to prevent infanticide through, *inter alia*, a peaceful, rapid and conclusive end to the armed conflict, through legislative and judicial means, and through the development and implementation of appropriate policies to assure the rights to life, survival and development of all children.

Paragraph 213

The direct and indirect impact of the armed conflict on almost all children in the State party is of deep concern. Concern is expressed about the deliberate killing of children by armed forces of the State party, armed forces of other State parties that have participated in the conflict and by other armed groups, and about the continuing impunity for such acts constituting very serious violations of children's rights. The recruitment and use of children as soldiers by the State party and by other actors in the armed conflict, including children under 15 is of concern. The creation of a special bureau for the demobilization and reintegration of child soldiers (DUNABER) is noted with appreciation, but concern is expressed about the effectiveness of this bureau.

Paragraph 214

The State party is urged to strengthen its efforts to end the armed conflict to ensure that the protection and promotion of children's rights are given due consideration in the ongoing peace process. Further, the State party is urged to prevent the killing or other forms of harm to children and to ensure that those persons responsible for committing such acts are prosecuted. The participation of children in armed conflicts should be prevented and their recruitment ended entirely, including cross-border recruitment and use as soldiers, and additional efforts should be made to demobilize and reintegrate present and former child soldiers into their communities and to provide for their psychological recovery. DUNABER should be provided with sufficient human and financial resources to effectively demobilize and reintegrate children into society and to provide the necessary

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follow-up.

- Guatemala, CRC, CRC/C/108 (2001) 47 at paras. 275 and 276.

Paragraph 275

It is noted that the State party has launched an action plan for the psychological rehabilitation of children affected by the armed conflict based on a preventive programme with community participation. However, concern is expressed at the lack of professional staff prepared to work in these communities and at the insufficient number of services to meet demand. It is also noted with concern that a large number of children were internally displaced or forcibly disappeared during the armed conflict and that the State party did not investigate these disappearances effectively.

Paragraph 276

In light of article 39 of the Convention, the State party should consider complying with the recommendations of the Truth Commission regarding a national reparation programme that would also include children affected by the internal armed conflict, and it should effectively investigate all cases of children who were forcibly disappeared by allocating human and financial resources to and cooperating with the National Commission for Searching for Disappeared Children. Further, it is recommended that efforts be strengthened to implement the Programme to Support Resettlement of Displaced Groups and to ensure adequate protection to internally displaced children, paying special attention to the problem of lack of identification papers. The State party is encouraged to continue its international cooperation programmes with, among others, UNDP, UNHCR and UNCHS (Habitat).

- Bhutan, CRC, CRC/C/108 (2001) 85 at paras. 476-479.

Paragraph 476

The low age of 15 for voluntary enlistment in the armed forces is a matter of concern.

Paragraph 477

The State party should consider raising the age for voluntary enlistment in the armed forces to 18.

Paragraph 478

Concern is expressed about the negative impact on children of the reported armed insurgency in the south-central and south-eastern parts of the country.

Paragraph 479

In light of article 38 and other relevant articles of the Convention, the State party should, at all times, ensure respect for human rights and humanitarian law aimed at the protection and care of children affected by armed conflict. Physical rehabilitation and psychological recovery measures should be

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provided to these children.