Women's Foreign Policy Group
United Nations Study Visit
New York, NY
May 1, 2009

Session IV: Protecting Children in Armed Conflict

Radhika Coomaraswamy
UN Under-Secretary-General, Special Representative for Children and Armed Conflict

Gillian Sorensen: Our next speaker, on the subject of protecting children in conflict, is Radhika Coomaraswamy, the UN Under-Secretary-General and Special Representative for Children and Armed Conflict. She is an advocate and a moral voice to bring awareness to the rights and protection of boys and girls affected by armed conflict. She's a lawyer by training; she was formerly the Chairperson of the Sri Lankan Human Rights Commission. She's also been a lawyer and served on the faculty of New York University School of Law. We thank you very much for coming and look forward to your words.

Radhika Coomaraswamy: Thank you very much; it's a great pleasure to address you here in this hall, though I can't see all of you. Let me begin my presentation with 3 stories of girls and boys I have met during my field visits, just to give you a sense of the type of reality we face when we go there.

The first is of course the story of Ava, and you must have read about this kind of case. She is from the DRC; I met her at Panzi Hospital. She had been going to school with some of her friends, she was 13 years old. She was waylaid by the FDLR [Democratic Liberation Forces of Rwanda], taken to their camp, repeatedly raped, and kept in a state of forced nudity. Finally after about 6 months of this she ran away and was taken finally by a very kindhearted truck driver to Panzi Hospital, where she found out when she was pregnant. When I met her, she had just given birth, at the age of 13, to a baby boy. She looked very sad and lost, but she had begun to go back to school. So that's one case of sexual violence during armed conflict which is terrible.

The other case is the case of a boy I met in northern Uganda, who again was playing with friend in his home when the LRA [Lord's Resistance Army] raided his village and took both of them by force. Halfway there his friend tripped and fell, and he watched as the LRA commander just shot the boy in the head and took him to the camp where he was trained and given drugs and finally forced to go with them, raid villages, loot the same village in which he had lived, where his family and community were. Finally he ran away from this group and was taken to a UNICEF center where I met him. And when I met him he said, "Madam, what can I do, all I know how to do is to fight."

And finally, the story of a young girl I met in Afghanistan. Her house had been, during one of these air raids, bombed and she lost many of her family members and was marked as collateral damage. Later on, going to her school, her school was attacked by the Taliban to prevent her and her friends from going to the school. But she was an extraordinary young woman who said that no matter what, she was going to go to school and she was going to be a teacher, and that was her ambition.

So those are just 3 stories of the kind of realities we face in our work. And basically a lot of the work of my office focuses on what we call trying to prevent grave violations against children, and to fight impunity of those who perpetrate violence against children during armed conflict. Perhaps I will just begin to talk about one area where we have made progress, and that is the recruitment and use of child soldiers. As you know, only 7%, even in the DRC, of children joining armed groups are there because they're abducted. A lot of them join because of poverty, there's no other alternative, their parents give them up, because of discrimination, because of revenge, because of ethnic loyalty, sometimes because they're displaced and have nothing to do, sometimes they've run away from home because there's domestic violence – for whatever reason, they join the groups.

And therefore our focus has been on the leadership, not so much on the voluntariness of that child, but the leadership of that group, because there are groups that refuse to accept children, even if they come to them. But others not only abduct them, but also accept the ones that come. So the focus has been basically to punish or to deal with these leaders in these groups. There are two ways the international community has responded. One is bringing criminal charges. The first case of the International Criminal Court [ICC] was the case of Thomas Lubanga [leader of a political and military movement, the UPC (Union of Congolese Patriots)], and that was on the issue of recruitment and use of child soldiers. That case is at the moment progressing in The Hague. Three other cases have also been filed on the same charges. It's mainly on the Congo, because as you know, the ICC states have to agree, and the Congo is agreed, so therefore in the Congo these cases are being filed.

The other way where my office is involved is in Security Council Resolution 1612. Children and armed conflict is an issue in which the Security Council is actually very seriously engaged. It's the only human rights issue on which it is really engaged. And how it is engaged is first, there's an annual report that the Secretary-General presents to the Security Council on the state of children and armed conflict. In this report, there is a 'list of shame,' as we call it, because the Security Council is particularly interested in the recruitment and use of child soldiers, a list of all the parties in the world that recruit and use child soldiers.

The Security Council also has a working group that meets every two months to review country reports of country situations listed in the report, and there they monitor six grave violations – not only recruitment and use of children, but the killing and maiming of children, sexual violence, abductions, denial of humanitarian access, and attacks on

schools and hospitals. And these six grave violations are monitored by a monitoring and reporting mechanism in the country that reports directly to the Security Council working group. This monitoring and reporting mechanism at the country level is made up of all the UN agencies and partners who we feel are truly independent and objective, who join us in collecting this information and writing the country reports. This mechanism is very unique, new, and unusual for the Security Council, its only monitoring and reporting mechanism.

The Security Council has also empowered UN country teams and our office to enter into action plans with parties that recruit and use children and to negotiate their release. We have managed over time in Cote d'Ivoire, Sri Lanka, Sudan, Uganda, Philippines, Central African Republic, Burundi, Myanmar and Nepal; we have either finished action plans or are in the process of negotiating these action plans. So we identify and release children, then take them to places where UNICEF and other NGOs can take care of them. For example, when I was in CAR, we negotiated directly with the commanders.

It's very important to know how important the Security Council list is, because the moment you tell somebody they are on a Security Council list and there is a possibility of targeted measures against them, they want to get off the list, and they do, to that extent, enter into negotiations. There are of course totally recalcitrant ones, who just use children and will not agree, but there are many others who will, to get off the list, agree, and we have had some successes.

But of course, everything is not rosy. There are 56 parties, according to the last report that was out last week, who recruit and use children. As I said, only in the countries I mentioned are there parties that have actually entered into action plans. There are 19 persistent violators who have been on the Secretary-General's list of shame for over 4 years. I must say that we had an open debate two days ago on this issue in the Security Council, and it was very positive. We asked for three things. As said, the list of shame is [composed of parties which participate in] the recruitment and use of child soldiers; we asked that it include now not only that but also sexual violence against girl children, at least beginning with the girl child, and the killing and maiming of children – that these two also be a trigger to get on that list of shame.

These presidential statements say that in three months' time they hope to conclude the negotiations to do so, so we hope this will move the issue forward. We also said that for those 19 persistent violators, there should now be a process of imposing sanctions and targeted measures against those parties, and also that governments allow us to meet with non-state actors to negotiate action plans. I think the presence at the open debate of Grace Akallo, a girl who was abducted by the LRA and subjected to sexual violence and made into a soldier, her testimony before the Security Council which drew, I must say, prolonged, sustained applause for the first time in I think seven years in the Council, also helped push the members toward that presidential statement which, to some extent, is moving the agenda forward. And we hope to have a stronger resolution within the next three months on this issue.

Finally, let me just say – two issues. First, on the recruitment and use of children, the real problem begins once we release them, to try to reintegrate them back into society, and nobody is focusing on that too much. It's usually six months of giving them training in mechanics or tailoring or whatever, and then sending them home, and it doesn't work all the time. So we are arguing that we need more sustained programs. We're telling donors, from best practices, we need at least two or three years to follow this child, to give them psycho-social support, to work with them and the family and community to make sure that they come out all right. We can't just have them six months and leave. And donors are not stepping up to the plate in such large numbers, though recently some have begun to respond. So that's one area that I'd like to highlight.

The second is the changing nature of conflict. We are facing, as I said – this recruitment and use issue came out of the great African wars, of Sierra Leone and Liberia. We are finding now in the recent type of conflict, especially in the war against terrorism, all new dimensions affecting children. For the first time, we're having things like children suicide bombers. Sometimes they themselves detonate, and sometimes they wear the vest and it's detonated from the party outside; it's a horrendous practice. The second is that schools are being attacked; girls' schools are being attacked in Thailand and Afghanistan, acid thrown on girls, etc.

And on the other hand, in fighting terrorism, we're finding this issue of collateral damage. This issue that in fighting terrorism, if a terrorist is in a village, you bomb the village, and children are all around there – that's collateral damage. We have to really reconsider this kind of military strategy. And the second thing is a large number of children in detention. Since children are supposed to be also susceptible to fighting in this war on terror, we also take them, and there are not many safeguards for them. So those are some of the issues, and now I'll answer any questions.

Question: I'm very concerned about the under-reporting around the world on girl child soldiers, and I know that the recent testimony before the Security Council was stratospheric in that regard, but what else can we do to get the word out, because the young women that I know who have been involved in conflict have been kidnapped, and were not voluntarily joined. And they have to deal with not only the detoxing from the horrors from violence, but also the horrors of sexual slavery.

Question: Can you talk a little bit about the role of education that might help to diminish some of the horrible problems that are occurring?

Radhika Coomaraswamy: I think you're absolutely right – I think there's much greater awareness now than there was some time ago – and I think the change with regard to this issue changed when Graça Machel, 10 years ago, wrote the first report. And the UN, I think, has to some extent responded, creating a position at the Under-Secretary-General level to really steer this issue. So I think there has been some response. But I think that we are kind of turning the corner on this, with the Security Council resolutions and everything, and that only the really recalcitrant ones will remain, and I don't know how one deals with them; maybe sanctions have to be imposed.

But there is a sense that the numbers are lessening and that the deterrence effect of ICC, etcetera is beginning to show effects on the ground. So now the real focus is on helping these children. Not only separating them, but trying to have the right programs so that they don't either get re-recruited – we find that often happens, and my staff have demobilized children in Sierra Leone only to find them again in Cote d'Ivoire, re-recruited. And the other is that because they're used to having firearms, they often join criminal gangs, which is also another thing, suddenly transforming into criminal gangs. So there are a whole lot of issues now. And there are some wonderful children who have gone through this, but I think we need to do it.

When I was in Nepal, for example, I met some of the young Maoist children in the cantonments. They were very hostile; they said, we don't want you, please go away, we want to become soldiers. These were the more complex cases. We want to join the army, etc. So we would have a long conversation with them that this is not the only option for them, that there are so many other options. The UN has 65 different options that would be tailor-made for them; we would talk to them and see what they want to do. So the conversation began and now I'm happy to note that it's gone quite far, and we hope to have children reintegrated. So I think now the focus must also be on the reintegration.

Education, as you know, Save the Children and UNICEF have now a slogan that they want you to carry, which is that education should be an important part of emergency response. That when we go into building camps or whatever we fund as humanitarian operations, that education is a part of that planning. That's now become a very strong demand from the humanitarian community, to have schools in camps for children, as part of the initial planning, not something you do later on. And also, we find schools as zones of peace, some countries want to be able to negotiate schools as zones of peace, where neither side would attack, and the children can continue to find a place of security in those schools, but that's not always the case.

The other issue under education is what you teach, because you can have schools, but if you're teaching them hate curriculum – sometimes history as taught in the schools can actually exacerbate the conflict. So to have peace education or quality curriculum is also very important.

Question: I was wondering if you could talk a little bit closer to home about the humanitarian crisis in the north of Sri Lanka right now, and what course of action you think should be taken. Specifically, my question is whether, in this case, in terms of advocating for the evacuation of children and all persons from the safe zone, if you feel like your nationality affords you leverage in doing so, or if it serves as a constraint in working with the government.

Question: Just before you came, we just heard from Joanne Sandler, and I was just wondering if you could address how some of the successes that you've had, for example with the list of shame and other such things in dealing with child soldiers, could be

applied and used vis-à-vis women and violence around the world, since you've worked a lot in the broader human rights issues.

Radhika Coomaraswamy: Let me begin with the Sri Lanka question. As you know, as a general rule, USGs don't work on their own countries, so what I did earlier was to send former Ambassador Alan Rock to Sri Lanka, and he got a very rocky welcome. There were a lot of issues he raised, such as the recruitment and use of child soldiers, not only by the LTTE [Liberation Tigers of Tamil Eelam] but by the TMVP [Tamil Makkal Viduthalai Pulikal] and the fact that the government seemed to be aiding and abetting that recruitment. So there was that whole issue that he raised. I am in negotiations to send another envoy, hopefully in the month of May or June, so hopefully that will come through, because I think it's better that it's a non-Sri Lankan that goes in there.

With regard to the meantime, in between these envoys, we have held very consistently, and I spoke about it in the Security Council yesterday, that our position is that the LTTE continues to recruit children as well as using them in the front lines and not preventing the civilians from leaving, so this is a serious issue that we need to address with them, and that the government is not showing military forbearance, which is something we're requesting. We don't use the word cease-fire because they'll go into defensive postures, but some kind of humanitarian pause, long enough for humanitarian workers to go in there and negotiate the safe passage of these children. We feel that that is the priority for us now, and that is what we're pushing for. It's what I pushed for before the Security Council yesterday, and it's what all my UN colleagues are pushing for, and that's the UN position. But on Sri Lanka itself, I will be sending an envoy to the country itself.

With regard to this, the idea would be if 1820 moves in a direction to the extent where one could at some point have a list of shame for those that engage in sexual violence and sanctions, etc. But it depends on the appetite of the Council to move in that direction. There's something about children, unfortunately unlike women, to which people really do respond. The Convention on the Rights of the Child, only two countries have not ratified it, and one is the US. And the reason, I just got this long memo from an organization calling itself the Right to Parental Authority, and I think their argument is that the Convention on the Rights of the Child interferes with parental authority. But except for the US and Somalia, everyone else has signed the Rights of the Child. But also, on 1612, because it's children, you find countries do come together. They often have to be pulled and pushed, but they do come together. So whether that kind of consensus exists around women's issues, I don't know yet.

Question: You mentioned before that something you want to happen would be to expand the list of triggers, including killing and maiming of children, and you were hoping that within a few months it could be achieved. I'm wondering if you could describe to us the type of resistance, if any, that you've been meeting in the Security Council and perhaps in a more general setting, to achieve this goal.

Question: I don't really have a question; I just have a statement – it has to do with the reality that economic instability for women and women's inability to get their hands on

things that could stabilize communities; schools and those kind of things, seem to make the biggest difference. To me, this whole idea of women's and children's rights going hand in hand, understanding that when women have the ability to provide economic stability, then they look out for the rights of children a little bit more in the community. So in an organization such as yours, how much is focusing on the economic stability of women in communities, understanding that their resources will go into the stability of resources in the community which protect children, like schools and that sort of thing?

Radhika Coomaraswamy: The first, with regard to the triggers, the point is that many states are just allergic to any kind of interference with sovereignty. So to first get on child soldiers – that we will pierce veil of sovereignty and go right into the country and negotiate directly with non-state actors – is a big step. I think they are now willing to go with regard to sexual violence against girl children; my sense is that given the debate, they're willing to accept that piercing of the veil. Killing and maiming that is intentional and deliberate of children, I think we can cross that path as well. But the other issues, such as attacks on schools and hospitals, which sometimes is collateral damage, or denial of humanitarian access, how far they will go with that I still don't know. My sense is they would be more reticent.

With regard to economic stability, one of the big issues is how much does the UN respond in an emergency mode and how much do we respond to issues like this in a development mode. What I mean is, take this issue of child soldiers. How much do we punish the perpetrators, get the children out, and focus our energy on that, and how much do we focus on creating the conditions on the ground so that children are not recruited – part of that giving women economic empowerment and allowing them to keep their families. And I think that conversation hasn't really taken place.

We talk about preventive measures, but I think the deeper fact that development agencies should be there in the first place to provide the conditions so that there is economic stability and children do not – so many children join because they're orphans, or their parents, because they can't pay the school fees or can't feed them, often send them to these groups, because of a whole host of issues. So working on the root causes is something that we need to do as well, at the same time that we fight the issue of perpetrators, etc.

Gillian Sorensen: On that note, let me thank you so much for being here. This is a lot of food for thought this morning, from a range of UN officials on a range of issues.