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**CHECKLIST TO
MAINSTREAM CHILDREN
AND ARMED CONFLICT
CONCERNS IN HUMAN
RIGHTS PRACTICE**

War Child Holland is an independent and impartial, international non-governmental organisation investing in a peaceful future for children and young people affected by armed conflict. We support children regardless of their religion, ethnicity, social background, or gender. Our work is based on the United Nations Convention on the Rights of the Child and we implement programmes in Africa, Asia, the Middle East, South America and Europe.

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INTRODUCTION

Human rights is a vast field encompassing a variety of intersecting disciplines. Understanding how these overlapping focuses interact with international law allows practitioners, including diplomats, advocates and policymakers, to formulate efficient and effective initiatives that can meaningfully improve the lives of some of the world's most at-risk populations.

The objective of this checklist is to provide a clear outline connecting considerations of children and armed conflict with common thematic focuses in human rights. Armed conflict not only exacerbates threats to children but also creates new threats to child safety and rights. Accordingly, we seek to ensure practitioners are not only made aware of these overlaps in concerns but are also given accessible tools to help them implement language and work initiatives within the Human Rights Council framework through which they can effectively incorporate children and armed conflict concerns into their own work.

This effort to mainstream language and concerns regarding children and armed conflict in a variety of human rights themes has its legal foundation in international human rights law, international humanitarian law and international criminal law. However, the document does not only base itself in treaties and other binding international law but also in soft law. Although not binding on State Parties, soft law, which includes most Resolutions and Declarations of the United Nations General Assembly, for example, may provide substantial pressure for compliance with international norms. Additionally, the language used in this checklist frames the work as reactive, as, unfortunately, much of human rights work dealing with armed conflict is in response to violations; however, efforts should be made to ensure initiatives also include and encourage proactive work and frameworks in which preventative measures can be successfully implemented.

The thematic focuses featured in this checklist were selected based on their recurrence within international law and the Human Rights Council's work and initiatives. In using this checklist, it is also critical to understand the [Six Grave Violations](#), which include [killings and maiming of children](#), [recruitment and use of children](#), [sexual violence against children](#), [abduction of children](#), [attacks against schools or hospitals](#), and [denial of humanitarian access for children](#), all of which are incorporated into the thematic categories presented here. In the event of one of the first five violations, the United Nations Security Council can become involved in the process of accountability through the Secretary-General's triggering of the inclusion of the party in the annex to the Report of the Secretary-General on children and armed conflict. The denial of humanitarian access, while not triggering action from the Security Council, is considered a violation of customary international law, which is applicable and binding to all parties.

EDUCATION

Armed conflict disturbs every element of the social infrastructure in a community, including the right of a child to an education. Children caught in armed conflict face a variety of obstacles to their education, such as a lack of access to educational resources, military use of their schools, intimidation and acts of violence. Such disruptions allow the conflict to have generational implications as well as more immediate consequences for children, like increased risks for child labour, trafficking and child, early and forced marriage. Accordingly, education as a human rights concern must be considered inseparably as a children and armed conflict concern. As attacking a school is one of the Six Grave Violations, regulations shall address its absolute prohibition. However, efforts should also include the prohibition of actions which disrupt children's access to education. Such disruption can be direct, such as with the military use of schools, or indirect, such as through the creation of an environment that is too unstable or insecure to allow the continued administration of or access to education or in which detrimental and illegal social practices such as child, early and force marriage persists. Educational disruptions also occur away from conflict, as displaced or refugee children are often unable or incentivized for various reasons not to attend school. Educational resources can also be unavailable in areas cut off by armed conflict. Such situations should also be included in language or work initiatives regarding education and children and armed conflict. Additionally, curricula should not contain socially or culturally divisive content which exploits community fissures.

“State Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular ... make primary education compulsory and available free to all...”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 28.1(A)

Some issues that should initiate considerations of language and regulatory frameworks inclusive of children and armed conflict include the following:

- Attacks directed at educational buildings or other associated infrastructure, at school transport, at teachers, or at students
- The military use of schools
- Disruption of access to an education
- Creation of an educational environment characterized by personal or social insecurity

For more regarding education as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 28 and 29
- General Comment: The aims of education [CRC/GC/2001/1](#)
- Geneva Convention IV, [Article 50](#)
- [Safe Schools Declaration](#)

- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes with a disproportionate impact on children, including destruction of educational facilities, Section III(d)
- In dealing with armed non-State actors, look to the [Deed of Commitment Under Geneva Call for the Protection of Children from the Effects of Armed Conflict](#), Paragraph 7(v)
- [Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict](#)
- Geneva Call's Booklet [How to protect education in armed conflict?](#)
- [Protect Schools and Hospitals: Guidance Note on Security Council Resolution 1998](#)

HEALTH AND WELL-BEING

Armed conflict threatens the health and well-being of all caught in its wake and can be particularly detrimental to children. In addition to child casualties, armed conflict disrupts basic health and psychosocial services and access to food, aid and other necessities. Each of these disruptions disproportionately affects children and should be considered as human rights concerns linked to children and armed conflict. Attacks on hospitals and denial of humanitarian access, which is essential for the survival of children, are two of the Six Grave Violations and, as such, shall be absolutely prohibited. Additionally, language and work initiatives regarding health and well-being for children and armed conflict should ensure the protected access to resources that serve the child's physical, mental, spiritual, moral and social development, recovery and reintegration. This access should remain available not only during active armed conflict but also in protracted crisis and following the end of hostilities and in areas away from the conflict so as to include displaced and refugee children.

“State Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of...armed conflicts.”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 39

Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Attacks on hospitals, medical personnel, medical transport and other related infrastructure
- Disruption of access to aid, including medicine, food, etc.
- Disruption of access to non-aid food acquisition
- Disruption or lack of implementation of psychosocial services, such as social reintegration or psychological recovery

For more regarding health and well-being as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 6, 18(3), 24, 26, 27(1), (2) and (3), 33 and 39
- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes in violation of children's rights under international law and crimes with a disproportionate impact on children, including destruction of healthcare facilities, Section III(d)
- In dealing with armed non-State actors, look to the [Deed of Commitment Under Geneva Call for the Protection of Children from the Effects of Armed Conflict](#), Paragraph 7(i) and (ii)
- Geneva Convention IV, [Article 14](#)
- General Comment: The right of the child to the enjoyment of the highest attainable standard of health [CRC/C/GC/15](#)
- [United Nations Security Council Resolution 2286](#)
- [United Nations Security Council Resolution 1882](#), Paragraph 1
- [Inter-Agency Standing Committee Guidelines on Mental Health and Psychosocial Support in Emergency Settings](#)
- [Protect Schools and Hospitals: Guidance Note on Security Council Resolution 1998](#)

SOCIAL INSECURITY

A major consequence of armed conflict is the disturbance or dissolution of community ties. This fact carries particular impact for children, who rely on these social institutions for support and development. Accordingly, any examination of human rights issues as they impact the community must include considerations of children and armed conflict. Regulations and initiatives should ensure children who are orphaned, abducted, or otherwise separated from their caregivers by conflict are protected and receiving sufficient resources for their development and care, including, if necessary, provision of resources from external sources and other Member States. Further, as the abduction of children is one of the Six Grave Violations, it shall be absolutely prohibited. Safeguards should be in place to prevent the exploitation or institutionalization of children in destabilised communities. Consideration and protection should also be given to children who are rendered stateless by the local legal mechanism of citizenship, for example if a father is absent or deceased a child can be born without a recognized citizenship.

“States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 8(1)

Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Internally displaced persons
- Refugees
- Unaccompanied minors
- Child, early and forced marriages
- Abduction of children

For more regarding social insecurity as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 8, 18(1) and (2), 9-11, 20, 21 and 27(4)
- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes in violation of children's rights under international law, Section III(b)
- [Hague Convention on the Civil Aspects of International Child Abduction \(1980\)](#)
- Geneva Convention IV, Articles [24](#), [25](#) and [26](#)

- [Convention on the Elimination of All Forms of Discrimination Against Women, Article 16](#)
- [International Covenant on Economic Social and Cultural Rights](#), Articles 10 and 11
- [International Covenant on Civil and Political Rights](#), Articles 17, 23 and 24
- In dealing with armed non-State actors, look to the [Deed of Commitment Under Geneva Call for the Protection of Children from the Effects of Armed Conflict](#), Paragraph 7(i), (iii), (iv), (v)
- [United Nations Security Council Resolution 1882](#), Paragraph 1
- [Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption](#)

Note the United Nations High Commissioner for Refugees has advocated for an international treaty that would fully protect internally displaced persons, but no such treaty has yet been adopted.

SEXUAL VIOLENCE, EXPLOITATION AND ABUSE

Armed conflict and the social collapse it engenders provide a framework of lawlessness in which acts of sexual violence, exploitation and abuse occur with impunity. To a disproportionate degree, children often are the targets of trafficking, rape, forced marriage and other forms of sexual or gender-based violence, exploitation and abuse. Accordingly, when examining human rights as related to such concerns, it is necessary to include considerations of children and armed conflict. Sexual violence against children is one of the Six Grave Violations and, as such, shall be strictly prohibited. Additionally, regulations and initiatives should forbid practices related to and facilitating sexual violence such as trafficking, child, early and forced marriage or other practices that place boys and girls at risk for sexual exploitation, violence and abuse. Consideration should also be given to the reintegration and psychosocial treatment of children, not only as recognized victims, but also as witnesses or forced, through orders or peer pressure, perpetrators.

“States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse.”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 34

Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Sexual violence, exploitation and abuse impacting children within the social or military structure of combatants, including children as perpetrators or witnesses of sexual violence
- Sexual violence, exploitation and abuse impacting children within the degraded civil infrastructure before, during, or after conflict
- Rape, including as a tool of war
- Survival sex
- Trafficking
- Forced marriages

For more regarding sexual violence, exploitation and abuse as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 34 and 35
- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes in violation of children's rights under international law, Section III(c), (g)
- [Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography](#) (OPSC)

- [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children](#)
- [International Criminal Court Office of the Prosecutor Policy on Sexual and Gender-Based Crimes](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women](#), Articles 3 and 6
- In dealing with armed non-State actors, look to the [Deed of Commitment Under Geneva Call for the Protection of Children from the Effects of Armed Conflict](#), Paragraph 7(ii)
- [Rome Statute of the International Criminal Court](#), Article 8(b) (xxii)
- Geneva Convention IV, Article [27](#)
- Additional Protocol to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article [77\(i\)](#)
- Additional Protocol to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts (Protocol II), [Article 4\(2\)\(e\)](#)
- [United Nations Security Council Resolution 1882](#), Paragraph 1

CHILD LABOUR

Communities experience the repercussions of armed conflict in almost every aspect of their social infrastructure. These effects include the utilization of children in a manner that violates international labour laws. Accordingly, discussions of labour and human rights should include children and armed conflict. Regulations and work initiatives should include considerations of child labour directly related to conflict, such as recruitment and use, as well as child labour indirectly related to conflict, including sexual exploitation, use of children in industries that provide financial support for armed groups and work of refugee or displaced children. It should also be noted that slavery, trafficking, recruitment and use in armed conflict and sexual exploitation are all categorized by the International Labour Organization as some of the worst forms of child labour.

“State Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 32

Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Recruitment and use of children to support fighting forces either as soldiers or in auxiliary roles
- Sexual exploitation, including trafficking and prostitution
- Slavery
- Use of children in industries that finance armed groups, such as diamond mining
- Hazardous work
- Child work, including that performed by refugee or displaced children

For more regarding child labour as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Article 32
- [Elimination of the Worst Forms of Child Labour Convention, 1999 \(No. 182\)](#), [Article 3](#)
- [International Covenant on Economic, Social and Cultural Rights](#), Article 10
- [International Covenant on Civil and Political Rights](#), Article 8

DISCRIMINATION

Armed conflict affects everyone it touches; however, this impact is unevenly distributed throughout demographics. Girls, persons with disabilities and individuals associated with certain social identities often bear a heavier burden of the consequences of war, with children comprising the most impacted sub-set of these groups facing discrimination. Accordingly, in reviewing human rights issues associated with discrimination, issues of children and armed conflict must be considered. Regulations and work initiatives should prohibit any form of discrimination, with particular attention paid to discriminatory practices borne from or facilitated by the social instability brought about by armed conflict.

“State Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 2

GIRLS

Human rights work addressing sex and gender discrimination covers a wide breadth of practical issues and considerations of children and armed conflict must form part of the conversation about the rights of girls. Regulations and work initiatives should not only require equality for the girl child but should also provide for protective measures during times of armed conflict when girls face particular risk of exploitation, disenfranchisement and harm. Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Impediments to access to education, including the targeting or threatening with violence of schools, teachers, pupils and transport
- Sexual violence, exploitation and abuse
- Child, early and forced marriage
- Impediments to access to services and supplies for health and wellness care, including psychosocial services following sexual or gender-based violence or exploitation

For more regarding girls as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Article 2
- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes in violation of children's rights under international law, particularly crimes targeting girls, Section III(g)
- In dealing with armed non-State actors, look both to the [Deed of Commitment Under Geneva Call for the Prohibition of Sexual Violence in Situations of Armed Conflict and Towards the Elimination of Gender Discrimination](#), Preamble and to the [Deed of Commitment Under Geneva Call for the Protection of Children from the Effects of Armed Conflict](#), Paragraph 5
- [United Nations General Assembly Resolution on Child, Early and Forced Marriage](#)
- [International Criminal Court Office of the Prosecutor Policy on Sexual and Gender-Based Crimes](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women](#)

PERSONS WITH DISABILITIES

Human rights work ensuring protection and equality for individuals with disabilities encompasses myriad social considerations. Given the propensity for some in a society destabilised by conflict to target populations perceived as vulnerable, these considerations include children and armed conflict. Regulations and work initiatives should provide protection and resources for children disabled prior to, at the time of and in the wake of conflict as well as for children disabled by the conflict, including by explosive remnants of war. Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Children as casualties, including from explosive remnants of war
- Attacks on hospitals or other facilities that serve persons with disabilities
- Targeting of persons with disabilities
- Denial of humanitarian access, including vaccines, the denial of which can lead to disabilities

IDENTITY

The social identity of an individual, such as race or religious group, carries broad ramifications for his or her life and often these identities are used to target the individuals, particularly during the uncertainty associated with armed conflict. Accordingly, work regarding identity encompasses children and armed conflict. Regulations and initiatives should prohibit the targeting of children for either direct or indirect involvement in the conflict or as victims of violence or other harm based on their indigenous, racial, religious, sexual orientation and gender identity, or other designated identity. Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Targeting for recruitment, use, or exploitation due to their indigenous, racial, religious, sexual orientation and gender identity, or other designated identity
- Targeting for violence, abduction, imprisonment, or other harm due to their indigenous, racial, religious, sexual orientation and gender identity, or other designated identity

For more regarding the rights of persons with disabilities as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 2 and 23
- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes in violation of children's rights under international law and the Court's focus on practices in the best interest of the child, Section III
- [Charter on Inclusion of Persons with Disabilities in Humanitarian Action](#)
- [Convention on the Rights of Persons with Disabilities](#)

For more regarding identity as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Article 2 and 8
- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes in violation of children's rights under international law, including the forcible transfer of children from one identity group to another, Section III(b)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [International Convention on the Elimination of All Forms of Racial Discrimination](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women](#)
- [International Covenant on Civil and Political Rights](#), Articles 4, 20, 24 and 26
- [International Covenant on Economic, Social and Cultural Rights](#), Articles 2 and 10
- Geneva Convention IV, Article 13
- [Rome Statute of the International Criminal Court](#), Article 6

LIFE AND LIBERTY

During the course of armed conflict, instances of violence, including casualties, recruitment and use, detentions and screenings, substantially impact children's lives and liberty.

Accordingly, considerations of human rights regarding life and liberty should also examine implications for the physical and emotional well-being of children caught in armed conflict. Regulations and initiatives should provide for resources to facilitate psychosocial and other assistance to reintegrate and to rehabilitate the child survivors of conflict.

“In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, State Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 38(4)

“State Parties shall ensure that ... [n]o child shall be deprived of his or her liberty unlawfully or arbitrarily.”

CONVENTION ON THE RIGHTS OF THE CHILD, ART. 37(B)

CASUALTIES

As killing and maiming children during armed conflict is one of the Six Grave Violations, the practice shall be prohibited. Additionally, violence, including but not limited to murder, mutilation, cruel treatment and torture, against civilian populations, inclusive of children, is a violation of customary international law, which carries universally binding applicability throughout every circumstance of armed conflict. Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Children as casualties, including torture and cruel or degrading treatment
- Use of children as human shields
- Use of indiscriminate or disproportionate force or weapons that result in civilian collateral harm or damage

For more on casualties as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 8, 37, 19, 38(f) and 39
- Geneva Convention IV, Articles [13](#) and [14](#)
- In dealing with armed non-State actors, look to the [Deed of Commitment Under Geneva Call for Adherence to a Total Ban on Anti-personnel Mines and for Cooperation in Mine Action](#)
- [International Covenant on Civil and Political Rights](#), Article 7
- Additional Protocol to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Articles [48](#) and [51](#)
- Additional Protocol to the Geneva Conventions and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), Article [13](#)
- [Rome Statute of the International Criminal Court](#), Article 8(b) (i), (xxi), (xxiii)
- [United Nations Security Council Resolution 1882](#), Paragraph 1

RECRUITMENT AND USE

As recruitment and use of children during armed conflict is one of the Six Grave Violations, the practice shall be absolutely prohibited. Regulations and work initiatives should also recognize the definition of a child soldier as provided by the Paris Principles, which states a child associated with an armed force or armed group refers to any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, spies, or for sexual purposes. Note there are variations in ages for recruitment and use between 15 and 18 years old. Recruiting and using children under the age of 15 is forbidden under humanitarian and customary international law, the violation of which is defined as a war crime by the International Criminal Court. However, there are efforts to apply the common definition of a child as an individual under 18 years old, as supported by the Paris Principles. This document advocates for a standard of 18 years of age. Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Recruitment and use of children by an armed force or armed group
- Abduction of children

DETENTION

Distrust and social insecurity regularly spread throughout communities impacted by armed conflict, often taking the form of detentions or screenings that violate international norms. Regulations and work initiatives should prohibit the detention of children solely based on their association with a group. Additionally, detentions and screenings, instances in which the child is held temporarily for evaluation or investigation, must provide for the safety of the child and for consideration of the child's differential needs within an official or unofficial justice system based on the child's status as a juvenile. Some issues that should initiate considerations of language and regulatory frameworks regarding children and armed conflict include the following:

- Abduction of children
- Detention or screening inconsistent with international norms
- Torture and other cruel, inhuman or degrading treatment

For more on recruitment and use as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 8, 37, 38 and 39
- [International Criminal Court Policy on Children](#) regarding special prosecutorial focus on crimes in violation of children's rights under international law and crimes with a disproportionate impact on children, including recruitment and use of children in armed conflict, Section III(a)
- [Optional Protocol to the Convention on the Rights of the Child on the involvement of children and armed conflict](#) (OPAC)
- [The Paris Principles: The Principles and Guidelines on Children Associated with Armed Forces or Armed Groups](#)
- In dealing with armed non-State actors, look to the [Deed of Commitment Under Geneva Call for the Protection of Children from the Effects of Armed Conflict](#), Paragraphs 1-4, 6
- Elimination of the Worst Forms of Child Labour Convention, 1999 (No. 182), [Article 3](#)
- [Rome Statute of the International Criminal Court](#), Article 8(b) (xxvi)
- [United Nations Security Council Resolution 1612](#), Paragraph 1
- [United Nations Security Council Resolution 1882](#), Paragraph 1
- [African Charter on the Rights and Welfare of the Child](#), Article 22

For more on detention as could be applicable to children and armed conflict, see:

- [Convention on the Rights of the Child](#), Articles 8, 37, 39 and 40
- [United Nations Standard Minimum Rules for the Treatment of Prisoners](#)
- In dealing with armed non-State actors, look to the [Deed of Commitment Under Geneva Call for the Protection of Children from the Effects of Armed Conflict](#), Paragraph 5
- [United Nations Standard Minimum Rules for the Administration of Juvenile Justice](#)
- [International Covenant on Civil and Political Rights](#), Articles 6(1), (5), 7, 9, 10 and 11
- Additional Protocol to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article [45](#)
- Additional Protocol to the Geneva Conventions and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), Article [5](#)
- [The Paris Principles: The Principles and Guidelines on Children Associated with Armed Forces or Armed Groups](#), 8.6-8.11

ACCOUNTABILITY FOR VIOLATIONS

Violations of human rights laws and norms occur with unfortunate frequency in countries all over the world. In the event of a violation of a provision implicating the human rights of children and armed conflict, mechanisms of enforcement should be available and employed.

“Calls upon Member States concerned to take decisive and immediate action against persistent perpetrators of violations and abuses committed against children in situations of armed conflict and further calls upon them to bring to justice those responsible for such violations that are prohibited under applicable international law ... through national justice systems and where applicable, international justice mechanisms and mixed criminal courts and tribunals, with a view to ending impunity for those committing crimes against children.”

SECURITY COUNCIL RESOLUTION 1998 (2011), O.P.11

In considering the human rights of children and armed conflict, practitioners should ensure adequate means of reporting, accountability and coordination at the local, national and international levels. Mechanisms that have proven effective in achieving such ends include:

- Appropriate, targeted sanctions against parties or individuals to deter violators, either via the threat of sanctions or through the implementation of sanctions
- Public condemnation through addresses or dissemination of information regarding the violations within the United Nations framework or broader public information avenues
- Accountability through formal calls upon the governments and other Member States to take action against perpetrators of the violations, such as through the Universal Periodic Review
- When applicable and appropriate, direct recommendation or invitation to States Parties to the Rome Statute to refer alleged violators to the International Criminal Court
- Establishment of individual criminal responsibility through appropriate local, national and international legal avenues
- Use of the United Nations mandated commissions of inquiry or other investigative mechanisms to respond to allegations of violations
- Implementation of effective coordination infrastructure to ensure the productive cooperation of local, national and international bodies providing enforcement, protection and support
- Incorporation of concerns relevant to children and armed conflict in aid initiatives and post-conflict planning
- Regular and specific reporting regarding children and armed conflict as required through the monitoring and reporting mechanism framework under United Nations Security Council Resolution 1612
- When one of the first five of the Six Grave Violations (killing and maiming of children, recruitment or use of children, sexual violence against children, and attacks against schools or hospitals) occurs, the United Nations Security Council can be activated to assist efforts at accountability
- There are additional, more specific tools at the disposal of the Working Group on Children and Armed Conflict and, hence, the United Nations Security Council. An explanation of these options is available at [S/AC.51/2007/2](#)

As this document seeks both to address a range of themes within the field of human rights and to maintain expanded applicability, the above responses to violations are general in nature. For a detailed checklist regarding the interaction of humanitarian law and children and armed conflict, refer to [Watchlist's Briefing Note: A Checklist for Mainstreaming: Children and Armed Conflict-friendly Security Council Resolutions](#). The Watchlist document also served as a foundational reference for this document.