

**STOP  
THE WAR  
ON CHILDREN**



Save the Children

**PROTECTING CHILDREN  
IN 21<sup>ST</sup> CENTURY CONFLICT**

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Names have been changed  
to protect identities.

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Printed by  
vierC print+mediafabrik  
GmbH & Co. KG  
Germany  
Printed on 100 percent recycled paper

Illustrations by Tomas Drefvelin  
(cover, insides and back)

## Acknowledgements

This report was written by George Graham, Mariam Kirillos, Gunvor Knag Fylkesnes, Keyan Salarkia and Nikki Wong from Save the Children. This team was supported in producing the report by James Denselow, Ida Haugen-Poljac, Kristoffer Nilsen, Ravi Wickremasinghe and other colleagues across the Save the Children movement who provided expert comment and review.

We would like to thank the research team from the Peace Research Institute in Oslo (PRIO) for their background report and analysis, 'Children Affected by Armed Conflict, 1990-2017' – specifically, Gudrun Østby, Siri Aas Rustad, Andreas Foro Tollefsen. In addition, we are grateful to colleagues from Every Casualty Worldwide, Geneva Call, the London School of Economics, Norwegian People's Aid and The Arsenal Foundation for their contributions.

Most important, we would like to thank the children who shared their testimonies, their feelings and their hopes in the report's foreword and case studies.



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# LISTEN TO OUR VOICES

Before conflict, we had peace.  
Before conflict, we could be children.  
School was a place of learning  
and development, and where our voices  
were heard.  
The streets were full of joy and happiness,  
where we walked and played.  
We remember a life without conflict.  
And we know a childhood in peace is possible.

But today we are paying the price  
for adults' war.

We are scared.  
Our playground has been transformed  
into a dangerous place.  
We hide under our kitchen table.  
We hear gunshots, bombs and explosions.  
We are forced to quit school  
and leave our home.  
Many of us have lost our parents,  
brothers, sisters and neighbours.  
We are forced to work, beg or even kill  
to survive.  
We marry as children and give birth  
to children.  
We have been tortured, kidnapped,  
raped and silenced.  
We feel anger, resentment, and sadness.  
We go to bed hungry.  
Some of us never wake up.

Our present and future have been put on hold.

Do not silence our words and our dreams.  
Listen to what we have to say.  
Listen to our opinions.

We want the war to stop  
– we don't want to hear a single shot.  
Let's make the past the bridge to our future.  
We have big dreams for ourselves  
and our countries.  
We imagine our countries in peace,  
where we are put at the heart of all decisions  
– because we are our countries' present and  
future.  
Even during war, we dream of a country  
where all children can walk safely in their  
neighborhood,  
and go to a school free from violence.  
A place with cinemas and parks  
– and electricity, so we can watch TV.  
All this should be not only in our dreams,  
but in reality.

All this is our right.

As leaders, you have this duty to fulfil.  
We call on the world's leaders to ensure  
we are able to go to school, play  
and feel protected... in every circumstance.

We ask leaders to change  
weapons for books,  
bullets for pencils,  
confrontations for games,  
cries for smiles,  
and hatred for love.

We ask leaders to put a smile  
on every child's face.  
We ask leaders to turn to peace,  
to pledge to protect us  
and promise us development.

We ask leaders to offer us the opportunities  
that will enable us to become  
the best versions of ourselves.

Our common future is at risk.  
We demand that you act now.

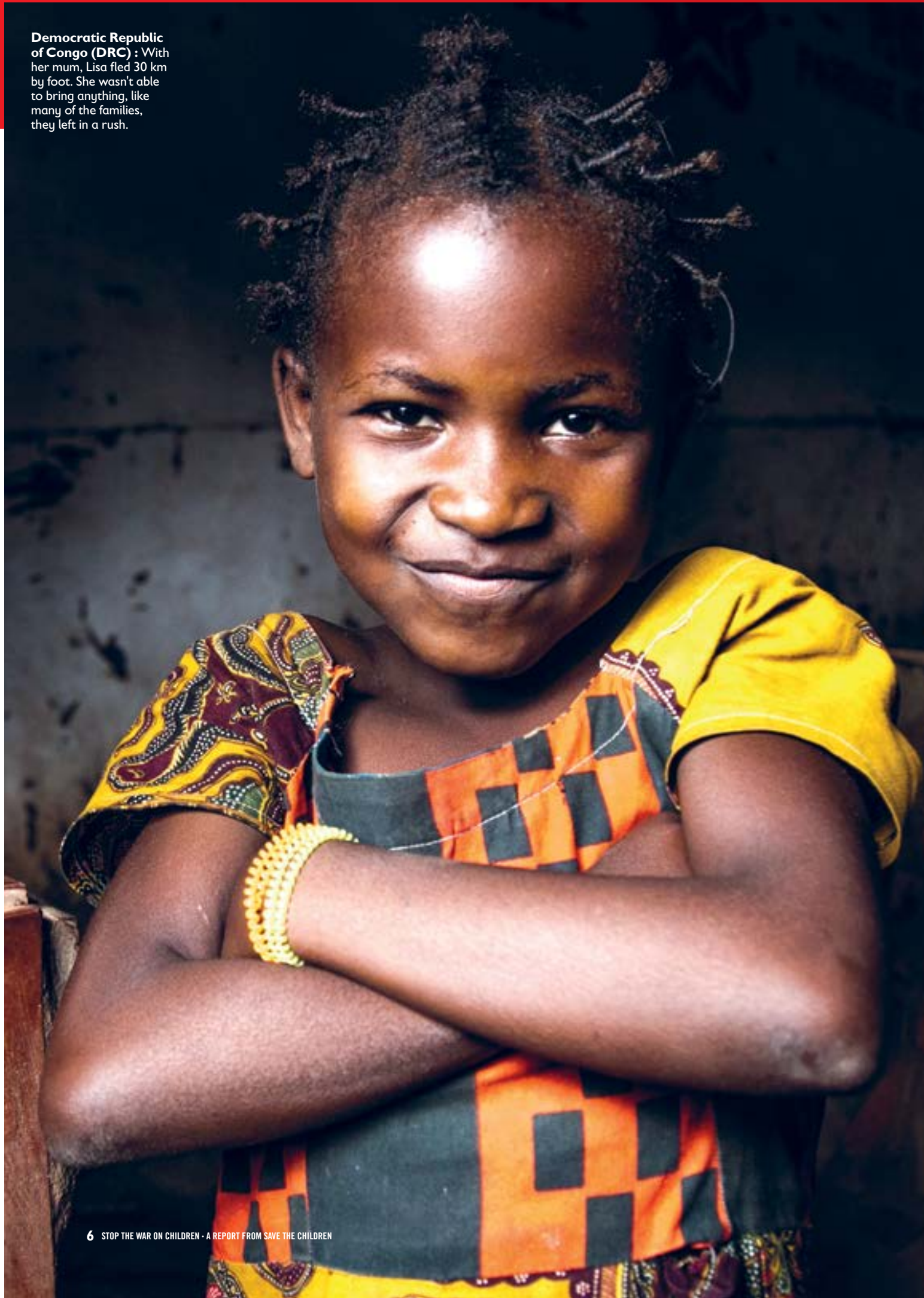
*This message was composed by  
children from Mali, Sudan, Colombia, Yemen  
and Syria during consultations carried out  
by Save the Children in January 2019.*

**Do not  
silence  
our  
words  
and our  
dreams.**



**Yemen:** Eight-year-old Razan seriously injured her eye when she was hit by shrapnel during an airstrike in Hodeidah. Save the Children referred Razan to a specialist hospital for emergency surgery and is providing psychosocial support to help her begin to come to terms with her experiences.

**Democratic Republic of Congo (DRC)** : With her mum, Lisa fled 30 km by foot. She wasn't able to bring anything, like many of the families, they left in a rush.



# FOREWORD

The nature of conflict has changed, putting children in the frontline in new and terrible ways. Wars are lasting longer. They are more likely to be fought in urban areas amongst civilian populations leading to deaths and life-changing injuries, and laying waste to the infrastructure needed to guarantee access to food and water. Attacks on schools and hospitals are up. The denial of humanitarian aid is used as yet another weapon of war. The international rules and basic standards of conduct that exist to protect civilians in conflict are being flouted with impunity.

Children are disproportionately suffering the consequences of these brutal trends; almost one fifth of children worldwide are now living in areas affected by armed conflict.

We are seeing more children facing unimaginable mental and physical trauma; more children going hungry; more children falling victim to preventable diseases; more children out of school; more children at risk of sexual violence and recruitment by armed groups; and more children trapped on the frontline without access to humanitarian aid.

It should shame us all that last year saw the number of recorded grave violations against children in conflict rise yet again. We are living in the age of a war on children.

I have seen the impact of conflict on Yemen's children. The hospital waiting rooms were full of sick, starving children; so weak they didn't even have the energy to cry. The tragedy of Yemen's suffering – as in conflicts across the world – is that it is manmade.

Save the Children is working to help children living in conflict across the world including in Yemen, Syria, Somalia, South Sudan, the Democratic Republic of Congo and Myanmar, but the causes and impact of these grave violations cannot be confronted by aid agencies like us alone.

This is why we are calling on all leaders to stop the war on children.

This report sets out an international plan of action, which will make a real difference for these children. We outline three main areas for action including upholding standards of conduct in conflict, holding perpetrators to account, and investing in helping children recover from the physical and psychological wounds of war. In each area, we are proposing practical recommendations that both state and non-state actors can

take to ensure that children are protected.

Our humanity demands that we act, and our future depends on it. If these children are left behind, we cannot fulfil the promise of the Sustainable Development Goals and lay the foundations for a peaceful and prosperous society. A society where we can guarantee survival, protection and hope for all children.

In our centenary year, we are more inspired and energised than ever by the tireless commitment and example set by our founder, Eglantyne Jebb. Just a few years after she founded Save the Children in 1919, Eglantyne presented a Declaration of the Rights of the Child to leaders from around the world calling on them to remember the 'forgotten' children. This declaration laid the foundations for what would later become the 1989 UN Convention on the Rights of the Child, a landmark human rights treaty.

This reminds us that the suffering of millions of children should never be accepted as inevitable, and it reminds us of what is possible at this critical moment. There is still hope for children living in conflict today, but this will require concerted action from governments and non-state actors.

We can and must stop the children of today from becoming the forgotten generations of tomorrow.

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**The suffering of millions of children should never be accepted as inevitable.**

Helle Thorning-Schmidt  
*Chief Executive,  
Save the Children International*







# EXECUTIVE SUMMARY

*'Every war is a war against children.'*

One hundred years on, those words of Save the Children founder Eglantyne Jebb resonate as strongly as ever. Right now, across the world, millions of children are caught up in conflicts they played no part in creating. Often their rights are violated with total impunity.

New evidence presented by Save the Children is damning:

- 420 million children – nearly one-fifth of children worldwide – are living in a conflict zone; a rise of nearly 30 million children from 2016.
- The number of children living in conflict zones has doubled since the end of the cold war.
- 142 million children are living in high-intensity conflict-zones; that is, in conflict zones with more than 1,000 battle-related deaths in a year.
- New analysis from Save the Children shows that the numbers of 'grave violations' of children's rights in conflict reported and verified by the United Nations have almost tripled since 2010.
- Hundreds of thousands of children are dying every year as a result of indirect effects of conflict – including malnutrition, disease and the breakdown of healthcare, water and sanitation.

The protection of children in conflict – and with it the realisation of the promises made in the declarations, conventions and statutes of the 20th century – is one of the defining challenges of the 21st century.

The nature of conflict – and its impact on children – is evolving. Intra-state conflict is increasing, as are the numbers of armed actors involved. The world is witnessing deliberate campaigns of violence against civilians, including the targeting of schools, the abduction and enslavement of girls, and deliberate starvation.

Armed conflicts are more protracted; for instance, the most prominent conflict in recent times – the war in Syria – has lasted longer than the second world war. The longer a conflict lasts the greater the indirect harm caused as essential services cease to function. And in many protracted situations the lines between 'conflict' and 'peace' have become blurred.

Conflict is also increasingly urban; in Mosul and Mogadishu, for example, children, their homes and their schools are on the front line, vulnerable to indiscriminate attack. In today's

armed conflicts, there is often no longer a clearly demarcated battlefield: children's homes and schools are the battlefield.

## Children on the frontline

Increasingly, the brunt of armed violence and warfare is being borne by children. Children suffer in conflict in different ways to adults, partly because they are physically weaker and also because they have so much at stake – their physical, mental and psychosocial development are heavily dependent on the conditions they experience as children.

Conflict affects children differently depending on a number of personal characteristics – significantly gender and age, but also disability status, ethnicity, religion and whether they live in rural or urban locations. The harm that is done to children in armed conflict is not only often more severe than that done to adults, it has longer lasting implications – for children themselves and for their societies. Children suffer in conflict in three broad ways:

### **They may be deliberately targeted.**

The commission of atrocities against children is an exceptionally powerful way of terrorising a population – and, hence, a preferred military tactic for armed forces and groups in many of today's conflicts. Children are also often targeted because they may be easily manipulated and exploited, for instance, as soldiers or suicide bombers. Schools become targets for tactical reasons – for example, as a recruiting ground or because they are being used for military purposes.

### **Children suffer as a result of indiscriminate or disproportionate military action.**

For example, they may be killed or injured by landmines or the use of explosive weapons with wide-area effect in populated areas.

### **Children suffer on a huge scale from the indirect consequences of conflict.**

These include displacement; the breakdown of markets and essential public services, such as healthcare, water and sanitation; and pervasive insecurity. While indirect effects and direct violations are both part of the same continuum of harm inflicted on children by modern conflict,

**420**  
MILLION  
CHILDREN  
LIVE IN  
CONFLICT  
ZONES

these indirect consequences of conflict affect and kill many more children. More still miss out on school and the chance of a better future.

### A crisis of compliance

This report argues that children suffering in conflict today are not primarily suffering from a deficit of identified rights. Rather, they are suffering from a crisis of compliance with those rights. Armed actors, often including government forces, are committing violations against children. And they are often being met by, at best, international indifference and, at worst, complicity.

There are three key dimensions of the crisis facing children in conflict today.

- States and armed non-state actors are failing to uphold standards in their own conduct or to insist on this from their allies and from others over whom they have influence.
- Governments are taking too little action to hold perpetrators of violations to account for their crimes.
- Not enough is being invested in practical action on the ground to protect children in conflict and to support their recovery.

But there is cause for hope. When governments and other actors have decided that they want to uphold high standards, we have seen that rules, law and norms have been developed to constrain violence. When governments and international bodies have committed to take accountability seriously, perpetrators have been punished. And when governments and multilateral agencies have invested in practical action on the ground, children have been pro-

### The ten worst conflict-affected countries to be a child

- Afghanistan
- Central African Republic
- Democratic Republic of Congo
- Iraq
- Mali
- Nigeria
- Somalia
- South Sudan
- Syria
- Yemen

tected and lives have been saved.

This report, *Stop the War on Children*, establishes the basis for an international plan of action to protect children in conflict. Leaders and governments have a particularly powerful role to play. We call on them to:

- Uphold standards of conduct in conflict.
- Hold perpetrators of violations to account.
- Take practical action to protect children and support their recovery.

(For our detailed recommendations, see page 54.)

It is 100 years since Eglantyne Jebb, the founder of the idea of children's rights, began her work, and 30 years since the birth of the UN Convention on the Rights of the Child. The UN General Assembly's 74th Session in September 2019 is a timely opportunity for governments to recommit to protecting children in conflict through specific pledges of action.

**For the children living in the world's conflict zones, action cannot come soon enough.**

## Our Charter to Stop the War on Children

Based on the principle that all children have fundamental rights, our Charter sets out ten clear and incontrovertible goals:

- All children are protected against killing and maiming.
- Schools and health centres are treated as zones of peace and protection.
- Every child is protected from rape and sexual violence.
- No child is recruited into armed forces or groups.
- All children in conflict are safe from abduction, detention and displacement.
- No child is denied access to humanitarian aid in conflict.
- Violations of the rights of children in conflict are rigorously monitored, reported and acted upon.
- Those committing, overseeing and ordering violations against children in conflict are brought to justice and held accountable for their actions.
- Every child harmed or affected by conflict receives practical help and support to cope, recover and rebuild their lives.
- All children affected by conflict, including refugees and those internally displaced, have access to a good-quality education.



## INTRODUCTION

*'Mum and dad burned.  
They died. We all died.'*

Wafa, a four-year-old girl in Yemen

Wafa, aged four, and Shadia, two, were badly injured in an airstrike in the Yemeni port city of Hodeidah in June 2018. Their mother and father were killed.

Since the incident Wafa has had difficulty sleeping; she has nightmares and shouts out in her sleep. She cries much of the time and cannot stand anyone, even her family, being in her room.

Wafa had surgery to remove a piece of shrapnel in her head. It left a 15cm hole in her skull. Following that operation her body swelled up as a result of additional fragments of shrapnel in her body. She had two further operations to remove them.

Save the Children's team in Hodeidah is

supporting Wafa and Shadia's medical care, providing psychosocial support and assisting the extended family to help the girls heal.

Wafa and Shadia may never fully recover from the attack they suffered. They may carry physical and mental scars for the rest of their lives. Like millions of other children affected by armed conflict, their wellbeing, education, health and nutrition may suffer, severely damaging their life-chances. In turn, this is likely to lead to negative consequences for their community and ultimately for their country, whose stability and prosperity depend on the wellbeing of its people.

This example is also emblematic in another way. The killing or maiming of children – that is, anyone under the age of 18 – has been identified by the United Nations as one of six 'grave violations' of children's rights in armed conflict. There is an imperative – especially



**Injured and orphaned:** Wafa, aged four, and her sister Shadia, two, were badly injured in an airstrike in the Yemeni port city of Hodeidah in June 2018. Their mother and father were killed.

PHOTO: SAVE THE CHILDREN

on states – to understand what happened that day and to insist on accountability. As things stand, the family of Wafa and Shadia are not able to say whether the girls' parents were deliberately targeted by the air strikes, whether their deaths were the result of individual recklessness or the product of a wilfully indiscriminate bombing policy, or whether their death was an unfortunate consequence of an attack that was proportionate to a legitimate military purpose. No one knows if a crime was committed – and no credible, independent efforts have been made to find out. If it was a crime, no one will be held to account. If it was an unfortunate accident, it is unlikely that lessons will be learned to ensure that no other children lose their mother and father in similar ways in the future. This report argues that a world in which extreme violence against children can take place with seeming impunity is not a safe world for anyone.

In addition, there is the role played by the international community in this story. Powerful international actors have influence over the war that killed Wafa and Shadia's parents. In this particular case, it is likely that the weapon used was not built in the country whose air force dropped it, nor in the country where it landed, but in a third country that profited from its sale. The commission of this potential grave violation was facilitated by international actors. The posture that the international community takes towards warring parties – that is, the standards of conduct that governments expect and insist upon, the level of scrutiny that they impose in seeking accountability for violations, and the practical assistance they provide to keep children safe – sets the rules and norms that either enable children to be killed in armed conflict or that protect them. For Wafa, Shadia and millions like them, everything depends on this.

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### Every child's right to protection

Children suffer in conflict in three ways. First, they are sometimes deliberately targeted. The commission of atrocities against children is an exceptionally powerful way of terrorising a population – and, hence, a preferred military tactic for armed forces and groups in many of today's conflicts. Children are also often targeted because they may be easily manipulated and exploited, for instance, as soldiers or suicide bombers. Schools become targets for tactical reasons – for example, as a recruiting ground or because they are being used for military purposes.

Second, children can suffer as a result of indiscriminate or disproportionate military action. For example, they may be killed or injured by landmines or the use of explosive weapons with wide-area effect in populated areas.

Third, children suffer on a huge scale from the indirect consequences of conflict – displacement; the breakdown of markets and essential public services such as healthcare, social welfare, water and sanitation; and high levels of insecurity. While indirect effects and direct violations are both part of the same continuum of harm inflicted on children by modern conflict, these indirect consequences of conflict affect and kill many more children and leave even greater numbers of children out of school.

The nature of conflict – and its impact on children – is evolving.<sup>1</sup> Intra-state conflict is increasing, as are the numbers of armed actors involved. The world is witnessing deliberate campaigns of violence against civilians, including the targeting of schools, the abduction and enslavement of girls, and deliberate starvation.<sup>2</sup> Armed conflicts are more protracted; for instance, the most prominent conflict in recent times – the war in Syria – has lasted longer than the second world war. The longer a conflict lasts the greater the indirect harm caused as essential services cease to function. And in many protracted situations the lines between 'conflict' and 'peace' have become blurred. Conflict is also increasingly urban<sup>3</sup>; in Mosul and Mogadishu, for example, children, their homes and their schools are on the front line, vulnerable to indiscriminate attack. In today's armed conflicts, there is often no longer a clearly demarcated battlefield: children's homes and schools are the battlefield.

This report argues that children suffering in conflict today are not primarily suffering from a deficit of identified rights. Rather, they are suffering from a crisis of compliance with those rights. Armed actors, often including government forces, are committing violations against children. And they are often being met by, at best, international indifference and, at worst, complicity.

In this report we set out an agenda for tackling this crisis. The duty to try to keep

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**A world in which extreme violence against children can take place with seeming impunity is not a safe world for anyone.**

## International legal provisions for children in conflict <sup>6</sup>

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**The Geneva Conventions** and their Additional Protocols are at the core of international humanitarian law (IHL), which regulates the conduct of armed conflict and seeks to limit its effects. The principles of 'distinction' and 'proportionality' are the basis for specific rules, such as the prohibition of direct attacks on the civilian population or on civilian objects, the prohibition of indiscriminate attacks, and the obligation to adopt precautionary measures to avoid or limit casualties among civilians and damage to civilian objects to the greatest possible extent. IHL also includes special protections for children, including provisions for the protection of education. Under IHL, states bear the primary responsibility for ensuring that the basic needs of civilians and civilian populations under their control are met; but if they are unable or unwilling to meet this obligation, relief action can be taken by others, such as humanitarian organisations, who must be granted rapid and unimpeded access to the people affected.

**The UN Convention of the Rights of the Child (UNCRC)** is the most widely ratified treaty in the world. It defines children as persons under the age of 18 and recognises and protects their equal and indivisible social, civil, political, economic, health and cultural rights. By setting the minimum standards and overarching principles by which every society should treat every child, the UNCRC has played a critical role in catalysing progress for children over the last 30 years. It establishes the principle that 'in all actions concerning children... the best interests of the child shall be a primary consideration.' Article 38 specifically addresses the rights of children in armed conflict, requiring states to take 'all feasible measures' to protect and care for children affected by armed conflict. The Optional Protocol to the UNCRC on the Involvement of Children in Armed Conflict was adopted in 2000; it promotes the principle of non-recruitment and non-participation in armed conflict of children under the age of 18 years.

**The Rome Statute** is the principal instrument of international criminal law with respect to the protection of civilians, granting the International Criminal Court (ICC) jurisdiction over genocide, crimes against humanity and war crimes when committed by any individual in the territory of a signatory state or by nationals of that state, or in a situation referred to the ICC by the UN Security Council.<sup>7</sup> There is also an important body of international criminal law that has arisen from ad hoc tribunals and courts, including the Extraordinary Chambers in the Courts of Cambodia, the international criminal tribunals for Rwanda and the former Yugoslavia, and the Special Court for Sierra Leone. The latter was the first international court to try perpetrators for violations of IHL relating to the recruitment of children. These tribunals have also broken new ground in defining gender-based crimes.

In addition, the UN Security Council and UN General Assembly have passed resolutions that carry the force of international law both on specific conflict situations and on relevant thematic areas. These include children and armed conflict<sup>8</sup>; women, peace and security<sup>9</sup>; the protection of civilians<sup>10</sup>; and the elimination of all forms of discrimination against women.<sup>11</sup> The UN Security Council is the only UN body with authority under the UN Charter to issue a binding resolution on all UN members.<sup>12</sup>

**The African Charter on the Rights and Welfare of the Child** of 1990 is notable as the only intergovernmental treaty other than the UNCRC to recognise and protect the full spectrum of social, civil, political, economic, health and cultural rights of children. It has been ratified by almost all states of the African Union. Article 22 directly addresses the use of children in armed conflict, prohibiting their recruitment as soldiers and direct participation in fighting wars.

**Eastern Ukraine:** Olha, a four-year-old girl almost lost her life when she and her best friend picked up a mine thinking it was a whistle.



PHOTO: SIMON EDMUNDS / SAVE THE CHILDREN

children safe is an ethical norm recognised in every culture.<sup>4</sup> The ability and willingness to protect children would be recognised by the vast majority of people as fundamental to humanity. In the early 20th century, a British social reformer, Eglantyne Jebb, championed this basic truth – that all children, even the children of one’s enemies, have a special claim to protection. She gave the idea expression, first, in the establishment of the Save the Children Fund in 1919 to respond to the deprivation to children caused by the blockade of central Europe at the end of the first world war, and then in drafting the Declaration of the Rights of the Child in 1924. The Declaration was adopted by the League of Nations and, ultimately, led to the Convention on the Rights of the Child, which is today the world’s most widely ratified human rights treaty.<sup>5</sup>

The Declaration was a defining moment, establishing the principle that all children everywhere have certain identifiable and equal rights. Subsequently, the worst episodes of the 20th century inspired the drafting of additional frameworks that sought to codify norms that further define our common humanity. These include the United Nations Charter, the Universal Declaration of Human Rights of 1948, the Geneva Conventions of 1949, the 1951 Refugee Convention, the Additional Protocols to the Geneva Convention

in 1977 and the Rome Statute of 1998. All of these exist in part to protect children from harm done to them by warfare.

Ensuring respect for and adherence to the rules and norms that have been created to protect children is important not only for children themselves, but also because this rules-based international system underpins the protection of everyone everywhere. If the world is unable to come together to keep children safe, then it is hard to have hope for sustainable international cooperation on any other issue. In a context of increasing challenges to multilateral frameworks, bodies and institutions, including from some of the world’s most powerful states, there is an urgency to this task.

There are also important instrumental reasons why the protection of children in conflict is so urgent. A failure to protect the current generation of children will undermine progress in human development and advances toward the Sustainable Development Goals, leaving the societies in which these children will grow up poorer and more fragile.<sup>13</sup> Long-term global stability, security and prosperity are contingent on the protection of children from conflict. Current negative trends for the protection of children in conflict thus have serious implications not only for children themselves but also for the wider world.

# PART 1

Children's exposure to conflict and grave violations.

420 million children are living in 'conflict zones' in 2017. 30 million more than in 2016.



142 million were living in high-intensity conflict-zones.

## 'Every war is a war against children'

One hundred years on, those words of Save the Children founder Eglantyne Jebb remain as true as ever. Despite constraints in the available data, the scale, severity and unique nature of the harm done to children by armed conflict is clear. More children are being exposed to armed violence than at any time in more than 20 years. The number of verified violations perpetrated against them has reached a record high. And the damage done to many children – physically, psychologically and in terms of their development – will devastate their life chances.

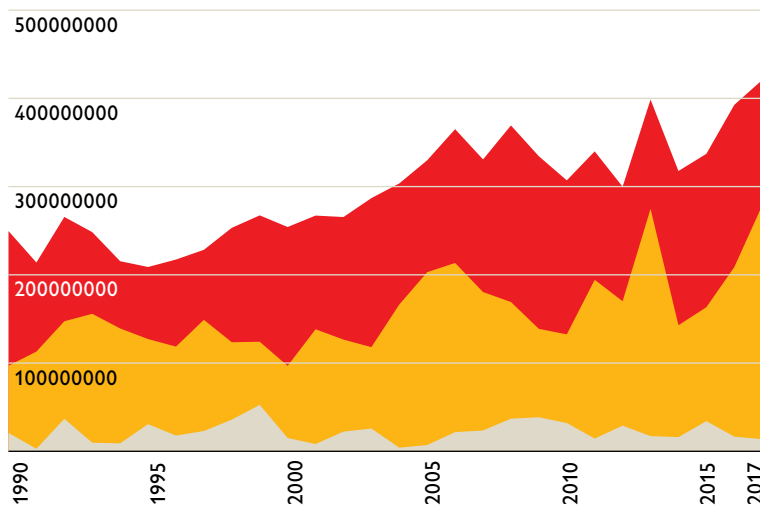
### A rising tide – children's increasing exposure to armed conflict

New analysis commissioned by Save the Children and conducted by the Peace Research Institute in Oslo (PRIO) maps the numbers of children living in areas affected by armed conflict around the world.<sup>14</sup> The research found that in 2017 more than 420 million children were living in areas defined by PRIO as 'conflict zones' or 'conflict-affected areas' – that is, within 50km of where one or more conflict events took place in a given year, within the borders of a country. This is nearly one in every five children worldwide<sup>15</sup> – and a rise of nearly 30 million from the previous year.<sup>16</sup> Of these children, 142 million were living in high-intensity conflict-zones; that is, in conflict zones with more than 1,000 battle-related deaths in a year.

The number of children living in conflict-affected areas has increased drastically since the end of the Cold War, significantly outpacing population growth, even though the number of countries experiencing armed conflict has remained stable. Today's figure of 420 million is more than twice as high as at the end of the Cold War. This increase is being driven by the proliferation of incidents of armed violence, the perpetuation of long-running conflicts and the increasingly urban character of armed violence.

This analysis uses data collated by the Uppsala Conflict Data Programme (UCDP), the world's foremost provider of metrics on organised violence. This dataset provides the geographical location, timing and intensity of recorded conflict events globally, covering the years 1990–2017. PRIO cross-referenced this



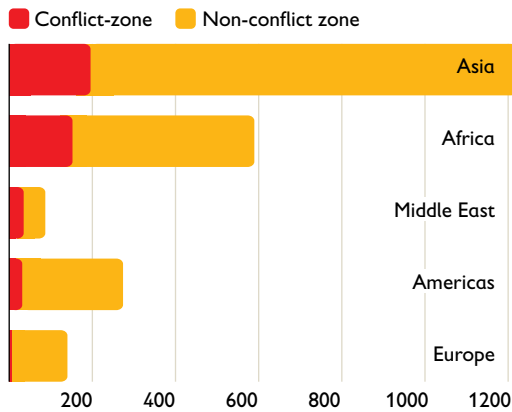


**FIGURE 1: CHILDREN LIVING IN CONFLICT-AFFECTED ZONES, BY CONFLICT INTENSITY, 1990–2017**

The number of children living in conflict areas has doubled since the end of the cold war

SOURCE: PRIO'S CALCULATION BASED ON UCDP GED DATASET, GRIDDED POPULATION OF THE WORLD V4, (CIESIN, 2016) AND WORLD POPULATION PROSPECTS (UN, 2017)

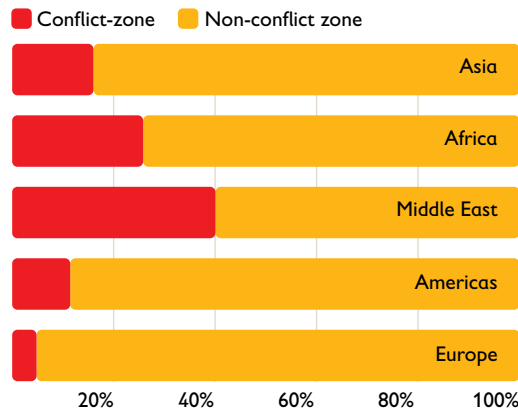
■ High intensity conflict  
 ■ Medium intensity conflict  
 ■ Low intensity conflict



**FIGURE 2: NUMBER OF CHILDREN LIVING IN CONFLICT ZONES IN 2017, BY REGION**

195 million children in Asia and 152 million children across Africa are living in a conflict zone

SOURCE: PRIO'S CALCULATION BASED ON UCDP GED DATASET, GRIDDED POPULATION OF THE WORLD V4, (CIESIN, 2016) AND WORLD POPULATION PROSPECTS (UN, 2017)



**FIGURE 3: SHARE OF CHILDREN LIVING IN CONFLICT ZONES IN 2017, BY REGION**

Two in five children in the Middle East and a quarter of children across Africa live in a conflict zone

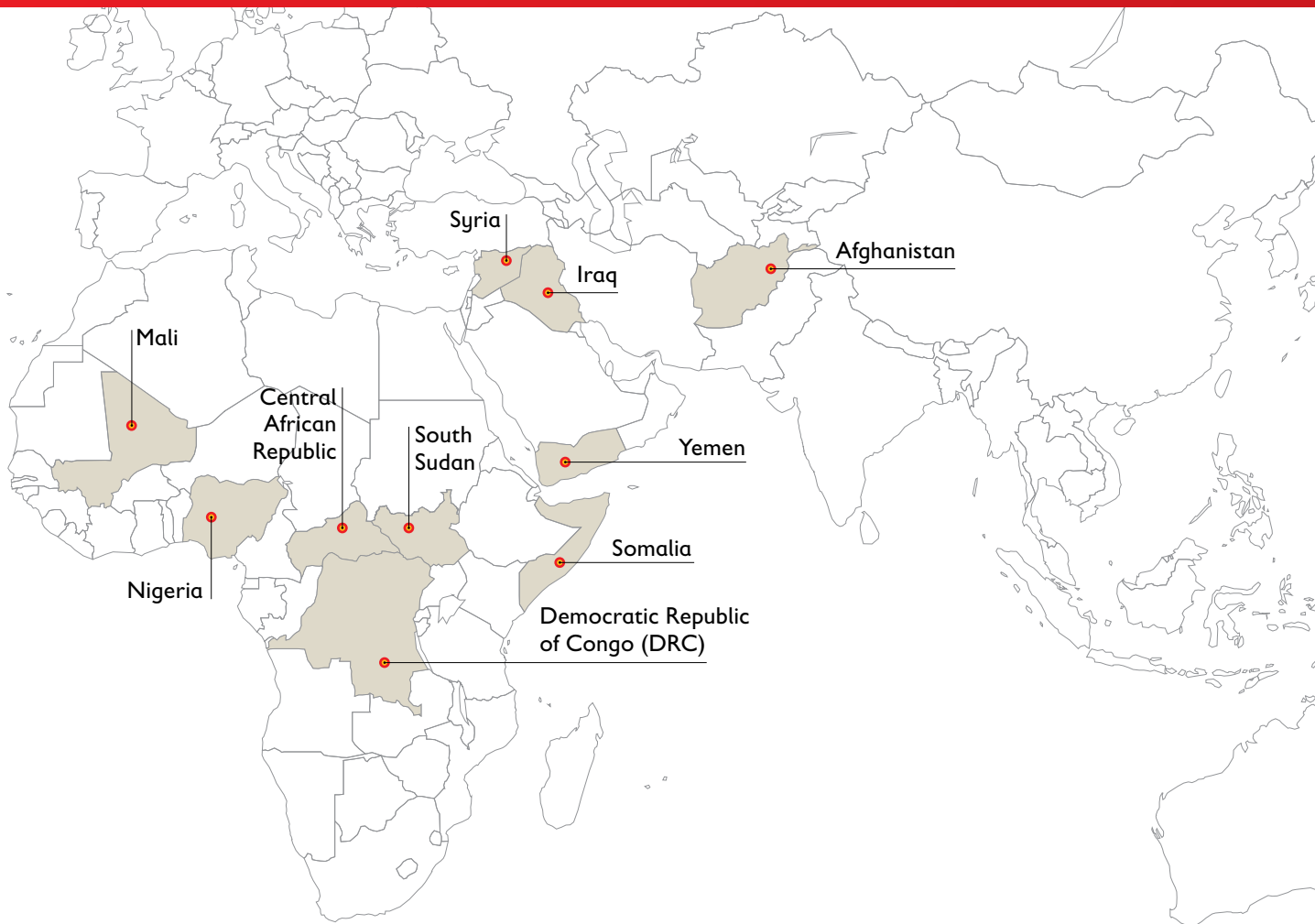
SOURCE: PRIO'S CALCULATION BASED ON UCDP GED DATASET, GRIDDED POPULATION OF THE WORLD V4, (CIESIN, 2016) AND WORLD POPULATION PROSPECTS (UN, 2017)

conflict data with recently-updated population data from the Gridded Population of the World and from the UN<sup>17</sup> in order to estimate the numbers of children living in proximity to incidents of armed violence worldwide.

The UCDP defines armed conflict as a situation when armed force is used by an organised actor against another organised actor, or against civilians, resulting in at least 25 battle-related deaths in one calendar year. This could be conflict involving states and/or non-state actors or it could be one-sided violence perpetrated by an organised armed

group against civilians.<sup>18</sup> The dataset defines a conflict event as a lethal incident in the context of an armed conflict.

Many countries account for the high number of children living in conflict-affected areas. In absolute terms, the highest figures came from India, Pakistan, Nigeria, Egypt, Bangladesh and the Philippines. Asia has the largest absolute number of children living in conflict-affected areas at 195 million children. In proportional terms, the figure for children in the Middle East is highest, with 40% of children – 35 million – living in conflict-affected



areas. Across Africa, 152 million children – one in four – are living in conflict-affected areas, up from one in five in 2016.

The 142 million living in high-intensity conflict zones are of particular concern, given the greater scale and severity of violence to which they are exposed. Nearly 90% of Yemen’s children, 70% of Syria’s children and 60% of Somalia’s children were living in close proximity to high-intensity conflict in 2017.

### The ten worst conflict-affected countries to be a child

Drawing on PRIO’s research and Save the Children’s analysis of the UN’s data on grave violations for 2017, we have identified a list of the ten worst conflict-affected countries for children. This is based on nine indicators:

- the prevalence of reports of each of the six grave violations (see page 19)
- conflict intensity (measured by the number of recorded casualties)
- total child population living in conflict-affected areas
- the proportion of children living in conflict zones relative to the population of the country as a whole.

Using this approach, the ten worst countries for children in conflict are:

- Afghanistan
- Central African Republic
- Democratic Republic of Congo (DRC)
- Iraq
- Mali
- Nigeria
- Somalia
- South Sudan
- Syria
- Yemen

This list is presented in alphabetical order in recognition that the quality of data available for each country is too variable to substantiate a definitive ranking.<sup>19</sup> However, the DRC measures particularly poorly. The evidence also suggests a deterioration in the situation for children in Somalia, Syria and Afghanistan, all of which saw a rise in the number of verified grave violations in 2017 (see pages 19–22). The UN considers Yemen the worst humanitarian crisis in the world<sup>20</sup> and the indirect effects of the conflict there are putting huge numbers of children at risk of death due to malnutrition.<sup>21</sup> However, the reporting of UN-verified violations by the Saudi- and Emirati-led coalition in Yemen was heavily contested in both 2017 and 2018, and

the number of violations featuring in the 2018 children and armed conflict report is relatively low. The new country on the list compared with the equivalent list we produced in 2018 is Mali<sup>22</sup>, which saw an increase in reported battle deaths from 2016 to 2017 and a tripling in reports of denial of humanitarian access.<sup>23</sup>

While we are unable to definitively capture all the reverberating impacts of armed conflict on children, we can start to estimate the huge toll that conflict exacts on children living in the countries on this list. In a study published in *The Lancet*, researchers matched child-survival data to data on the intensity, scale and location of armed conflict in 35 African countries over the two decades to 2015.<sup>24</sup> They found that exposure to conflict increased the average risk of death for children under the age of five by 7.7%. The risk was greatest for children under the age of one living in areas with exposure to more intense conflicts over more protracted periods. The deaths recorded by the *Lancet* study were due to the indirect impact of conflict, likely including the destruction of livelihoods and assets, of sanitation and food systems, of medical supply chains, and of access to basic services.

We have applied the findings in *The Lancet*'s study to the ten worst conflict-affected countries in which to be a child listed above and estimate that in the last five years alone more than 550,000 infants have died due to the reverberating impact of conflict.<sup>25</sup> The total for children under five is 870,000. These estimates are imperfect – they are indicative and may be highly conservative. However, they suggest that every year in just ten conflict-affected countries at least 100,000 infants die who in the absence of conflict would survive.

### The six grave violations against children

The UN Security Council has identified six grave violations against children in situations of armed conflict:

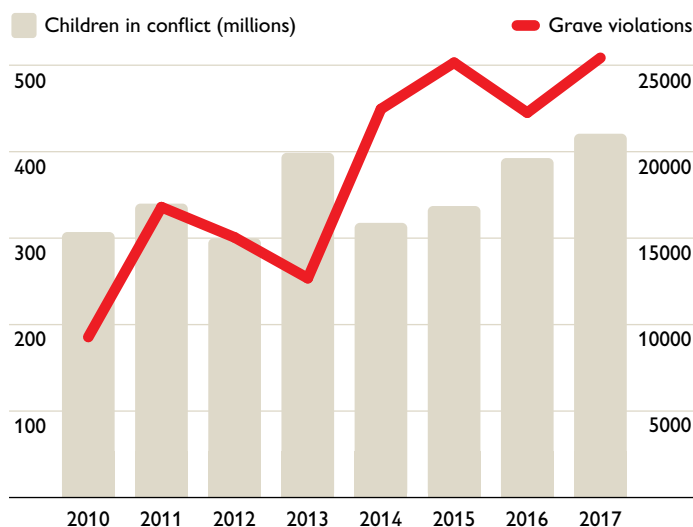
- killing and maiming of children
- recruitment and use of children as soldiers
- sexual violence against children
- abduction of children
- attacks on schools and hospitals
- denial of humanitarian access.

These grave violations have been defined on the basis of their egregious nature and their

severe impact on children's wellbeing. The UN Secretary-General publishes an annual report on children and armed conflict that documents the incidence of these violations in conflicts around the world.<sup>26</sup>

According to our analysis of the most recent annual report, the number of children directly affected by verified cases of grave violations in 2017 was the highest ever recorded, at more than 25,000.<sup>27</sup> The crises unfolding in the Central African Republic, the Democratic Republic of Congo (DRC), Myanmar, South Sudan, Syria and Yemen contributed significantly to this increase.<sup>28</sup> Since 2010, there has been a 37% rise in the total number of children living in conflict zones, but a 174% rise in the number of verified incidents of grave violations.

The figures for verified violations only represent the tip of the iceberg – the challenges in collecting and verifying reports to the high standards required by the UN mean that many more incidents do not make it into the UN Secretary-General's annual report. However, the trend is clear and, while it may to some extent reflect more efficient reporting, it suggests not only are more children living in conflict-affected areas, they are more likely to suffer violations as a consequence.



**FIGURE 4: DRAMATIC INCREASE IN GRAVE VIOLATIONS AND CHILDREN LIVING IN CONFLICT ZONES**

More children are living in conflict zones and grave violations against them are rising even faster.

SOURCE: SAVE THE CHILDREN'S ANALYSIS OF THE UN SECRETARY GENERAL'S CHILDREN AND ARMED CONFLICT REPORTS / PRIO'S CALCULATION BASED ON UCDP GED DATASET, GRIDDED POPULATION OF THE WORLD V4, (CIESIN, 2016) AND WORLD POPULATION PROSPECTS (UN, 2017)

10,677

UN-  
VERIFIED  
REPORTS  
OF  
CHILDREN  
BEING  
KILLED OR  
MAIMED  
IN 2017

### How are the six grave violations tracked?

A Monitoring and Reporting Mechanism (MRM) to track grave violations against children in conflict was created in 2005 by the UN Security Council. At the global level, the MRM is overseen by the Special Representative of the UN Secretary-General for Children and Armed Conflict, in close cooperation with UNICEF and the UN Department of Peacekeeping Operations. At country level, the MRM is overseen by country taskforces on monitoring and reporting, which are co-chaired by the representative of UNICEF and the highest UN representative in the country.

By collecting timely, objective, accurate and reliable information on violations and abuses committed against children by parties to armed conflict (both state and non-state), the MRM provides the UN Security Council with an evidence base with which to hold perpetrators accountable. It also helps actors on the ground to advocate for and to plan adequate protection and response measures. Verified violations are described in the UN Secretary-General's annual report on children and armed conflict. Parties to conflict that are found to have committed grave violations are listed in the annexes to the UN Secretary-General's annual reports. In order to be delisted, parties to conflict are required to develop and fully implement time-bound and specific action plans to halt and prevent violations and to take remedial action.

The MRM is strongest when the UN Secretary-General and member states allocate sufficient resources in terms of budget and staff both to do the documentation and verification in the field and to engage in dialogue with parties to conflict to work towards ending and preventing violations. Mandated and well-resourced child protection adviser and child protection officer posts in UN peacekeeping and political missions are critical for this. So too is concerted advocacy for non-governmental child protection actors to have access to country taskforces, and where possible to participate in those taskforces, in order to complement the work of the UN in areas where it has limited access.

#### 1 Killing and maiming

There were 10,677 UN-verified reports of children being killed or maimed in 2017 – a rise of nearly 6% from the year before. In Afghanistan alone, the UN verified 3,179 child casualties. Many of these incidents involved improvised explosive devices and unexploded ordnance, accounting for at least 33% of

those casualties. These include children being used to plant bombs and/or to carry out the attacks themselves.<sup>29</sup> According to UNICEF, 2018 saw a further increase in the killing and maiming of children in Afghanistan.<sup>30</sup> In Nigeria, the Boko Haram armed group forced children – overwhelmingly girls – to perpetrate suicide attacks, which led to over half of all the verified child casualties in the country in 2017.<sup>31</sup>

In Iraq, Syria and Yemen, the use of air strikes has taken a particularly heavy toll on children.<sup>32</sup> In Syria, civilians constituted 71% of deaths reported by the Violation Documentation Center. Shelling and air bombardment accounted for 57% of civilian deaths and 79% of children's deaths.<sup>33</sup> Almost all the deaths reported from barrel bombs were civilians; 27% were children.

Landmines and explosive remnants of war pose a continuing risk, killing children in Myanmar, Lebanon, South Sudan and Sudan. Indiscriminate weapons, such as landmines and cluster munitions, are a major threat to children even long after hostilities have ended. Children often mistake them and other explosive remnants for toys. Children's smaller size means they are more likely to die from blast injuries than adults: according to the Landmine Monitor, in 2017 children accounted for 47% of all civilian casualties from mines and explosive remnants of war where the age of the victim was known.<sup>34</sup>

#### 2 Recruitment and use

The overall number of verified cases of forced recruitment and use of children in conflict increased by 3% from 2016 to 2017, with more than 8,000 girls and boys reported as having been recruited into the ranks of non-state armed groups or national armed and state-affiliated forces.<sup>35</sup> In certain countries the increase was very significant: the number of verified cases quadrupled in the Central African Republic, doubled in the DRC and increased significantly in Somalia, while the number of verified cases in South Sudan, Nigeria, Syria and Yemen persisted at alarming levels.

Boys and girls tend to experience recruitment and use by armed groups or armed forces differently. Regardless of how they are recruited and whatever roles they are required to carry out, children's participation in conflict bears serious implications for their physical and emotional well-being. They are commonly subject to abuse and most of them witness death, killing, and sexual violence. Many are forced to commit violent acts, and some suffer serious long-term psychological

consequences. The reintegration of these children into civilian life is an essential part of the work to help them rebuild their lives.<sup>36</sup>

### 3 Sexual violence

Grave violations of sexual violence include rape, sexual slavery or trafficking, forced marriage, pregnancy, and abortion and sterilisation. The challenges of underreporting are exceptional.

In 2017 the UN Secretary-General documented 954 verified cases of sexual violence against children in conflict situations, up 12% from the year before. In Myanmar, these included the gang rape of girls as young as ten by the Tatmadaw, Myanmar's armed forces, and a 14-year-old girl who was gang-raped and then killed in front of her mother and three siblings.<sup>37</sup> A report published in March 2018 by the UN Commission of Inquiry on Syria and that drew on interviews with survivors of sexual violence, relatives of survivors, defectors, healthcare practitioners, lawyers and members of affected communities found that thousands of women, girls, men and boys have been subjected to sexual and gender-based violence.<sup>38</sup> These are just two examples of recent conflicts where sexual violence has been prevalent; though in terms of quantifying its incidence, such reports only scratch the surface.

### 4 Abduction

In 2017, verified cases of child abduction increased by 62% from the previous year, making a total of 2,556. In Somalia alone, the Al Shabaab armed group abducted more than 1,600 children, some as young as nine. Schools are a common target for abduction. Children who are abducted almost always face further grave violations, such as recruitment, sexual violence or killing and maiming. Despite some success stories, many children who are abducted during conflict never return home; for example, 112 of the 276 'Chibok girls' abducted by Boko Haram in April 2014 remain unaccounted for.<sup>39</sup>

### 5 Attacks on schools and hospitals

There were 1,432 verified attacks on schools in 2017, making it one of the worst years in recorded history for attacks on education. Much of Syria and Yemen's education infrastructure has been reduced to rubble by missiles and bombs. According to UNICEF, one third of Syria's schools have been destroyed or damaged or are occupied.<sup>40</sup> One in ten schools in Yemen have been destroyed or damaged.<sup>41</sup> As a result, an estimated 2 million children in Yemen<sup>42</sup> and 2 million children in

Syria are out of school.<sup>43</sup> In Ukraine, at least 750 education facilities have been damaged or destroyed since the start of the conflict.<sup>44</sup> In Nigeria, Boko Haram has killed an estimated 2,295 teachers and UNICEF estimates that more than 1,400 schools have been destroyed, damaged or looted, primarily in the North East zone, and more than 600,000 children have lost access to education.<sup>45</sup>

The military use of schools continues in Syria, Yemen, Sudan, the Philippines and Afghanistan.<sup>46</sup> In some contexts, schoolgirls have been specifically targeted for sexual violence and by armed groups who oppose female education. For instance, in the DRC, militiamen abducted 17 girls from primary schools in 2017 and raped them over the course of several months.<sup>47</sup> In Balochistan Province, Pakistan a girls' school was specifically targeted using improvised explosive devices.<sup>48</sup>

Hospitals, clinics and other health facilities are also a frequent target for military use and/or attacks, and medical personnel are also targeted. To take just two examples: in Syria the UN verified 108 attacks on hospitals and medical personnel in 2017, resulting in the killing of six and injury to at least 29; in South Sudan, at least 20% of the country's 1,900 medical facilities had closed as of December 2017 due to the conflict, with 50% functioning at extremely limited capacity.<sup>49</sup> Violence disrupts healthcare systems precisely when children need them more than ever.<sup>50</sup>

### 6 Denial of humanitarian access

Access denial entails arbitrarily blocking the free passage or timely delivery of humanitarian assistance to people in need and deliberate attacks against humanitarian workers. More than 1,500 verified cases of denial of humanitarian access took place in 2017, up by roughly 50% from the year before. This represents a record high, building on a pattern of aid denial that has spiked in recent years. Children in Myanmar, South Sudan, Syria and Yemen were prevented from receiving life-saving support.

The impact of this violation is particularly striking in the most protracted and severe conflicts. Save the Children research has shown that 4.5 million children in 2018 were at risk of starvation in ten of the worst conflicts for children, with one child likely to die every minute.<sup>51</sup> Millions of children in conflicts around the world are currently unable to access basic assistance such as antibiotics or food. More children in conflicts are at risk of dying due to disease and hunger than from any other cause and the denial of humanitar-

3,179

UN-  
VERIFIED  
CHILD  
CASUAL-  
TIES IN  
AFGHAN-  
ISTAN  
ALONE  
IN 2017

## Gaps in the data

The research in this report uses findings that are publicly available and credible. However, there remains a significant and worrying gap in child-specific and gender-disaggregated data in conflicts. For example, there are currently no comprehensive, reliable data on child casualties in conflicts around the world. Authoritative sources of conflict and fatality data, such as the Uppsala Conflict Data Programme and the Armed Conflict and Events Data project, do not provide any information on the age distribution of those killed in conflict.

Likewise, as mentioned above, we know that there is significant underreporting in many contexts of all the grave violations, in particular, of sexual violence. The UN data on violations collected through the MRM inevitably only present a partial picture due to access restrictions, security threats and limited child protection resources within UN peacekeeping and humanitarian operations. Furthermore, the six violations are only a subset of the many ways in which children are harmed in conflict.

If we are to see progress in the areas set out below, improvements in the collection and use of high-quality and more specific data will be essential.

ian access is a major driver of their suffering.<sup>52</sup> These violations have been described as ‘starvation crimes’, emphasising that people are not passively starving but are being starved.<sup>53</sup>

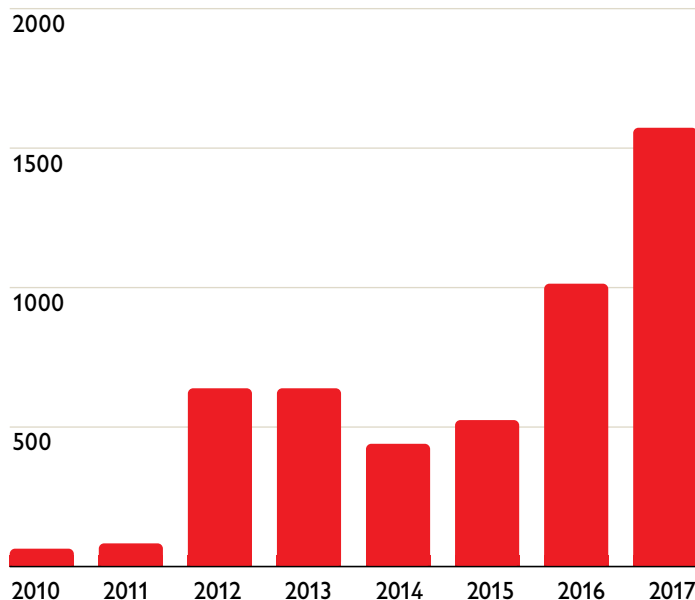
Under IHL and customary international law, the intentional starvation of civilians is prohibited. But anomalously, the Rome Statute of the ICC does not expressly prohibit it in the case of non-international armed conflicts. The government of Switzerland has proposed an amendment to the Rome Statute in order to correct this discrepancy, with a decision expected at the 18th session of the Assembly of State Parties to the Rome Statute in December 2019.

## The distinctive ways children are harmed by armed conflict

Children suffer in conflict in different ways to adults, partly because they are physically weaker and also because they have so much at stake – their physical, mental and psychosocial development are heavily dependent on the conditions they experience as children. Conflict affects children differently depending on a number of personal characteristics, significantly gender and age, but also disability status, ethnicity, religion and whether they live in rural or urban locations. The harm that is done to children in armed conflict is not only often more severe than that done to adults, it has longer lasting implications – for children themselves and for their societies.

### Malnutrition, disease and lack of healthcare

Children bear a significant burden of conflict-associated morbidity and mortality as a result of armed conflict.<sup>54</sup> Many more children die in conflict as a result of malnutrition, disease and lack of healthcare than from bullets or bombs: our estimates suggest in just ten countries nearly 870,000 children may have died in the last five years due to these reverberating effects. In the case of Yemen, an estimated 85,000 children died of extreme hunger between April 2015 and October 2018, far more than any estimates of the numbers who are thought to have been killed directly.<sup>55</sup> Conflict makes children vulnerable to acute and chronic malnutrition, with damaging effects on growth, immune and metabolic systems functioning, and cognitive development.<sup>56</sup> Roughly three-quarters of the more than 150 million stunted children in the world live in conflict zones.<sup>57</sup> Even when malnutrition does not kill children, its effects can be life-long,



**FIGURE 5: INSTANCES OF DENIAL OF HUMANITARIAN ACCESS.**

Denial of humanitarian access in conflict zones has increased dramatically over ten years.

SOURCE: SAVE THE CHILDREN'S ANALYSIS OF THE UN SECRETARY GENERAL'S CHILDREN AND ARMED CONFLICT REPORTS

life-changing and intergenerational. If a child does not get the right nutrition in their first two to three years, the impact on their physical and cognitive development is irreversible.<sup>58</sup> Maternal malnutrition is a danger to children too, specifically during pregnancy and while nursing, contributing to low birthweight and child stunting.

Access challenges and damage done in conflict to health, water and sanitation infrastructure exacerbate the risks to children. The diseases driving child mortality in conflict-affected countries – pneumonia, diarrhoeal diseases, malaria and measles – are largely preventable and treatable. But these illnesses claim more children’s lives because the healthcare and nutritious food that could save them is unavailable or out of reach due to insecurity. Proximity to organised violence also significantly reduces the likelihood of institutional births; for example, in sub-Saharan Africa it results in around 47,000 children being born outside health facilities every year, greatly increasing risks to the health of the child in future years.<sup>59</sup> There is a link between lack of adequate health services, increased risk of adolescent pregnancy and high rates of health complications, including preventable maternal mortality. The risk of pregnancy related-death is twice as high for girls aged 15 to 19 and five times higher for girls aged 10 to 14 compared with women in their twenties.<sup>60</sup>

### Death and injury

The ways children are killed and injured in conflict can be significantly different from those suffered by adults. New research supported by Save the Children shows how children experience blast injuries differently from adults and how they have unique vulnerabilities. Evidence suggests, for example, that head and facial trauma is more common in children than in adults partly because they are more likely to pick up unexploded ordnance. Studies demonstrate the difference that penetrating injuries to the face, head, neck, upper limb and trunk have on children and adults. These injuries affect 80% of child patients, markedly higher than the 31% in adults.<sup>61</sup> The research has also found that adult protocols for blood transfusion are not effective for children (see box below) and children with blast injuries are more likely than adults to die.<sup>62</sup> Additionally, physical injuries to children can result in disabilities that can have significant secondary effects, not least in limiting access to education due to inadequate provision for disabled pupils. This is especially true in insecure and resource-poor environments.



## RAPED AND SEXUALLY ABUSED BY SOLDIERS: MASIKA’S STORY

Masika is from the DRC. When her father died she and her brothers and sisters were unable to support themselves. Masika stopped going to school and decided to join an armed group. On her way to the military camp, she was raped by a soldier. It left her barely able to walk.

Masika spent a few days recovering, then continued to the camp where she joined a military group. Masika was trained to handle weapons. She was also forced to have sex with many of the soldiers.

‘[The soldiers] wouldn’t stop asking me for sex,’ she says. ‘I found myself having to just give in.’

Eventually Masika and two other girls managed to escape. Masika returned home. She now lives with her uncle and is back at school.

‘Everything that I had thought I could one day do and be seemed impossible,’ she says. ‘I thought my only option was to get involved with armed groups.’

### Long-term damage to mental health

Exposure to conflict, violence and insecurity can have major psychological effects on children. Unless appropriate support is provided, their distress can last well beyond the end of the conflict. Save the Children has conducted research on the impact of conflict on children's mental health in Syria and Iraq. In the Syria study, 84% of adults and almost all children interviewed identified bombing and shelling as the number one cause of psychological stress in children's daily lives.<sup>63</sup> 89% of adults said children's behaviour had become more fearful and nervous, and 71% said children increasingly suffered from frequent bed-wetting and involuntary urination. In our most recent research in Iraq, 43% of children returning to Mosul reported feeling grief all or a lot of the time. More than a quarter of adolescents reported never liking who they are, with a further 12% saying they only like themselves a little.<sup>64</sup>

In both studies, children were displaying symptoms associated with toxic stress – a type of stress response that occurs when children experience strong, frequent or prolonged adversity, without adequate support. A continuous state of toxic stress can have a life-long impact on children's mental and physical health.<sup>65</sup> It increases the likelihood of negative impacts on children's development or health problems later in life. Given that a child's

experiences during the earliest years of life have a lasting impact on the architecture of the developing brain, toxic stress has serious and enduring negative consequences on cognitive development and emotional regulation. Specifically, the prolonged activation of stress hormones in early childhood can reduce neural connections in areas of the brain dedicated to learning and reasoning, affecting children's abilities to perform later in their lives. In this way, in the societies in which it takes place, conflict imposes yet another huge social cost on future generations.

### Loss of education

Education is both a basic right and a life-saving humanitarian response. Moreover, when children living in crisis are asked what they need most, time and time again they say they want to continue their education.<sup>66</sup> For a child in conflict, school provides both access to a safe space to learn and a precious sense of normality, routine and calm. Schools also serve a protective function, often keeping children safe from risks in their environment and from negative coping strategies – school can mean reduced rates of sexual violence, child marriage, harmful work and recruitment into armed forces or armed groups. A safe and high-quality education is one of the most significant determinants of the future life-chances of children and a key contributor to

## Challenges in the care of child blast casualties

'Although improved care of the adult blast-injury casualty in the last decade has transformed survival rates, currently there is no consensus about haemorrhage control in the child patient. There are no tourniquets designed for children, few child-specific transfusion protocols and current research is clear that children with blast injuries are therefore considerably more likely than adults to die than at point of wounding. Furthermore, children are often injured by blast in groups, so even if they survive to be admitted to a hospital, such severe and complicated forms of casualty – requiring immediate and simultaneous treatment in numbers – can overwhelm existing medical capability.

Beyond the point of wounding, the long-term treatment of the blast-injured child remains challenging and unresolved. Children's experience of pain is poorly understood, as is the treatment of

the condition. For those requiring prosthetic-limb replacement, particularly in austere or low-resource environments, orthopaedic technologies are inadequate, and child patients rarely receive the levels of expert rehabilitation that their injuries will require. Nor will those replacement limbs adapt well as they grow into adulthood.

Beyond rehabilitation lies the profound psychological challenge of child blast injury. In addition to losing limbs, sight or hearing, they may have lost families, homes and the prospects of literacy, education, marriage and employment.

Improving the care of child blast casualties, and securing their lives beyond survival, will depend on the development of local capabilities from point of wounding to rehabilitation and beyond.'

*Dr Emily Mayhew, Co-chair, Paediatric Blast Injury Partnership, Imperial College, London*



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## More than 75 million children across most of the world's crisis- and conflict-affected countries currently require urgent support to receive an education.

societies' potential for long-term stability and prosperity.

However, during conflict, armed actors frequently attack schools, use them as barracks and stores, or for shelters, interrogations and detentions.<sup>67</sup> Explosive weapons with a wide-area effect also inflict significant indiscriminate damage on vital infrastructure in urban areas, including schools. The immediate consequences of attacks on education can include the death or injury of children, the destruction of facilities and disrupted access to learning. In the long term, attacks can lead to diminished education quality, loss of teachers and weakened educational systems.<sup>68</sup>

More than 75 million children across most of the world's crisis- and conflict-affected countries currently require urgent support to receive an education.<sup>69</sup> Girls are particularly likely to be out of school, for a wide range of reasons.<sup>70</sup> For example, in South Sudan, 72% of primary-school-aged girls do not attend primary school, compared with 64% of boys.<sup>71</sup> In Kakuma refugee camp in Kenya only 38% of primary school students are girls.<sup>72</sup> In Afghanistan 60% of the 3.7 million out-of-school children are girls.<sup>73</sup>

In recent years, Save the Children advocacy has focused on education for refugee children. Only 61% of refugee children attend primary school compared with 91% of children globally.<sup>74</sup> Refugee enrolment at secondary level is even worse – just 23% of refugee adolescents receive a secondary education, compared with 84% around the world. In total, more than half of the world's school-aged refugees – 4 million – are out of school, with refugees five times more likely to be out of school than the global average.<sup>75</sup> Moreover, where formal camps or structures do not exist, schools are frequently converted into shelters for those who have been forced to flee, thus reducing access to education for host communities too.

### **Sexual and gender-based violence against children**

Sexual violence against children has multiple and very significant negative impacts, in both

the short and the long term.<sup>76</sup> Although both girls and boys experience sexual violence, girls are disproportionately targeted and affected by it, both in peacetime and during conflict. However, in conflict situations risks of multiple forms of gender-based violence – including sexual violence, child marriage, sexual harassment, female genital mutilation, intimate partner violence, trafficking, sexual exploitation and abuse – are exacerbated. The physical impact of such violence on girls and boys is severe. Health consequences for girls can include serious physical injuries such as traumatic fistula, sexually transmitted infections such as HIV/AIDS, and forced and unwanted pregnancies, resulting in either unsafe abortions or greater risk of maternal mortality or morbidity because their bodies are not sufficiently developed to bear children. The psychological impact of sexual violence on children is profound and is often worsened by family and community rejection, with communities frequently stigmatising children suspected of having been raped.

As a result of their gender, girls are often forced to drop out of school, and/or are prevented from accessing income-generating opportunities or social networks, resulting in social exclusion and stigmatisation. These consequences are particularly stark for those who become pregnant as a result of rape; they may even be forced to marry the perpetrator. The exclusion many girls face can trap them in a cycle of extreme poverty and increased vulnerability to sexual exploitation or trafficking. For boys, there is often a different but severe stigma associated with suffering sexual violence; one consequence is significant underreporting.

### **Child marriage**

Conflict increases and exacerbates the inequalities that make girls vulnerable to child marriage and its consequences. Fear of sexual violence, the implications of unintended adolescent pregnancies, family shame and perceived dishonour, stigma, homelessness, and hunger or starvation have all been reported



PHOTO: NOUR WAHID / SAVE THE CHILDREN

## TRAUMATISED BY SHELLING: ASMAA'S STORY

'My 11-year-old brother used to cover his ears when the shelling was happening. He thought that if he closed his ears, he would not hear the shelling anymore. He stopped eating.'

Asmaa was 14 when she fled to Lebanon from Syria with her seven siblings. Their mother died a month before they fled, so her oldest sister led them.

They had to try four times to escape before they were successful. Each time they failed they were threatened and sent back. On the final attempt they hid in a vehicle then walked for three days across the mountains to get to Lebanon.

They are all traumatised from the shelling they experienced. Asmaa's younger brother stopped eating due to the stress.

by parents and children as reasons for child marriage.<sup>77</sup> In some instances, child marriage is used to facilitate migration out of conflict-affected countries and refugee camps.<sup>78</sup> In others, forced marriage of children or sexual slavery have been used by armed groups as a weapon of war.<sup>79</sup> Limited access to sexual and reproductive, maternal, newborn and child healthcare in conflict settings increases the likelihood of girls falling pregnant too young and of young mothers and their babies dying through birth and pregnancy complications.

To take the example of just one conflict context, rates of child marriage have risen for girls in Syria and among Syrian refugee populations.<sup>80</sup> Marriage of children under 18 years old is not a new phenomenon in Syria, but in this protracted conflict child marriage has become a coping mechanism. Families arrange marriages for girls, believing marriage will protect their daughters from violence by strangers or armed groups and to ease financial burdens on the family. Three in ten Syrian refugee girls in Lebanon between the ages of 15 and 19 are currently married, an increase of 7% from 2017.<sup>81</sup> Among Syrian refugees in Jordan, the share of registered marriages involving girls under 18 years of age rose from 12% in 2011 to 18% in 2012 to 25% in 2013 and then to 32% in early 2014.<sup>82</sup>

There have been similar reports of increases in child marriage among Syrian refugees in Egypt, Iraq and Turkey.<sup>83</sup> Improved data collection, dissemination and analysis is essential to improving understanding of the impact of conflict on child marriage and of how to prevent marriages and to protect the rights of married girls in conflict contexts.

### **Violations of the rights of children allegedly associated with armed forces and groups**

Around the world, thousands of children are being detained or otherwise having their rights violated because they are regarded as security threats for their – or their family's – alleged association with armed groups. Cases have been documented of children being tortured or abused, kept with adult prisoners, not being provided proper legal support or living in conditions that are against international standards for juvenile justice. Adolescent boys over the age of ten years are particularly vulnerable. For example, in Somalia 67 boys were captured from Al Shabaab and detained in 2016, having recently been forcibly recruited by the group. Several were given sentences of 20–30 years and ten were sentenced to death, though these sentences were commuted in 2016 following advocacy

## The gendered dynamics of conflict for children

Children's experience of conflict is highly gendered. Adolescent boys, for instance, are often targeted due to perceptions of the threat they could pose and their potential fighting abilities. Girls are more often targeted for sexual violence. Attacks on girls and women are often used as a deliberate tactic by armed groups to disrupt communities. Girls and women can also be attacked with the aim of forcibly displacing whole communities.

In times of conflict, gender norms become especially important. Girls, in particular, can be targeted for deviating from norms – either accepted community norms or those idealised by armed groups. 'Offences' can include entering public spaces, engaging in work or not adhering to dress codes. In countries such as Nigeria and Afghanistan, girls, women and schools have come under attack due to gendered views of armed groups.

The real and credible threat of gendered violence contributes to heightened fears. This, in turn, limits the girls' social mobility – including access to education, healthcare, information and legal status. In some contexts, girls may be married as a supposedly protective and pre-emptive measure, due in large part to fears associated with an increase in armed actors. These concerns are not unfounded. Evidence suggests that increases in numbers of

armed actors is associated with sexual exploitation and abuse, including survival sex. An increased risk of sexual violence, child marriage and adolescent pregnancy leads to an increased risk of maternal mortality, particularly in contexts where ongoing conflict and entrenched gender norms make accessible sexual and reproductive health services difficult or even impossible.

Recruitment of children into fighting forces is often perpetrated using gender norms and gender-related push and pull factors. Traditional assumptions that greater numbers of boys are subject to recruitment are accurate – they remain the largest proportion of recruited children in the UN's data on children and armed conflict. However, Save the Children has encountered cases where promises of greater freedom and autonomy, education and other basic needs have been used to pull girls into recruitment. Gendered pull factors, such as the promise of wives, are also used to recruit boys.

In the case of abduction, whereas boys are often seized to be used in armed groups for military purposes, girls are routinely abducted to be used as wives or to be sexually exploited. The different experiences boys and girls have in abduction are generally insufficiently accounted for in reintegration programmes.

on their behalf. In Iraq at least 1,036 children were held in juvenile detention facilities on national security-related charges in 2017, mostly for their alleged association with ISIS, with many not even being charged.<sup>84</sup> Palestinian children continue to be arrested in large numbers by Israeli forces – sometimes in their homes by night – to be held in the Israeli military detention system and prosecuted in military courts; throughout 2018, a monthly average of 312 Palestinian children were held in detention.<sup>85</sup> The practice is also prevalent in other areas of conflict, such as the DRC and Sudan.

Children who are accused of being associated with armed forces or armed groups should be considered primarily as victims and not only as perpetrators.<sup>86</sup> They must be treated in accordance with international law in a framework of restorative justice and social rehabilitation and, wherever possible, alternatives to detention must be sought.

The detention of children is always harmful and never in their best interests – under the UNCRC, the arrest, detention or imprisonment of a child must only be used as a measure of last resort and for the shortest appropriate period of time.

More broadly, the purported association of parents and family members with armed groups means tens of thousands of children and their families face collective punishment<sup>87</sup>, and as a result may be deprived of their liberty or are living in camps without freedom of movement. In 2017, a total of 2,199 children were reported to have been deprived of their liberty for their or their parents' alleged association with Boko Haram in Nigeria, Niger and Cameroon, though many were subsequently released by the Nigerian authorities.<sup>88</sup> In Syria and Iraq, thousands of children are living in limbo in camps, without freedom of movement, due to family members' alleged links to ISIS.<sup>89</sup>

# PART 2

## The three dimensions of the war on children

### And three imperatives for action:

1

**Uphold standards of conduct in conflict.**

2

**Hold perpetrators to account.**

3

**Take practical action on the ground.**

As set out in Part 1, the war on children is becoming ever more deadly and destructive. From Syria to South Sudan the future of a generation of children is under attack.

The war on children is being waged with blatant disregard for the universally agreed international legal and normative framework to protect children in conflict.

### **In this Part, we identify the three dimensions of this crisis of compliance:**

1. failure to uphold standards of conduct in conflict
2. failure to hold perpetrators of violations to account
3. lack of practical action on the ground to protect children and support their recovery.

We explore each dimension through three case studies – on the war in Yemen, the Rohingya crisis and the conflict in South Sudan.

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### **The crisis of compliance**

Preventing conflicts and atrocities in the first place and, where conflict is already taking place, acting swiftly and in a coordinated manner to bring it to a rapid halt would end the conditions in which grave violations of children's rights can take place. In this respect, the children of Syria, South Sudan, Yemen, Myanmar, the Central African Republic and many other places can all point to a lack of timely, concerted international action as a significant cause of their protracted suffering.

However, the mere existence of conflict is not sufficient to explain the prevalence of violations against children in conflict. Near universal ratification of the UNCRC – 'that luminous, living document that enshrines the rights of every child without exception, to a life of dignity and self-fulfilment'<sup>90</sup> – has not yet translated into a universal recognition of children as holders of rights. This is particularly true in situations of armed conflict.

The context in which conflicts are fought and, more importantly, the actions and inaction of parties to conflicts – and those with influence over these parties – are critical determinants of whether or not children suffer grave violations of their rights. As outlined in the introduction to this report, an extensive legal and normative framework exists to protect children's rights in conflict. However, in far too many places this framework is not being upheld. This is the key challenge that needs to be met for millions of children to

be able to survive and thrive in the modern world.

**There are three dimensions to this crisis of compliance:**

**First**, states and other armed actors are failing to uphold standards in conflict, both in their own conduct as military actors and in the behaviour that they demand from others. There is no such thing as a ‘child friendly’ warzone, but the level of risk facing children is determined by the degree to which combatants comply, or fail to comply, with their responsibilities under humanitarian, human rights and criminal law and seek to meet the highest standards of civilian protection in their approach. The requirements to distinguish between civilians and combatants, to ensure military attacks are proportionate to military aims and to take all necessary precautions to protect civilians before launching attacks are all enshrined in IHL. Parties are required to consistently abide by these standards, but often they do not. In addition to international legal requirements, standards of conduct also include additional measures that could significantly lessen the harm caused to children by conflict. Examples include minimising the use of explosive weapons in populated areas, avoiding the use of schools for military purposes or proactively tracking and addressing civilian casualties and other forms of civilian harm.

Common Article I of the four Geneva Conventions requires signatories not just to ‘respect’ the Conventions but also to ‘ensure respect’ for them. This is an important principle, namely that those states that turn a blind eye to violations of internationally accepted standards – by other states or by non-state actors – in effect enable those violations. The sale of arms, military equipment or associated services to parties to conflict where there is a risk that they will be used in unlawful attacks on children is a notable example of states helping to undermine standards.

**Second**, perpetrators of violations have little reason to fear being held to account for their actions. Even when perpetrators of violations of international laws have their crimes made public and receive international condemnation for them, most do not face any real political, economic or legal consequences for their behaviour. As a result, there are too few effective deterrents to those who would commit grave violations against children – and a culture of impunity is perpetuated. The current international architecture for accountability is based on essential human values, but

without sufficient political will it fundamentally fails children.

Approaches to the investigation and prosecution of violations must be strengthened as a matter of urgency. These should include:

- strengthened national judicial processes
- greater support for and resourcing of international investigatory mechanisms
- strengthened expertise in investigating and prosecuting crimes against children as a specific group that requires special protection
- more proactive use of targeted sanctions against perpetrators
- greater support for international judicial mechanisms – whether the ICC, ad hoc tribunals or greater application of the principle of universal jurisdiction.

**Third**, there is not enough practical action being taken to keep children safe and to support their recovery. Parties to conflicts are not doing enough to protect children themselves or to allow others to provide assistance. Efforts by the global community to ensure the centrality of protection in the delivery of humanitarian assistance are often challenged due to weak accountability for critical protection issues, especially in protracted crises. Furthermore, crucial interventions that would protect children in armed conflict are underfunded and under-prioritised. In 2017, UNICEF reports that 2.8 million children received some form of humanitarian child protection support<sup>91</sup>, but this is just a small fraction of the total need – UNICEF estimates that some 48 million children are in need of humanitarian support in 51 countries worldwide.<sup>92</sup> Between 2010 and 2018 the gap widened substantially between the requirements detailed in humanitarian response plans for all forms of humanitarian protection work – not just child protection – and funds actually received, dropping from an already disappointing 42% in 2010 to just 37% in 2018.<sup>93</sup> The average share of total humanitarian aid allocated to protection broadly over the period 2010–18 is just 2.5% and the average share over the same period going to child protection specifically is just 0.5%.<sup>94</sup> Furthermore, too little of this funding is allocated across multiple years, even though protection work typical requires long-term investments in order to be successful.<sup>95</sup>

Education for conflict-affected children sim-

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**Perpetrators of violations have little reason to fear being held to account for their actions.**

**1 IN 5  
SCHOOLS  
IN YEMEN  
ARE NO  
LONGER  
BEING  
USED**

ilarly suffers from under-resourcing and short-term approaches, as do some other forms of practical protection such as mine-risk education and ensuring adequate civilian protection capability in peacekeeping missions. There is also a need for increased action to support the recovery of children who have been harmed by conflict. Adequate mental health and psychosocial support is critically lacking in most contexts. Reconstruction efforts typically focus insufficiently on investment in children through education, health systems, mental-health support and physical rehabilitation, and professional development for people working in those services.

The following case studies exemplify these three dimensions. While each offers an example of failures across all three dimensions – standards of conduct, accountability and practical action – they have each focus on one particular dimension.

### **1 Failing to uphold standards in conflict: the war in Yemen**

Children in Yemen are currently caught up in the world's largest humanitarian crisis. Yemen has been ravaged by a conflict that escalated nearly four years ago when Saudi Arabia, UAE and their allies, with diplomatic and military support from the US, UK, France and other Western countries, launched a military offensive against the Houthis, an armed non-state group that conquered key parts of the country in opposition to the Yemeni government led by President Abdrabbuh Mansour Hadi. Nearly 80% of the population, 24 million people, are now in need of humanitarian aid,<sup>96</sup> including at least 11.3 million children.<sup>97</sup> 18 million people across the country are food insecure, including 8.4 million who are suffering from extreme hunger.<sup>98</sup> The healthcare system is on its knees, with over half of medical facilities damaged or closed<sup>99</sup> – creating further barriers for Yemeni people who are struggling in the face of a national economic crisis, widespread malnutrition and the grave threat of cholera and other life-threatening diseases.

The UN has documented strong evidence indicating that all parties have committed violations of international law, including grave violations against children and violations and abuses that may amount to war crimes.<sup>100</sup> For instance, all parties have been responsible for restricting access to humanitarian aid, exacerbating the suffering of Yemeni children.

In November 2017, a month-long complete

blockade was imposed by the Saudi- and Emirati-led coalition (SELC), cutting off key seaports as well as Sana'a airport. While the ports opened again in December 2017, a de facto blockade of administrative and logistical barriers remains, and Sana'a airport is still closed to commercial flights, denying Yemenis the ability to seek critical medical care abroad, hindering the import of medical supplies and keeping families apart. These impediments are at odds with the requirement in humanitarian law to allow and facilitate rapid and unimpeded passage of relief where it is required. The scale of the impact of these restrictions renders them disproportionate under the law of armed conflict, with a UN Group of Eminent Experts deeming that 'no possible military advantage could justify such sustained and extreme suffering by millions of people'.<sup>101</sup> Yet the international community has failed to take strong action to change this situation.

There is no way of knowing exactly how many children have been killed in Yemen's war. But it is possible to document that explosive weapons, when used in populated areas, have been devastating. Airstrikes have been responsible for the highest proportion of direct civilian casualties. Between March 2015 and November 2018, a total of 18,942 air raids struck the country. That is 14 air raids per day or one every 102 minutes for almost four years.<sup>102</sup> Recent findings from the Armed Conflict Location and Event Data (ACLED) estimate that the total number of civilian fatalities as a direct result of conflict is over 60,000 since the escalation of the conflict – six times higher than the frequently cited UN figure of 10,000.<sup>103</sup>

Among the most shocking incidents was the airstrike that killed 40 students and their teachers while on a school trip in August 2018. The bomb was dropped by Saudi planes but, according to reports based on analysis of the debris, had been built in the USA and was sold directly to the Saudi government.<sup>104</sup> The USA is not alone in selling weapons that have been used – or are likely to have been used – in the conduct of hostilities in this war and that, by extension, are likely to have killed children. Other nations selling weapons or military equipment to the SELC or aiding the war effort through technology, training or other means include Canada, China, France, Georgia, Italy, Serbia, South Africa, Spain, Sweden, Turkey and the UK.<sup>105</sup>

Attacks on schools are particularly concerning, not only for the direct risks of killing and maiming of students, staff and other civilians who may be nearby but also because



**Damaged school:** Fahad, 12, outside his school in West Mosul, which was damaged extensively during the fighting between Iraqi forces and ISIS.

of the destruction of opportunities for children to secure an education and to advance their future. The UN-backed government has endorsed the Safe Schools Declaration, which includes a set of Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict as well as broader commitments to protect education from attack. However, other parties to the conflict have not committed to implement the Declaration and the Guidelines.<sup>106</sup> In 2018, the UN Secretary-General's annual report on children and armed conflict verified 20 attacks on schools, including 19 aerial attacks by the SELC, and eight incidents of military use of schools by parties to the conflict.<sup>107</sup> While Saudi Arabia has reportedly established a child protection unit at the SELC headquarters and the UN Secretary-General did not list SELC in the annexes to his 2018 report for committing attacks on schools or hospitals, the patterns of harm have continued in 2018.<sup>108</sup> One in five schools in Yemen are no longer being used because they have been damaged or destroyed, are sheltering displaced families or are being used for military purposes.<sup>109</sup>

The UN has warned that repeated strikes on civilian centres 'raise serious doubts' about the SELC's respect for IHL.<sup>110</sup> There is also little evidence that any efforts to adhere more closely to IHL have made an impact in reducing civilian harm: between July and August 2018, Saudi/UAE coalition air raids hit twice as many non-military sites as military targets,<sup>111</sup> worse than the earlier – and already disturbing – figure of one third of air raids hitting non-military sites since March 2015. Moreover, leading international human rights organisations have been critical of the SELC's efforts to investigate allegations of violations of IHL, finding that they have 'failed to meet international standards',<sup>112</sup> including those of 'transparency, independence, impartiality and effectiveness.'<sup>113</sup>

On at least three occasions between 2015 and 2018, the SELC successfully prevented the UN Security Council from adopting resolutions calling on parties to comply with IHL, to cease hostilities and to engage in a UN-led political process without preconditions and in good faith. The Security Council did, however, adopt Resolution 2451 on 21 December 2018, endorsing the agreements secured at Stockholm as part of the UN-led peace process and providing a framework to support implementation.<sup>114</sup>

Yemen is important as an example of a conflict where basic international standards of conduct have manifestly not been upheld

consistently by any of the parties. Moreover, while all parties have been guilty of serious violations of international law, one party – the SELC – has done so with the support of multiple powerful international allies. It is a graphic instance of the failure of influential leaders in the international community to insist on the norms and standards that all states are obligated to uphold – with predictably devastating consequences for children and damaging implications for the international rules-based system. The protection of children and their rights should never be considered optional or subject to negotiation. If the international community is to succeed in protecting children in conflict, leaders must take responsibility and all its members must consistently, confidently and unequivocally assert and reassert the centrality of the law, norms and frameworks established to constrain the behaviour of parties to conflict.

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## 2 Failure to hold perpetrators to account: the Rohingya crisis

*'Unless those at every level of political and military command fear that they will be held accountable for crimes and subject to prosecution, there is little prospect of restraining their behaviour during armed conflicts. Allowing perpetrators to benefit from impunity can only lead to contempt for the law and to renewed cycles of violence.'*

Graca Machel<sup>115</sup>

On 25 August 2017, following a series of attacks on Myanmar police and border guard posts by a loosely organised Rohingya armed group, the Myanmar security forces began a systematic campaign of violence against the Rohingya population in northern Rakhine State. In the months that followed, more than 730,000 Rohingya, over half of them children, were forced to flee the violence into neighbouring Bangladesh. It was an exodus of a speed and scale the world had not witnessed since the Rwandan genocide in 1994.

The violence left thousands of people dead and many more physically injured and psychologically affected. Save the Children's teams working with child survivors and their families in Bangladesh heard first-hand testimonies of the atrocities suffered by the Rohingya refugees, atrocities that have since been described as ethnic cleansing, crimes against humanity and possibly genocide. Children have been particularly affected. Children were often targeted for brutal sexual violence and killed and maimed indiscriminately.



The government of Myanmar and the Myanmar military have repeatedly rejected the evidence presented by impartial investigators, denied responsibility for the commission of crimes against humanity, blocked independent and credible investigations, and impeded international human rights mechanisms. Journalists investigating the abuses have been imprisoned. Despite the gravity of the crimes committed, international efforts to challenge the Myanmar government's stance have been inconsistent at best and certainly not proportional to the enormity of the harm inflicted on the Rohingya. Some governments have actively blocked measures to impose international accountability, with others deferring to the government of Myanmar to investigate the crimes committed by its own military.<sup>116</sup> This not only denies justice to the Rohingya, it normalises the crimes against humanity to which they were subjected and entrenches impunity.

In spite of the Myanmar government's refusal to cooperate with international mechanisms, the UN-mandated Independent Fact-Finding Mission has been able to conduct a very thorough examination into human rights violations and abuses in the country. Released in September 2018, it was unequivocal in calling for named senior generals of the Myanmar military to be investigated and prosecuted in an international criminal tribunal for genocide, crimes against humanity and war crimes.

Now, well over a year since these crimes took place, the international community is still faced with the task of establishing justice. Important steps in the respect have been taken by the Human Rights Council and by the ICC. The establishment of an 'ongoing independent mechanism' by the UN Human Rights Council in September 2018, in particular, offers hope that those responsible will one day be held to account.<sup>117</sup> And in an unprecedented decision, the ICC concluded in September 2018 that it did, in principle, have the jurisdiction to initiate an indictment against members of Myanmar's military for the crime of forcible transfer of population, also called the crime of deportation.<sup>118</sup> That decision opens the door for ICC prosecutors to apply for a full-blown investigation into Myanmar for deportation and other crimes against humanity, including persecution.

These steps taken by the Human Rights Council and the ICC send a strong signal to the Myanmar military that perpetrators of crimes against the Rohingya will be held accountable. However, even if the 'independent mechanism' were to find conclusive evi-

dence of the guilt of perpetrators, or if the ICC were to convict on the crime of forced deportation, there would still be the challenge of gaining custody of the guilty parties.

There are far too many instances around the world of perpetrators of violations not being held to account that could have been given as an example. However, the failure – so far, at least – with respect to the atrocities committed against the Rohingya stands out as an especially vivid example. If the international community does not make it absolutely clear that crimes of this magnitude will never be tolerated, future perpetrators of violations, whether in Myanmar again or elsewhere in the world, will find encouragement. For that reason, the response the international community chooses to make to those guilty of the egregious crimes committed against children in Myanmar will reverberate right around the world and potentially far into the future.

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### 3 Lack of practical action on the ground: the conflict in South Sudan

South Sudan is the world's youngest country but in its short history as an independent nation its children have endured violence, hunger and rights violations on an immense scale. Half the population is 18 or under<sup>119</sup> and one in two of these children are affected by the conflict and associated humanitarian crisis.<sup>120</sup> Despite the signing of a peace agreement in September 2018, more than seven million people are in need of humanitarian assistance, and the situation for children continues to deteriorate. Nearly one million children under five are acutely malnourished, almost half of IDP individuals are children and five out of ten children are out of school.<sup>121</sup> Moreover, South Sudan remains the most dangerous place in the world for humanitarian actors.<sup>122</sup>

All parties to the conflict have committed alarming levels of all six grave violations against children.<sup>123</sup> At least 19,000 children are estimated to have been recruited and used in South Sudanese armed groups since the start of the conflict in 2013<sup>124</sup>, and thousands have been abducted, raped, killed or maimed. For example, in July 2017 the UN verified the mass recruitment of more than 150 boys at a cattle market.<sup>125</sup> The use of sexual violence, including rape, has been systematic and employed as a tactic of war.<sup>126</sup> Conservative estimates put the total number of conflict deaths – both adults and children – at more than 383,000 since 2011, with the actual figure potentially much higher.<sup>127</sup> Partly as a result of these violations,

**1.9**  
**MILLION**  
**CHILDREN**  
**IN SOUTH**  
**SUDAN ARE**  
**EXPECTED**  
**TO FACE**  
**SEVERE**  
**PROTECTION**  
**RISKS IN**  
**2019**

**Syria:** Zahra, 11, with her sister Fatima\*, 3, in the doorway of their family's temporary shelter in the suburbs of Idleb where they have been living for few months after they were forced to leave their hometown because of the violent clashes and heavy bombardment.



PHOTO: AHMAD BAROUDI / SAVE THE CHILDREN

900,000 million children are estimated to suffer from psychosocial distress.<sup>128</sup> In this context, the UN estimates that 1.9 million children are expected to face acute and severe protection risks in 2019.<sup>129</sup>

Protection in South Sudan has emerged as much by default as by design. The influx of 200,000 South Sudanese into UN bases in search of protection in 2013 created a new set of challenges for the UN Mission in South Sudan (UNMISS) and for humanitarian organisations.<sup>130</sup> The huge presence of displaced people within these newly formed Protection of Civilians (PoC) sites has offered an opportunity for humanitarian actors to reach people with greater ease, but conditions in these sites often do not meet minimum standards.<sup>131</sup> At the same time, given all those people in need of protection and humanitarian assistance in South Sudan, it is possible there has been a disproportionate focus on those within PoC sites at the expense of others living elsewhere.<sup>132</sup> The lack of child-specific expertise and child protection programming is particularly problematic. UNMISS is a very important actor in the protection that exists in South Sudan, but it is ill-equipped to provide child-specific programming or to enable others to provide that assistance.

While measures to drive up standards of conduct by parties to the conflict and to hold perpetrators to account would make a big difference, South Sudan is a context where increased practical action could protect children and enable huge numbers of them to recover. The UN Secretary-General's Special Representative for Children and Armed Conflict has expressed serious concern at the severe lack of funding for long-term sustainable reintegration programmes for children formerly associated with armed forces and armed groups. This increases the risk of children being re-recruited.<sup>133</sup> Although nearly 6,000 children have been reunified with their families since the conflict started in 2013<sup>134</sup>, thousands of unaccompanied and separated children are in need of quality case management and appropriate care, including children associated with armed forces and armed groups.

Security spending accounts for 44% of the government's budget. The persistence of conflict has contributed to the government's failure to allocate any of its annual budget to child protection and social assistance to children.<sup>135</sup> As of the end of 2018, international funding for child protection services – including family tracing and reunification,



**Separated:** Nur, 11, stands near his home in a Rohingya refugee camp in Bangladesh. Nur, who has been deaf since birth, became separated from his parents after their village was attacked in Myanmar. He's now living with extended family.

PHOTO: AHMAD BAROUDI / SAVE THE CHILDREN

case management, child-friendly spaces and psycho-social support – was just 1.7% of the total humanitarian spend, which was itself 40% underfunded.<sup>136</sup> Education consisted of just 5% of that total despite there being nearly 2 million children out of school. Lack of multi-year and cross-sectoral funding prevents investment in the comprehensive community-driven responses required for children affected by conflict.<sup>137</sup> As a result of the shortfall, the majority of children who need services to protect them and to enable their recovery simply will not have access to the assistance they require – there is not enough investment in crucial services. The children of South Sudan are suffering not only from abysmal standards of conduct by armed actors and near total impunity for violations, but from far too little practical action to keep them safe and to enable them to survive and thrive.

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### Three imperatives for action

Many more examples than the three given above could have been selected to demonstrate the three dimensions that we have

identified as shaping the war on children. These three dimensions give rise to three imperatives for action by the world's leaders:

- Uphold standards of conduct in conflict and insist on these from their allies and others over whom they have influence.
- Hold perpetrators of violations of children's rights in conflict to account.
- Take practical action on the ground to protect children in conflict and to support their recovery.

Taken together, these three imperatives can form the basis of an international approach to ending violations against children in armed conflict. Even small steps in each of these areas would directly and indirectly strengthen the protection of children – making a difference in themselves and raising expectations from others, thereby changing the international environment in which conflict occurs. If all actors go up a step across each of these three areas, children living in the world's conflict zones will be better protected.

# PART 3

## Emerging solutions: Ensuring children's protection in conflict

A platform on which  
the international  
community can  
build its efforts to  
protect the

**420 million children**

currently living  
in areas affected  
by conflict.

While this report emphasises the scale and severity of the threats facing children in conflict today, recent history has shown that when there is political will, action and funding the protection of children is possible. The following section sets out some existing and emerging initiatives and practices that demonstrate the possibility of progress. They can serve as a platform on which the international community can build its efforts to protect the 420 million children currently living in areas affected by conflict, through:

1. upholding standards
2. holding perpetrators to account
3. taking practical action on the ground.

### 1 Upholding standards of conduct in conflict

The following initiatives are examples of international action that has improved or is improving the ways in which conflict is conducted so that children – and civilians more generally – are better protected. None of these initiatives on their own is a panacea for the threats that children face in armed conflict, but each is an inspiring demonstration that good work is being done and progress in protecting children in conflict is possible. Taken together, they paint an encouraging picture of how standards can be progressively raised over time. Leaders, governments, armed groups, funders and NGOs should support and encourage them.

#### **The Safe Schools Declaration – reducing the military use of schools**

The Safe Schools Declaration is an intergovernmental political commitment to protect education during armed conflict. The Declaration is not legally binding and complements international humanitarian law. By endorsing it, states commit to:

1. collect reliable data on attacks and military use of schools and universities
2. provide assistance to victims of attacks
3. investigate, develop and promote 'conflict sensitive' approaches to education
4. seek and support efforts to continue education during armed conflict
5. support the UN's work on the children and armed conflict agenda
6. implement the 'Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict', which provide guidance on concrete measures that armed forces and armed non-state actors can take to deter military use of education institutions.

Since the development of the Declaration in 2015, the imperative not to use schools for military purposes or to subject students and teachers to attack has gained international momentum. Save the Children is a member of the Global Coalition to Protect Education from Attack, which has been encouraging governments to endorse the Declaration. To date, 83 UN members have done so. The Declaration is having a positive effect, with analysis showing the discrepancy between countries that have and have not endorsed: in countries that have not endorsed the Declaration, there has been a 97% increase in the reported incidents of military use of schools since 2014, whereas in countries that have endorsed the Declaration, the number of incidents has dropped by half in the same period.<sup>138</sup> Disappointingly, there was an increase over the last year in reports of the military use of schools in three countries that have endorsed the Safe Schools Declaration: Nigeria, Sudan and South Sudan. Nigeria and Sudan have recently taken steps to reassess their policies.<sup>139</sup>

#### **International instruments to protect children from recruitment – 115,000 children released**

The past 40 years have seen a range of legal instruments developed to strengthen children's protection from military exploitation during conflict. As discussed above, the UNCRC commits all ratifying states to protecting and ensuring children's rights, which means holding themselves accountable before the international community for ensuring children's best interests and protection from violence, abuse, neglect and exploitation, including in armed conflict. In recognition of this commitment, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in 2000 was a significant development – the world's first international treaty wholly focused on ending the military exploitation of children. The Protocol entered into force in 2002 and has now been ratified by the majority of the world's countries.<sup>140</sup>

The Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles) and the Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups (Paris Commitments) were established in 2007. Currently more than 108 states – over half the UN General Assembly – have formally endorsed them. The Paris Principles detail steps both

to prevent recruitment of girls and boys and to support their reintegration, noting relevant international legal standards. The Paris Commitments lay out political commitments to be undertaken by states to address recruitment and use.

By 2017, the 10th anniversary of the Paris Principles and Commitments, more than 115,000 children had been released from armed forces or groups.<sup>141</sup> At a global conference in Paris marking the anniversary, more than 70 states, 10 UN bodies and 20 civil-society organisations reiterated their commitment to addressing recruitment of children in a global environment where the characteristics and dynamics of conflict are changing.

2017 also saw the launch of the Vancouver Principles at a UN Peacekeeping Defence Ministerial Conference. Recognising the importance of the Paris Principles, the Vancouver Principles comprise a comprehensive set of pledges including political commitments by member states to enhance the training, planning and conduct of their own forces within peacekeeping operations as they relate to the recruitment and use of children.

While recruitment and use of children by armed forces and armed groups remain a pervasive and serious problem, there have been significant improvements over the last two decades. Since 1999, more than 60 armed groups have made unilateral or bilateral commitments to reduce and end the recruitment and use of children.<sup>142</sup> Based on the data collected for the UN Secretary-General's children and armed conflict report, 28 governments and armed groups signed action plans with the UN between 2005 and 2018, committing to end their recruitment and use of children. Over the same period, 13 parties to armed conflict were removed from the list of violators in the annex to the UN Secretary-General's annual report on children and armed conflict after successfully implementing their plans.

Direct diplomatic pressure has proved to be a powerful tool. For instance, in 2012 the Obama Administration announced it would withhold foreign military financing and training from a battalion in the DRC until the government signed an agreement with the UN to end its use of children in its armed forces. The UN had tried for seven years to persuade the Congolese government to sign the action plan; five days after the US announcement, the DRC signed the plan. The US has put similar pressure on other states as well, with good results.<sup>143</sup>

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**Direct diplomatic pressure has proved to be a powerful tool.**

### **Engagement with non-state armed groups – securing commitments to end violations**

The UN Secretary-General's report on children and armed conflict shows that roughly three-quarters of all verified grave violations are perpetrated by non-state groups. Asymmetric and diffuse conflict often contributes to a race to the bottom, with increased brutality and reduced civilian protection. However, too often there is a misleading perception that engaging non-state actors or holding them to account is unrealistic. As the International Committee of the Red Cross's *Roots of Restraint in War* report explained:

*External entities are able to influence the behaviour of armed forces and armed groups. Making it a criminal offence for humanitarian organisations and local communities to interact with armed groups is counterproductive and hampers efforts to promote respect for humanitarian norms.<sup>144</sup>*

Geneva Call, a non-governmental organisation (NGO) that focuses on improving the compliance and behaviour of non-state armed groups, has engaged more than 100 actors in 25 countries. Complementing UN initiatives, Geneva Call's main instrument is the Deed of Commitment, a mechanism for armed non-state actors to commit to international norms. Signatories to the Deed of Commitment for the Protection of Children commit not only to a total ban on the use of children in hostilities, but also to ensuring that they are not recruited into their armed forces (whether voluntarily or involuntarily) and never to compel children to associate

with, or remain associated with, its armed forces. Armed non-state actors would also commit to 'further endeavour to provide children in areas where [they] exercise authority with the aid and care they [children] require', including access to food, healthcare and education.<sup>145</sup> Signatories agree to take the necessary enforcement measures, such as internal orders, training and sanctions, as well as to cooperate with Geneva Call in the verification of their compliance.

Building on these Commitments, Geneva Call works with groups to improve their knowledge and operational capacity to comply with international standards, particularly in key areas such as use and recruitment of children; military use of schools; sexual and gender-based violence; and protection of healthcare. Through innovative technology, dialogue, awareness-raising and advocacy, Geneva Call and its partners have had widespread impact (see, for example, the box below). A lesson that emerges is that, contrary to a commonly held view, certain armed non-state actors have proved willing to accept external oversight and to cooperate in the scrutiny of their compliance.<sup>146</sup>

### **Banning landmines and cluster munition – saving thousands of lives and limbs**

The global community has made tremendous progress in protecting civilians – including children – from indiscriminate weapons. The Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction, known as the Anti-Personnel Mine Ban Convention, and the Convention on Cluster Munitions are the humanitarian disarmament standard-bearers for efforts to prevent and reduce harm from indiscriminate weapons.<sup>148</sup> These ban the production of anti-personnel mines and cluster munitions and require the destruction of stockpiles of these weapons. They are testament to the potential for successfully negotiated international treaties when there is sufficient consensus, insight and political will.

The conventions have probably saved tens of thousands of lives. To date, 163 countries are party to the Mine Ban Convention, and 120 countries have joined the Convention on Cluster Munitions. More than 53 million mines have been destroyed<sup>149</sup>, large tracts of lands have been cleared and nearly 30 states have been declared mine-free.<sup>150</sup> A recent report on cluster munitions shows a 72% decrease in investment in cluster munitions from 2017 to 2018.<sup>151</sup> These conventions have created strong international norms, with many states not party to the conventions nonetheless

## **149 children demobilised from armed groups in Syria**

In June 2014, after several months of negotiations with Geneva Call, the People's Protection Units, Women's Protection Units and 'Democratic Self-Administration' in north-east Syria demobilised 149 children from their ranks and signed Geneva Call's Deed of Commitment protecting children in armed conflict.<sup>147</sup> Their signatures publicly formalised their collective policy of preventing children under 18 from taking part in hostilities and protecting them from the effects of the conflict.

largely following the regulations set out in them. Some non-party states, such as the USA, also fund NGOs and other actors that work to clear the ground of explosive remnants of war in post-conflict contexts.

### **The Arms Trade Treaty – the first international legally binding agreement to control conventional arms**

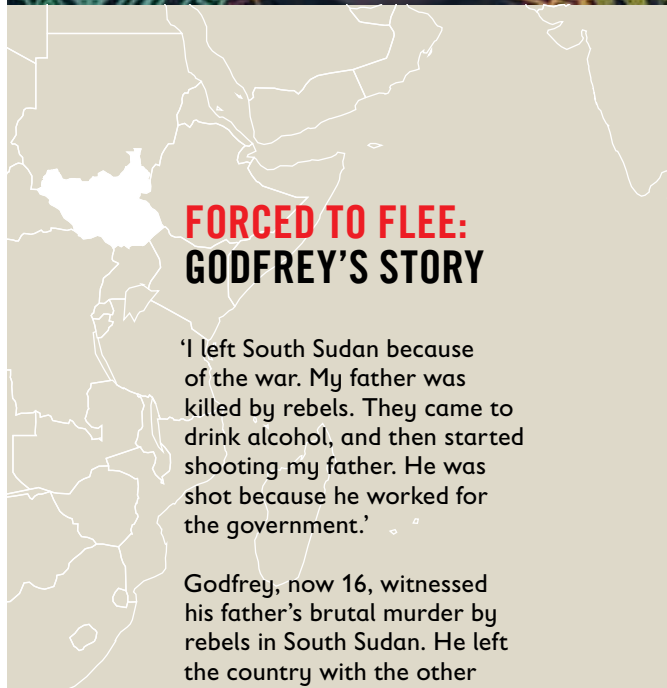
One direct and practical way for countries to protect children in conflict is to restrict the export, supply and transfer of arms, weapons and other military assets to parties to conflict where there is an overriding risk that they will be used to undermine peace and security or to commit or to facilitate serious violations, including unlawful attacks on children. Entering into force in 2014, the Arms Trade Treaty (ATT) has been ratified by 100 states and a further 35 have signed but not yet ratified it.<sup>152</sup> States that are party to the Treaty are obligated not to authorise international transfers of weapons if there is a high risk the weapons could be used in violation of international humanitarian and human rights law. Article 7.4 requires exporting states to take into account the risk of the conventional arms and related items being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children.<sup>153</sup>

The ATT represents significant progress as the first international legally binding agreement that establishes standards for regulating the trade in conventional arms and ammunition, and with a core humanitarian purpose of reducing human suffering. Some shifts in government behaviour have been achieved, with several European arms exporters denying, ceasing and/or halting export of military material to Saudi Arabia or other countries in the coalition in response to violations in the war in Yemen.<sup>154</sup> However, at the time of writing major arms-exporters including France, UK and USA<sup>155</sup>, continue to flout the treaty, with arms transfers to Saudi Arabia continuing despite the overriding risk of violations of international humanitarian and human rights law in Yemen.

### **Avoiding the use of explosive weapons in populated areas – preventing a predictable pattern of civilian harm**

Conflicts are increasingly fought in populated areas and children are particularly vulnerable. For a number of years, the UN has pointed out the predictable pattern of harm that arises from the use of explosive weapons with wide-area effect in densely populated areas.<sup>156</sup> Avoiding this practice would save

PHOTO: BEN WHITE / SAVE THE CHILDREN



## **FORCED TO FLEE: GODFREY'S STORY**

'I left South Sudan because of the war. My father was killed by rebels. They came to drink alcohol, and then started shooting my father. He was shot because he worked for the government.'

Godfrey, now 16, witnessed his father's brutal murder by rebels in South Sudan. He left the country with the other members of his family, including his sister who was heavily pregnant.

'It took us three weeks to arrive at the settlement camp,' says Godfrey. 'We had no food, blankets or water. My sister gave birth during the journey, but the baby died.'

Godfrey and his family now live in Bidibidi refugee camp in Uganda, where life is much better. Godfrey volunteers in a Save the Children child-friendly space there.

children's lives both during attacks and in the longer term, as well as reduce the risk of children suffering other grave violations.<sup>157</sup> In 2018, the NGO Action on Armed Violence recorded 32,102 deaths and injuries from the use of explosive weapons around the world, as reported in English-language media. Civilians continued to bear the burden of harm, accounting for 70% of these casualties. Of the civilian casualties, 43% were killed.<sup>158</sup> Save the Children is proud to be a founding member of the International Network on Explosive Weapons, an NGO partnership calling for immediate action to prevent human suffering from this practice.<sup>159</sup> Increasingly, states

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**For children to be able to participate, the processes need to be made accessible to them.**

are joining us in recognising the issue as one of critical importance. Against the backdrop of stark examples of humanitarian harm, more than 80 governments, several multilateral organisations, and consecutive UN Secretary-Generals and other high-level UN officials have expressed concern.

In 2018, Ireland led a joint statement at the thematic debate on conventional weapons at the UN General Assembly to support this call for action to tackle the humanitarian harm caused

by the use of explosive weapons in populated areas.<sup>160</sup> These are important first steps to the formation of a non-legally binding commitment. Such a commitment should focus on avoiding the use of explosive weapons in populated areas, ensuring militaries understand the area effects of the weapons they are using, and enhancing the understanding of long-term reverberating effects. The UN Secretary-General's Agenda on Disarmament has called on states to engage constructively in efforts to develop such a political declaration.<sup>161</sup>

### **The role of casualty recording in protecting children in conflict**

The systematic collection of evidence of harm to children in conflict is crucial if violations against children are to be properly recognised and subsequently reduced. Effectively recording casualties can:

- more clearly specify the causes of harm to civilians caught in conflict, including children and other vulnerable groups
- help in the avoidance and mitigation of casualties
- hold those responsible to account.<sup>162</sup>

Data from the UN and country-specific civilian-tracking organisations gives us an indication of the scale of the problem but is likely to be the tip of the iceberg. The current lack of resources given to casualty recording means that adequate data is unavailable for identifying the perpetrators and tackling causes of harm to children in conflict.

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## **2 Holding perpetrators to account**

Accountability can come in a range of forms, including through naming and shaming of perpetrators, seeking judicial action against them or imposing political or financial penalties. In principle, the starting point should always be local or national-level action – that is, for governments or communities in the contexts where violations have occurred to lead the process of holding perpetrators to account. However, in cases where local or national actors are either unable or unwilling to do this, regional-level or international mechanisms may be needed.

Children themselves can sometimes play an important role in accountability processes. For children to be able to participate, the processes need to be made accessible to them, information must be child-friendly, children need to be listened to, and they must be supported to campaign and influence governments to achieve justice.

Given the widespread impunity enjoyed by perpetrators of violations of children's rights in armed conflict, accountability is the area where there is the most work to do to close the gap between formal and rhetorical international commitments on the one hand and reality on the other. However, as described in the following examples, the progress made by some international-level initiatives offer some encouragement.

### **Measures to secure justice for child survivors of sexual violence**

*'The only prize in the world that can restore our dignity is justice and the prosecution of criminals.'*

Nadia Murad, Islamic State survivor and winner of the Nobel Peace Prize for her fight to end rape in conflict

Despite the sensitive nature of violations and widespread underreporting of sexual violence against children, a number of promising developments at the international level have emerged in recent years. In 2001, the UN



## The importance of casualty recording

Evidence compiled in 2013 from civil society organisations that record casualties showed that by far the primary cause of violent death among children in Syria was explosive weapons, killing 7,557 children – 71% of the 10,586 children whose specific cause of death was recorded. Small-arms fire was reported as the cause of an additional 2,806 child deaths (26%);<sup>163</sup> this included 764 cases of summary execution and 389 cases of sniper fire, with clear evidence of children being specifically targeted. This level of descriptive detail, which is not provided by overall mortality statistics or estimates, may prove essential in future accountability processes, up to and including war-crimes tribunals.

State armed forces that undertake casualty recording can review and amend their own conduct as necessary. For example, since 2018 the US Department of Defense has been required by law to investigate and report publicly on allegations of civilian and combatant casualties resulting from its military operations. In addition to supporting accountability for victims, this process enables continual improvement of strategies better to protect civilians in future.

Similarly, casualty recording provides the basis for evidence-based advocacy by third parties. Since 2007 the Human Rights unit of the UN Assistance Mission in Afghanistan has used its systematically-recorded information on civilian casualties to support advocacy with parties to the conflict, leading directly to changes in their practice and a significant reduction in civilian casualties. Other UN peacekeeping and political missions – including in Iraq, the DRC and the occupied Palestinian

territory, and the African Union Mission in Somalia – also conduct and use casualty recording or casualty tracking<sup>164</sup> to various degrees. At headquarters level, the UN Office of the High Commissioner for Human Rights maintains a Human Rights Case Database that records casualty information, and the UN Department of Peacekeeping Operations has developed its own information-management system that includes casualty data.

Close to real-time casualty recording can also improve protection and humanitarian responses to children in conflict. In Yemen, the Protection Cluster (which coordinates humanitarian protection work) makes use of figures on child casualties provided regularly by the Civilian Impact Monitoring Project.<sup>165</sup>

Despite the individual examples of good practice above, coordination across these systems and contexts remains patchy. As a result, opportunities for useful information-sharing and analysis are lost. In order to address this obstacle and promote best practice, the independent NGO Every Casualty Worldwide led a three-year consultation including 16 casualty-recording organisations, the International Committee of the Red Cross, various UN agencies and the ICC. This process culminated in 2016 with the publication of the Standards for Casualty Recording, which are internationally recognised as the authoritative guide to the field.<sup>166</sup> By adhering to the standards, casualty-recording organisations ensure consistency and accuracy internally and across the sector.

*Every Casualty Worldwide, January 2019*

Security Council's landmark resolution on Women, Peace and Security put the issue of girl's experience of sexual and gender-based violence in conflict on the diplomatic agenda.<sup>167</sup> The creation in 2009 of the office of the Special Representative of the UN Secretary-General (SRSG) on Sexual Violence in Conflict has further helped bring visibility to this issue and energy to tackling it. Collaboration and alignment between the SRSGs on Children and Armed Conflict and Sexual Violence in Conflict is both mandated by the Security Council and crucial to addressing crimes of sexual violence perpetrated against children in conflict.

Recent momentum on this issue has further resulted in the development of a robust legislative framework in the Security Council, which has given the Office of the Special Representative new tools to drive the mandate on the ground and to begin to effect some changes in behaviour. The Taskforce for International Criminal Justice in South Kivu in the DRC, for example, brings together international and national actors, including NGOs and local hospitals, to ensure accountability for perpetrators of sexual violence against children and young people. Significant progress in the fight against impunity



PHOTO: MOHAMMED AWADH / SAVE THE CHILDREN

## WHEN A CROWDED SCHOOL BUS WAS HIT BY AN AIRSTRIKE: ISMAIL'S STORY

Ismail was seven years old when the school bus he was on was hit by an airstrike on the 9 August 2018. He sustained severe shrapnel injuries in his leg, his eye and head, and remains traumatised by the event. 40 children died in the attack – most were under ten years old.

Ismail was in hospital for several weeks. He received intensive psychosocial support to help him come to terms with what he had been through.

'We were on the bus when the rocket hit.... One of my friends died. Another one was injured. I was unconscious until I was at the hospital. I couldn't see anything after I was hit. After a week or two, I started to see a bit.'

Ismail wishes that the war would stop. His dream is to become a doctor so that he can treat children.

was achieved in the DRC in 2017, with two emblematic cases being prosecuted: a colonel of the Forces Armées de la République Démocratique du Congo was convicted for the war crimes of rape and pillage affecting 150 civilians in Musenyi, South Kivu; and a member of parliament in South Kivu was convicted of crimes against humanity for his role in the abduction and rape of 39 children in Kavumu.<sup>168</sup>

The UK's Preventing Sexual Violence Initiative – founded in 2012 with the aim of raising awareness of the extent of sexual violence in situations of armed conflict and rallying global action to end it – is also significant.<sup>169</sup> One key contribution has been the development of an international protocol on the documentation and investigation of sexual violence in conflict, which includes important guidance specifically on sexual violence and children. The UK has formed a team of experts who can be deployed at short notice to support governments, judiciary, police, military and NGOs on evidence-gathering and training.

### International criminal mechanisms – steps towards justice for children

The International Criminal Tribunal in the former Yugoslavia (ICTY), which lasted from 1993 to 2017, changed the landscape of IHL. It provided victims an opportunity to voice the horrors they had witnessed and experienced, developed the framework for gender-based crimes of war and proved that those who commit atrocities against civilians in conflict can be held to account. The tribunal indicted heads of state, prime ministers, army chiefs-of-staff, government ministers and many other leaders from various parties to the former Yugoslav conflicts.<sup>170</sup> In the final trial judgement of the ICTY in 2017, more than 20 years after the Srebrenica massacre, the court convicted Ratko Mladic, former Commander of the Main Staff of the Bosnian Serb Army, of ten offences, including genocide, crimes against humanity and violations of the laws or customs of war. Many of his victims were children. Along with the International Criminal Tribunal for Rwanda, the Extraordinary Chambers in the Courts of Cambodia and the Special Court for Sierra Leone, the ICTY is an important example of how concerted international action has delivered some measure of accountability for crimes committed against children.

Since those ad hoc conflict-specific courts and tribunals were set up, the Rome Statute of 1998 has been agreed, establishing the International Criminal Court in 2002. The ICC recognised 'conscripting or enlisting

children under the age of 15 and using them to participate actively in hostilities' as a war crime.<sup>171</sup> The first case before the ICC – *The Prosecutor v. Thomas Lubanga Dyilo* – focused specifically on the recruitment and use of children. The 2012 guilty verdict rendered by the Court was a landmark decision because it demonstrated that the ICC can bring to justice perpetrators of war crimes specifically against children. Important policy steps have been taken by the ICC that could help improve justice for children. In November 2016, the Chief Prosecutor launched its Policy on Children, highlighting the severity of atrocity crimes against and affecting children and reinforcing the court's child-sensitive approach. By doing so, the Prosecutor elevated the investigation and prosecution of atrocity crimes against children to one of the key strategic goals of the ICC.

However, the pace of international justice is very slow. The verdict in the famous case of Jean-Pierre Bemba Gombo of the Central African Republic was overturned in June 2018, and a number of high-profile suspects have so far evaded being brought before the court. The ICC faces challenges of jurisdiction and enforcement, but it is now the principal mechanism for delivering international justice and as such is key to global efforts to tackle atrocities and violations against children.

### **The International, Impartial and Independent Mechanism – steps towards justice for Syria**

In December 2016, the United Nations General Assembly adopted resolution 71/248 to establish the 'International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011'.<sup>172</sup> The Mechanism is mandated to collect, consolidate, preserve and analyse evidence of violations of IHL and human rights law and to prepare files in order to facilitate independent criminal proceedings in national, regional or international courts or tribunals that have – or may in the future have – jurisdiction over these crimes. At the time of writing, over a million pieces of evidence had been collected. These have been shared with national prosecutors' offices who in turn are investigating against perpetrators of international crimes. So far, Germany<sup>173</sup> and France<sup>174</sup> have issued arrest warrants for senior Syrian officials and authorities in Sweden and Austria have also initiated investigations.

The principle of 'universal jurisdiction' allows national prosecutors to pursue individuals believed to be responsible for certain grave international crimes such as torture, war crimes, and crimes against humanity, even though they were committed elsewhere and neither the accused nor the victims are nationals of the country. Germany has the broadest interpretation in Europe of this principle and, partly as a consequence, has taken a lead in investigating crimes committed in Syria. Such prosecutions are an increasingly important part of international efforts to hold perpetrators of atrocities accountable, to provide justice to victims, to deter future crimes and to help ensure that countries do not become safe havens for human rights abusers.<sup>175</sup>

While the heavily contested politics surrounding the war in Syria suggest that justice for its many victims is probably still a long way off, the Mechanism and the investigations now underway are encouraging examples of how international legal action can still increase pressure on perpetrators of violations even in the absence of an internationally mandated judicial process. Lessons should be learned from the operation of this Mechanism – and also from the 'independent mechanism' for Myanmar mentioned in Part 2 above – with a view to establishing a standing mechanism to compile evidence on comparable crimes in other countries as well.

### **Innovations in the use of financial sanctions to promote compliance with international law**

In the USA, the Global Magnitsky Human Rights Accountability Act authorises the American Government to sanction human rights offenders, freeze their assets and ban them from entering the territory. The Act is the basis of current efforts to establish sanctions in the USA against a list of nearly 20 individuals thought to be involved in the death of Jamal Khashoggi, the Saudi journalist who was killed in the Saudi consulate in Istanbul in October 2018.<sup>176</sup> Similar legislation has been introduced in Canada and across Europe, with the UK including a Magnitsky Amendment into its recent Sanctions and Anti-Money Laundering Act.<sup>177</sup> The Dutch government, with the Norwegian Helsinki Committee, is currently working at the EU level to develop a stronger approach to human rights sanctions, which could be used to target individuals, including from armed non-state actors, with travel restrictions across the EU.<sup>178</sup> These are important and potentially transformative efforts. They, and

others like them, should specifically include grave violations against children in their mandates.

In many of the worst-affected countries, conflict is prolonged, exacerbated or driven by poor governance, corruption and ready access to natural resources. Holding the companies, politicians and armed actors involved in corrupt practices to account can reduce the incentives that drive conflict and can help build peace. The US Security Exchange Commission's Foreign Corrupt Practices Act has sought to tackle the issue of corruption partly with a view to addressing terrorism and insecurity. The Act has successfully limited the corrupt practices of large corporations working in, for example, the DRC, Libya and Nigeria. In the UK, recent amendments to the UK's Criminal Finances Act have introduced Unexplained Wealth Orders as a civil investigatory tool to support asset recovery on suspects of unlawful conduct, including gross human rights abuses. Unexplained Wealth Orders require a person who is reasonably suspected of involvement in serious crime to explain the nature and extent of their interest in particular property held in the UK, and to explain how the property was obtained where there are reasonable grounds to suspect that the respondent's declared lawful income would be insufficient to allow the respondent to obtain the property. They therefore have the potential to be a powerful tool in efforts to tackle impunity for wealthy perpetrators of violations of children's rights in conflict.

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### **3 Practical action to protect children on the ground and to support their recovery**

Even if all the belligerents in an armed conflict upheld the highest standards of conduct and faced a credible threat of being held meaningfully to account if any violations did occur, it would still be a profoundly unsafe context for a child to find herself or himself in. It is essential therefore that measures to increase compliance with international standards, laws and norms are accompanied by investment in practical measures at scale to provide direct protection for children on the ground and to support their recovery. Wherever possible, these measures should be locally owned and managed. Such measures can have a transformative impact for enormous numbers of children. Following are some examples of encouraging approaches and initiatives that should be supported and built upon.

#### **Humanitarian child protection – keeping children safe in conflict**

Humanitarian child protection actors work to prevent and respond to child protection issues through direct interventions with individual children, such as case management; through programmes with families, such as economic strengthening and parenting support; and by strengthening child protection mechanisms in communities. They also seek to build the capacity of national actors to implement effective social support systems. Child protection programming has been identified as a life-saving intervention that both prevents and responds to threats and helps to reduce detrimental long-term impacts on child development in conflict. Furthermore, experience has shown that cross-sectoral, fully integrated protection programming can ensure that other humanitarian efforts are more successful.

Child protection work is complex and often resource-intensive. It is a relatively new sector that lacks a clear path towards professionalisation, and the profile of child protection practitioners can vary across contexts according to needs and available qualifications. A mapping and market analysis undertaken in 2015 by Save the Children on behalf of the Child Protection Working Group identified a shortage of high-quality practitioners of child protection in emergencies as a core challenge for the sector.<sup>179</sup> It found that 'children in a subset of some of the most extreme emergencies likely require at least triple the current estimated child protection in emergencies practitioners.' Further, there is a lack of capacity building available to those who need it the most, particularly adults and professionals most regularly in contact with crisis-affected children and the network of community-based organisations and local-authority staff that constitute the protective system around them.

However, despite the constraints it faces, the sector is working to address these challenges. The Minimum Standards for Child Protection in Humanitarian Action establish the practice standards for the sector.<sup>180</sup> The Child Protection Area of Responsibility<sup>181</sup> now has a localisation strategy based on the principle that humanitarian action should be as local as possible and as international as necessary – this is in line with the localisation workstream of the 'Grand Bargain', an agreement between the biggest donors and aid providers that aims to get more means into the hands of people in need.<sup>182</sup> This strategy includes a focus on building the capacity of national NGOs to co-lead the

coordination of child protection responses in humanitarian contexts. The Alliance for Child Protection in Humanitarian Action also has a complementary Learning and Development Working Group that oversees a strategy for professionalisation.<sup>183</sup> A Save the Children-supported Professional Development Programme for child protection in emergencies is a flagship initiative that has

been rolled out in Asia, the Middle East and East Africa targeting national NGO staff and staff from national authorities. These are encouraging examples of the professionalisation of a sector of humanitarian response that needs much greater financial support in order to enable its life-saving and life-changing work on the scale that children in conflict need.

## Action for child protection

### Reaching every last child in Bangladesh

Case management is an effective approach to addressing an individual child's needs in an appropriate, systematic and timely manner through direct support and/or referrals.<sup>184</sup> Using case management approaches, child protection specialists facilitate the strengthening of the protective environment around children by ensuring that a structured approach is taken to identify, assess, plan and review the protection needs of individual children. In humanitarian contexts, it is often done as an extension of the formal government case management system in order to address overwhelming needs. In Bangladesh, child protection agencies worked with the national authorities to provide case management to around 20 000 highly vulnerable Rohingya refugee children in 2018<sup>185</sup>, addressing issues such as family separation, sexual and gender-based violence, child labour, abduction and trafficking. Case management is challenging work, often requiring significant engagement with individual children and collaborative work with families and communities to ensure children's protection and access to multi-sectoral assistance and services. While it is time- and resource-intensive, when considered as an integral part of an overall humanitarian response, child protection case management ensures that every last child receives the humanitarian response necessary to survive and thrive.

### Family tracing and reunification – life-changing practical action for children in South Sudan

In coordination with UNICEF, the Child Protection Area of Responsibility and 31 partners, Save the Children has helped reunify nearly 6,000 unaccompanied and separated children in South Sudan with their families and communities through family tracing and reunification activities.<sup>186</sup> More than 18,000 unaccompanied and separated children have been registered for case management since 2013. In addition to the 7,576 receiving on-going case management support, reunification follow-up and alternative care, 5,362

are children who have been registered as missing by their caregivers. This work led to the development of a practice handbook for family tracing and reunification in emergencies, which supports the application of global standards and guidance to the South Sudan context.<sup>187</sup>

### Community-based child protection – sustainable change by those closest to children

For the majority of children in conflict, their families and communities offer the most immediate and significant protection. Based on numerous ethnographic studies and practice reviews, community-based child protection is most effective when it is 'community-driven, bottom-up work that enables nonformal–formal collaboration and alignment, greater use of formal services, internally-driven social change and high levels of community ownership'.<sup>188</sup> In East Jerusalem, protection agencies have supported the YMCA to help vulnerable communities in the West Bank to design and implement their own protection and resilience interventions through a 'survivor and community-led crisis response', an approach that has been found to promote community resilience and a sense of dignity, empowerment of community and youth, and accountability of local authorities to the community.<sup>189</sup> Children can also be active agents for change within their communities. The Save the Children Local Engagement to Advocate for Peace (LEAP) project in three conflict-affected provinces of southern Thailand supports ten local civil society organisations to empower children through direct activities and through advocating for a more child-friendly and inclusive society by tackling injustice and inequality. The approach of building the capacity of local organisations to support children's empowerment has been particularly effective in enabling children to articulate their views and ideas at both the community and provincial level.



### **Mental health and psychosocial support – a key to rebuilding futures**

*‘There has rightly been growing attention to mental health and psychosocial support in humanitarian contexts over the last several years. But we now need to come together and take a giant leap forward to consider how interventions can be replicated and taken to scale to reach all those needing support, building on provision across the education, health and protection sectors.’*

Professor Alastair Ager,  
Deputy Chief Scientific Adviser, UK  
Department for International Development

As discussed in Part I, the impact of conflict on children’s mental health can be severe and life-long. However, the experience of Save the Children and other organisations working with children and their families in conflict zones affirms children’s remarkable resilience, and important initiatives are underway to strengthen mental health and psychosocial support (MHPSS) in conflict contexts. International

guidelines – the Inter-Agency Standing Committee guidelines for MHPSS in emergencies – specify the need for a multi-layered system of support that is delivered at different levels of social and health systems.<sup>190</sup> In recent years, interest has grown among donor governments and NGOs to find ways to step up MHPSS responses for children affected by conflict. An important conference in January 2018 developed a global roadmap with four key pathways to addressing the MHPSS needs of children and young people affected by conflict:<sup>191</sup>

1. multi-sectoral programming and coordination across all layers and beyond just the child protection sector
2. engaging young people not as beneficiaries but as participants in their own lives
3. supporting caregivers’ wellbeing and MHPSS needs and not only their parenting knowledge
4. strengthening national capacity.

Recognising that there are pre-existing regional and global shortages of mental-health professionals, particularly for



**The Power of Football:** Arsenal Football Club and Save the Children have combined their expertise to create a ground-breaking coaching programme to help to build children's courage and inner strength through football.

PHOTO: CHARLIE FORGHAM-BAILEY/SAVE THE CHILDREN

paediatric care, professionals need to be prepared with additional tools to work with children and their families in conflict. It is critical for donors and the global community to move quickly from rhetorical enthusiasm for

action to support children's mental health and wellbeing in conflict to concrete funding commitments and changes in practice – in order to place MHPSS work at the core of humanitarian responses.

## The HEART Programme

HEART, which stands for Healing and Education through the Arts, is an arts-based approach to providing psychosocial support for children affected by serious or chronic stress.<sup>192</sup> It uses group-based, structured, expressive arts activities to help children process and communicate feelings related to their experiences. Activities focus on relaxation, stress processing, understanding emotions, emotional regulation, confidence building, group communication, problem solving, conceptualising the future and group support. The healing process

begins when children process and express memories, ideas or feelings through artistic expression or through talking with a trusted adult or peer who listens supportively.

The HEART programme has been shown to help children feel less isolated, more connected to their peers and safe amid the trusted adults in their lives and the larger community. This in turn can lead to a child becoming more confident, secure, and capable, and more likely to thrive in education or social settings.



PHOTO: CHARLIE FORGHAM-BAILEY/SAVE THE CHILDREN

## The Power of Football

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Arsenal Football Club and Save the Children have combined their expertise to create a ground-breaking coaching programme to help to build children's courage and inner strength through football. Former footballer Per Mertesacker saw this for himself when he visited Za'atari refugee camp in Jordan:

'I met a young Syrian boy called Mohammad. Despite having fled his country his family have built a new life in the camp and, while he dreams of becoming a footballer, he lives in the present and wants to develop and be the best he can be. It was a privilege to visit his home and spend time with him.

When I was still playing, I had my own mental health issues. Some days, I felt that everything was a burden, both physically and mentally, but you have to deliver. My experience helps me to connect to young players because everyone has a story and everyone goes through something.

In Za'atari, I saw efforts to help kids recover from emergencies, bringing football to war-torn and poverty-stricken regions with the aim of providing relief from the struggles of daily life. We're looking at serious mental challenges and psychological scars that are difficult to talk about.

It was great to see that football brings joy to everyone; it's something genuine that we all share. But beyond playing football, the programme is about equipping children for life and giving them opportunities, keeping children's dreams alive and helping them orientate towards their goals.

The programme uses a train-the-trainer approach, which first trained Arsenal coaches, who then trained local coaches in Jordan, who in turn coach the Syrian girls and boys. These coaches have also been trained by Save the Children experts on psychological first aid, enabling them to support building children's resilience.

I spent some time with the kids. You always take something with you, like when I met 14-year-old Nabila who told me that "Football isn't just for boys, it's equal. I'm so happy we're getting coaching and professional support to help us on and off the pitch."

I truly believe that when children miss out on their potential, everyone loses in the world.'

Per Mertesacker is a former footballer for Germany and Arsenal and current manager of the Arsenal Academy.



## Keeping children safe in and around school – the Safe Schools programme approach

*'My school is very cosy and warm. We got new windows and heating. In the school the teachers are nice. I love my school very much because my school is a zone of peace.'*

Anna, 8 years old, Ukraine

Save the Children's Safe Schools programming is an inclusive, all-hazards approach to keeping children safe from violence, disaster, conflict and everyday hazards in and around schools. It draws on decades of experience, learning and research to support children facing disruption to education due to conflict, including attacks on schools, forced recruitment and sexual violence. It builds on the 'Schools as Zones of Peace' concept, which was first developed in the Sri Lankan and Nepali civil wars to protect schools from the impact of political disturbances and violence. These programmes focused on community-engagement initiatives to ensure that schools were declared 'zones of peace'. Since the launch of the Safe Schools Declaration in 2015, safe schools programmes link concrete protection measures in schools and communities to long-term advocacy with and capacity building of duty-bearers and armed non-state actors.

These approaches facilitate sustainable, scalable solutions to protect education from attack. Supporting the implementation of Safe Schools programming is one way that governments that have endorsed the Safe Schools Declaration can operationalise their commitments to make real changes for children on the ground. In Ukraine, for example, Save the Children works with schools near the line of contact between the combatants to mitigate the impacts of the conflict, connecting local interventions – such as the development of school safety plans and psychosocial support for children – with national advocacy on the Safe Schools Declaration through child-led advocacy.

### Education in emergencies – increased funding and improved coordination

The World Humanitarian Summit in 2016 saw the launch of Education Cannot Wait (ECW), a new fund that aims to create a catalytic shift in financing in emergencies. ECW's First Emergency Response investment window supports education programmes immediately in sudden-onset or escalating crises. The fund's Multi-Year Resilience investment window addresses longer-term needs through

multi-year joint programmes in protracted crises, enabling humanitarian and development actors to work together on delivering collective education outcomes. ECW has already reached more than 765,000 children and youth with quality education in 19 crisis-affected countries, though fewer than half are girls. The fund is on track to reach over 1 million children by the end of 2018.<sup>193</sup> At the time of writing, ECW has launched two ground-breaking multi-year programmes for education for refugees and host communities in Bangladesh and Uganda. ECW plans to launch an estimated ten more multi-year programmes in 2019. It is critical that donors continue to support its ambitious funding targets and ensure every multi-year programme is fully funded.

ECW works with the Education Cluster – the worldwide coordination mechanism for education programmes in humanitarian contexts, which Save the Children co-leads with UNICEF – to ensure the long-term sustainability of education provision in protracted crises. It does that by consultatively developing response plans that capture the needs and costs of both emergency and longer-term programming. At the end of 2018 national-level education clusters and working groups were active in 25 countries. Due to increased interest and action for education in emergencies, the Global Education Cluster has received increased funding in recent years to strengthen capacity for coordination; however, funding remains inconsistent for national clusters and education-in-emergencies responses.

### Supporting refugee children – getting back into school within months, not years

In signing the New York Declaration for Refugees and Migrants in 2016, all 193 member states of the UN agreed that protecting those who are forced to flee and supporting the countries that shelter them are shared international responsibilities that must be borne more equitably and predictably.<sup>194</sup> Among other things, the Declaration promised to ensure that all refugee children would be in school and learning within a few months of crossing an international border. Two years on, in December 2018, the UN General Assembly agreed an important new international framework, the Global Compact on Refugees, that will transform the way the world responds to mass displacement and refugee crises, benefiting both children who become refugees as a result of conflict and children in the communities that host them.



PHOTO: DAPHNEE COOK / SAVE THE CHILDREN

## ROAD TO RECOVERY: JANAT ARA'S STORY

'When we learn and play, I feel peace in my heart, and forget what has happened to me.'

12-year-old Janat Ara, a Rohingya refugee, lives in a camp in Cox's Bazar, Bangladesh. She and her younger sister are orphans. They are cared for by an aunt and uncle.

Janat attends a Save the Children learning centre.

'I love the learning centre,' she says. 'I particularly like it when we learn maths and English.'

'I have been through a lot back in Myanmar,' she adds. 'At the learning centre we do drawing, dancing and singing. That's helped me and all the children who go there to forget what we've been through.'

Janat also attends girl friendly space run by Save the Children. Here she's learned about keeping healthy, self-protection, risks of child marriage and fire safety.

'I want to work when I grow up,' she says. 'I need to be able to earn money for myself.' She hopes to become a teacher or to work in a hospital or for an NGO.

Save the Children has focused its advocacy on this process specifically on the issue of refugee education. Including refugee children in the national education system of their host country is the most practical and sustainable way to provide displaced children with accredited and certified learning opportunities that can be monitored for quality. The Global Compact includes a number of positive commitments on this, including that efforts be made to get refugee children back in school, ideally within a maximum of three months after arrival, and that 'support will be provided for the development and implementation of national education sector plans that include refugees.'<sup>195</sup> It refers to the need for inclusive education and explicitly references the need to overcome barriers to girls' education in refugee contexts. An increasing number of countries are taking positive steps towards these goals, including seven East African countries that have promised to include refugee education in their national systems by 2020.<sup>196</sup> While the Global Compact on Refugees is not legally binding and leaves open how countries meet commitments, it has received widespread support. The creation of the Global Refugee Forum mechanism provides a vehicle through which governments will be able to make financial, technical and policy pledges and through which progress will be measured.

### **The Paediatric Blast Injury Partnership – paving the way to better treatment for children injured by bombs and blast waves**

The Paediatric Blast Injury Partnership is an initiative between Save the Children and the Centre for Blast Injury Studies at Imperial College London that brings together experts and institutions dedicated to improving the response to children critically injured by explosive weapons, wherever they may be. Its purpose is to fill in the gaps in practice and research, to help increase awareness of the complexity and long-term effects of blast injury on children and to provide practical guidance to practitioners on the ground. It is the first organisation in the world specifically focused on the challenges of paediatric blast trauma.

The Partnership has created a field manual for medics working in conflict and post-conflict zones to help them treat blast-injured children. It is a pragmatic framework to enable paediatricians without trauma experience and trauma clinicians without paediatric experience to structure their care of blast-injured children, turning guesswork into trans-

ferable skills at the moment when they are needed most. In this way, it enables clinicians working in severely constrained environments to look after severely injured children with the direction and confidence needed, increasing their patients' chances of survival and their prospects for future wellbeing.

#### **Civil–military coordination and training**

Given the severe impact conflict has on children, coordination between military and civil actors is an important means of reducing the risks that children face. For Save the Children, the key approach is to facilitate the inclusion of child rights and child protection approaches within the operational frameworks of military, police and other relevant groups. Our training has reached approximately 100,000 military staff and child protection units have now been set up within 12 national armed forces, with a further module developed for the African Union Standby Forces toolkit. We have also recently developed a partnership with NATO to develop a child-specific directive, which will offer states a blueprint from which to draw in order to mainstream these approaches more broadly. While complex, this sort of civil–military coordination has tremendous impact when done effectively. Participation in, and design of, training for military actors – focusing on the unique vulnerabilities and needs of children, as well as the obligations on military actors – helps to promote knowledge and compliance. In crucial areas, for instance the recruitment and use of children in armed groups, improved training has translated into improved action on the ground. Given militaries' enormous role in protecting children in conflict, investing in embedding child-specific expertise within them is crucial.

#### **Appointing an ambassador for children and armed conflict – making children a priority**

In 2017, Sweden appointed an ambassador specifically for children and armed conflict<sup>197</sup>, acting as a focal point across all government departments to ensure a consistent focus and investment in protecting children in conflict. This role has made a significant difference to the effectiveness of Sweden's work on this agenda, raising its profile within the Swedish Ministry of Foreign Affairs and, importantly, strengthening the focus on children in armed conflict in multilateral forums, such as the UN and the European Union. One result has been substantially more effective work on this agenda at the UN Security Council level during Sweden's two-year term. The success of

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## **Our training has reached approximately 100,000 military staff and child protection units have now been set up within 12 national armed forces.**

this role depends on having a clear mandate and objectives, as well as sufficient budget. Other governments should consider following Sweden's lead.

#### **Mediation and peace processes – putting children at the centre**

Including child-specific provisions at the outset of any political agreement increases the chances of preventing future violations and of ensuring the protection of children. This has been demonstrated recently in the Colombian peace process, during which child protection served as a useful entry point for dialogue with armed groups.<sup>198</sup> In 2018, the UN Security Council called upon member states, United Nations entities, and the UN Peacebuilding Commission to take into account children's views, where possible, in peace-making processes.<sup>199</sup> UN agencies, civil society and UN member states have recently joined efforts to develop soft guidance for mediators. In 2016, Watchlist on Children and Armed Conflict, a policy advocacy platform in New York, worked with stakeholders, including the UN Department of Political Affairs' Mediation Support Unit, to put together a Checklist for Drafting Children and Armed Conflict Provisions in Ceasefire and Peace Agreements.<sup>200</sup> Subsequently, the Security Council in its 2017 Presidential Statement on children and armed conflict encouraged the Special Representative of the UN Secretary-General for Children and Armed Conflict to work with relevant child protection actors to compile a practical UN guidance document on the integration of child protection issues in peace processes, thereby taking work on the Checklist further.<sup>201</sup> By developing concrete resources to facilitate mainstreaming of children's issues into peace and ceasefire agreements, the global child protection community is increasing the likelihood of children's concerns being addressed in the aftermath of conflict.

# PART 4

## Turning the tide: an international re-commitment to children in conflict

2019

The 100th year since the founder of the idea of child rights began her work and the 30th anniversary of the UN Convention on the Rights of the Child.

This report has set out the scale and severity of the threats to children in armed conflict and the distinctive and devastating impact that such threats can have on children.

### **To respond to these escalating threats, we set out three pillars for action:**

1. upholding standards of conduct in conflict
2. holding perpetrators to account for violations
3. taking practical action on the ground to keep children safe and to support their recovery.

There are powerful intrinsic moral arguments for greater efforts to protect children in conflict. Such efforts are also critical for the maintenance of the international rules-based system everyone's security depends on. There are compelling strategic and economic reasons to commit seriously to this agenda: unless the failure to protect children in conflict is tackled, sustainable development and sustainable peace are in jeopardy. Protecting children in conflict is of universal importance.

As Save the Children enters its centenary year, we are recommitting to our founding purpose: we will hold ourselves and others to account to do more to ensure the protection of children in conflict. Working in almost all those conflict-affected countries that are the worst places to be a child (see page 18), Save the Children will scale up operational responses in key areas, including child protection and education in emergencies, and will support children's recovery, including those who have suffered mental and psychosocial harm. We will strengthen our advocacy to challenge states and armed non-state actors to live up to their obligations and to push leaders to take their responsibilities more seriously.

This report has highlighted examples of where international progress has been achieved and children have been better protected as a result. The hope they offer must galvanise further action.

Our 'Stop the War on Children' Charter (overleaf) sets out principles for protecting children in armed conflict, holding those responsible for violating the rights of children to account and helping children rebuild their lives. This final section of this report makes recommendations on how the Charter's principles can be translated into action.

There is nothing inevitable about the grave violations or suffering that is inflicted on children in Yemen, Myanmar, South Sudan or any other conflict. Violations against children take place because of conscious decisions made by individuals – decisions taken by the perpetrators themselves and by others on whether or not to intervene. The values and incentives that determine those decisions can – and must – be influenced and changed. Governments have an especially crucial role to play in shaping these values and incentives – the standards and instruments upheld by states influence the environment in which other states and non-state actors operate. For this reason, governments, in particular, must urgently strengthen the three pillars for action described in this report.



# 'Stop the War on Children' Charter

## **'Every war is a war against children.'**

Written by Save the Children's founder Eglantyne Jebb one hundred years ago, those words are a call to action for our generation.

Across the world, millions of children are caught up in wars they played no part in creating. Many children are routinely subjected to appalling acts of violence, including killing, maiming, sexual violence and exploitation. Many more are treated as collateral damage in general onslaughts that fail to protect children. Children in desperate need of food, care and help are denied humanitarian aid. And failure to protect schools and schoolchildren has resulted in classrooms becoming a target.

Fundamental human rights and international laws designed to protect vulnerable children from the anguish and destruction of war are violated with impunity.

As people of many countries, cultures and beliefs, we demand that the war on children must stop. The time has come to shatter the culture of impunity surrounding those who commit crimes against the world's children – our children.

Children are our present, our future and our hope for rebuilding societies broken by war. No child should be subjected to the fear and trauma that come with armed conflict. And every child has the rights that need to be protected, grounded in shared morality. Our common humanity demands that we act on our responsibility to provide that protection.

We call on every government and every armed group to affirm and adhere to international laws, human rights provisions, rules and standards designed to protect children.

## **Individually and collectively, we are committed to working for a world in which:**

- All children are protected against killing and maiming.
- Schools and health centres are treated as zones of peace and protection.
- Every child is protected from rape and sexual violence.
- No child is recruited into armed forces or groups.
- All children in conflict are safe from abduction, detention and displacement.
- No child is denied access to humanitarian aid in conflict.
- Violations of the rights of children in conflict are rigorously monitored, reported and acted on.
- Those committing, overseeing and ordering violations against children in conflict are brought to justice and held accountable for their actions.
- Every child harmed or affected by conflict receives practical help and support to cope, recover and rebuild their lives.
- All children affected by conflict, including refugees and those internally displaced, have access to a good-quality education.

**Eglantyne Jebb said, 'The only international language in the world is a child's cry.'**  
**We have heard that cry and it will not go unanswered. The war on children must stop.**

# RECOMMENDATIONS

We call upon all leaders, governments, armed non-state actors, humanitarian NGOs and relevant bodies to re-commit to protecting children in conflict and to set out their own practical agendas for action.

The following recommendations are aimed specifically at governments, since it is governments that have the primary responsibility for upholding children's rights and the greatest potential influence on the protection of children in conflict. In developing their agendas for action, we call on governments to:

## **Uphold standards of conduct in conflict**

- Commit to sign and implement in full the Optional Protocol to the Convention of the Rights of the Child on the involvement of children in armed conflict and to endorse the Paris Principles and the Paris Commitments, which include the principle of 'straight 18' for recruitment into armed forces.
- Commit to endorse and fully implement the Safe Schools Declaration and to encourage other states to follow suit.
- Strengthen doctrine, training and other measures to ensure armed forces and allies:
  - Understand and take into account the reverberating effects from military actions in collateral-damage assessments
  - Take measures to reduce them
  - Record casualties according to internationally agreed standards.
- Support progress towards a political declaration on avoidance of the use of explosive weapons in populated areas.
- Facilitate dialogue between states, the UN, NGOs and non-state armed groups to protect children; support efforts to engage non-state armed groups to develop policies, codes of conduct and action plans to protect children; and ensure that humanitarian and human rights work is not impeded by restrictions on organisations' interaction with armed groups.
- Regulate and improve transparency on international arms transfers and delivery and the supply of other military services, making these explicitly conditional on respect for international legal and norma-

tive standards – as a matter of policy, no state should authorise the sale of arms, military equipment or services to actors that are listed by the UN Secretary-General for committing the six grave violations or where there is credible evidence that the weapons may be used to perpetrate rights violations against children.<sup>202</sup> Further, all states should endorse and ratify the Arms Trade Treaty, with parties to the Treaty adhering to its obligations in full.

## **Hold perpetrators of violations to account:**

- Support international mechanisms to prosecute cases of violations of children's rights in conflict, including through resourcing dedicated gender-sensitive, child-specific expertise in international investigations and through support for the ICC and ad hoc judicial mechanisms.
- Encourage the UN General Assembly to establish a standing impartial, independent and international mechanism that can be activated to collect, consolidate, preserve and analyse evidence of violations of international humanitarian law and human rights violations and abuses, notably children's rights.
- Support financially and diplomatically the UN's systematic monitoring and reporting of violations of children's rights in conflict, including the tracking of age- and sex-disaggregated data on casualties and other violations, and the complete, accurate and impartial naming of perpetrators.
- Develop and use national systems – such as sequestering property, freezing bank accounts and imposing travel bans – to take action against individual perpetrators of violations of children's rights in conflict and resource national crime agencies to investigate grave violations of children's rights in third countries and to prosecute through national courts.
- Support children to raise complaints of violations of their rights in conflict directly – in Africa through the complaints procedure of the African Committee of Experts on the Rights and Welfare of the Child<sup>203</sup> and glob-

ally by committing to sign and ratify the third Optional Protocol to the Convention on the Rights of the Child, which enables children to hold parties to the UNCRC to account for failing to uphold their rights.<sup>204</sup>

- Support an amendment to Article 8 of the Rome Statute to include intentional starvation of civilians within the list of war crimes capable of being committed in non-international armed conflicts.
- For members of the Security Council: refrain from impeding UN action against perpetrators of grave violations of children's rights in conflict.

### **Take practical action to protect children and support their recovery**

- Increase multi-year investment in humanitarian child protection with the aim of growing its proportion of total humanitarian funding from 0.5 percent to 4 percent, and ensure the centrality of protection in humanitarian needs assessments and responses in conflict contexts, requiring all humanitarian sectors to measure and report on child protection outcomes in their interventions.<sup>205</sup>
- Ensure mental health and psychosocial support for children and their families are well resourced and fully mainstreamed as an essential component of all humanitarian responses.
- Increase investment in other crucial protective humanitarian programmes for children, including education, programmes to tackle sexual and gender-based violence and mine-risk reduction.
- Mobilise new child-focused recovery funding as a core element of post-conflict reconstruction, building human capital by investing in children's education, healthcare, protection, mental health and psychosocial support.
- Ensure that all children forced by conflict to leave their homes have access to good-quality education within a few months of displacement, and support the development of national costed plans that set out the financing needs for all displaced children to be educated and the measures for ensuring

their access to good-quality education.

- Designate dedicated, senior child protection and child rights expertise in multilateral peacekeeping and political missions, by securing specific provisions in UN Security Council mandates including explicit resourcing for senior-level child protection advisers.
- Review approaches to counter-terrorism and prevent violent extremism to ensure that children are treated first and foremost as children, irrespective of their alleged association with armed groups.
- Appoint an ambassador for children and armed conflict at national levels.
- Systematically support the inclusion of children in peace-making and peace-building efforts.

2019 is the 100th year since the founder of the idea of child rights began her work and the 30th anniversary of the UN Convention on the Rights of the Child. The UN General Assembly's 74th Session in September 2019 is thus a timely opportunity for governments to articulate their recommitment to protecting children in conflict through specific pledges of actions they will take against each of the three pillars. For the children living in the worlds' conflict zones, these commitments and this action cannot come soon enough.

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**For the children living in the worlds' conflict zones, these commitments and this action cannot come soon enough.**

## ENDNOTES

- 1 Save the Children (2018), *The War on Children: Time to end grave violations against children in conflict*
- 2 See for example, Williams (2017), 'Continuity and Change in War and Conflict in Africa', PRISM, 6, 4, p33-45 <https://cco.ndu.edu/PRISM-6-4/Article/1171839/continuity-and-change-in-war-and-conflict-in-africa/>
- 3 ICRC (2019), 'Precautionary measures in urban warfare: A commander's obligation to obtain information', <https://blogs.icrc.org/law-and-policy/2019/01/10/joint-blog-series-precautionary-measures-urban-warfare-commander-s-obligation-obtain-information/>
- 4 This is reflected in the major faiths, which place value on the protection of children. In Islam, for example, clear rights exist to life, protection, health and education. At the foundation of the Jewish social world-view is the proposition that individuals are obliged to protect the life and dignity of all human beings, with the vulnerability of children demanding an even greater responsibility. In Christianity, the belief that children are a gift from God and should be the subject of protection and cultivation is central. In Buddhism, the avoidance of harm is a taught precept that runs through all the Buddha's teaching.
- 5 The UN Convention of the Rights of the Child was adopted in November 1989 and came into force in September 1990. Currently, 196 countries are party to it, including every member of the United Nations except the USA.
- 6 Much of the following is drawn from Fatima, S. et al (2018) *Protecting Children in Armed Conflict*, Hart Publishing.
- 7 The ICC's Policy on Children identifies the following war crimes directed specifically against children: child recruitment and use, the forcible transfer of children as an act of genocide, and trafficking of children as a form of the crime against humanity of enslavement or sexual slavery. Other crimes affecting children include: killings, mutilation, torture, pillaging, and sexual and gender-based crimes, perpetrated either against children themselves or their families and communities, and attacks against buildings dedicated to education and healthcare. ICC Office of the Prosecutor, (2016). *Policy on Children*. [https://www.icc-cpi.int/iccdocs/otp/20161115\\_OTP\\_ICC\\_Policy-on-Children\\_Eng.PDF](https://www.icc-cpi.int/iccdocs/otp/20161115_OTP_ICC_Policy-on-Children_Eng.PDF)
- 8 United Nations Security Council, S/RES/1612 (26 July 2005). [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/1612%20\(2005\)&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1612%20(2005)&Lang=E&Area=UNDOC)
- 9 United Nations Security Council, S/RES/1325, (31 October 2000). <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>
- 10 United Nations Security Council, S/RES/1265, (17 September 1999). <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/267/94/PDF/N9926794.pdf?OpenElement>
- 11 United Nations General Assembly resolution 34/180, *Convention on the Elimination of All Forms of Discrimination against Women* (18 December 1979). <http://www.un-documents.net/a34r180.htm>
- 12 It is mandated with maintaining international peace and security, including through the establishment of peacekeeping operations and special political missions, international sanction and the authorisation of military action.
- 13 In 2015, states agreed the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals. These set an ambition for human development – including inclusive and peaceful societies of which protection is a key component. SDG 16 sets targets to reduce all forms of violence against children (SDG 16.1, 16.2). *The Sustainable Development Goals* (2015) UNDP. <https://www.un.org/sustainabledevelopment/>
- 14 Ostby et al (2018) *Children Affected by Armed Conflict, 1990–2017*, PRIO
- 15 Defined as individuals under the age of 18
- 16 The number of children living in conflict zones in 2016 is estimated at 393m. This is higher than the figure of 357m cited in Save the Children's *End the War on Children* (2018). The upward revision is due to the use of more accurate and finer-grained population data.
- 17 For full methodology see Ostby et al, note 16.
- 18 This methodology therefore uses different definitions of armed conflict from those used in International Humanitarian Law (IHL)/Law of Armed Conflict (LOAC).
- 19 A notable absence from this list is Myanmar, where violence forced hundreds of thousands of Rohingya people – more than half of whom were children – to flee into neighboring Bangladesh in August and September 2017 (see page 32). Inadequate reporting and data collection mean that the absolute numbers captured are low.
- 20 UN News (2018), *Yemen overview* (webpage), <https://news.un.org/en/focus/yemen>.
- 21 Save the Children (2018), *Starvation in Yemen: 85,000 children may have died of hunger*. <https://blogs.savethechildren.org.uk/2018/11/starvation-in-yemen-85000-children-may-have-died-of-hunger/>
- 22 Save the Children (2017) *End the War on Children: Time to end grave violations against children*. <https://www.savethechildren.net/waronchildren/pdf/waronchildren.pdf>
- 23 United Nations, General Assembly, *Annual Report of the Secretary General on Children and Armed Conflict* (CAAC). S/2018/465 (16 May 2018). <http://undocs.org/s/2018/465>
- 24 Wagner et al (2018) 'Armed conflict and child mortality in Africa: a geospatial analysis', *The Lancet*, Vol 392, 10150,



- Pp 857-865. [https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736\(18\)31437-5.pdf](https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(18)31437-5.pdf)
- 25 This is the estimated minimum total indirect deaths of infants/under-fives in the period 2013–2018. For Afghanistan, the Central African Republic, the DRC, Mali, Nigeria, Somalia, South Sudan and Yemen, we assume that the findings of Wagner et al apply, as baseline infant/under-five mortality is comparable (based on UNIGME data). Using Wagner et al's finding that 3.2–3.6/5–5.7 under-one/under-fives die for every one battle death, we multiply recorded battle deaths in our sample countries (UCDP) by the mid-point in the range (3.4/5.35) to estimate the number of indirect under-one and under-five deaths that resulted from conflict (n = 555,150 and 868,011 respectively). This total includes adjustments for Syria and Iraq – both of which had lower baseline infant and child mortality. In those two countries we used Wagner et al's findings that 6.6–7.3%/6.6–7.4% of all under-one/under-five mortality could be attributed to conflict – applying those percentages to total infant/under-five mortality in Syria and Iraq between 2013 and 2018 (UNIGME). This is a deliberately conservative approach. According to UCDP data, and Violations Documentation Center data for Syria due to underreporting in the UCDP data, there were 331,664 battle related deaths in the same countries in the same period. Of these, using the same sources, 174,703 were combatants.
  - 26 The annual children and armed conflict reports are not the only vehicle for recording and publishing violations against children in conflict. The Special Representative of the UN Secretary-General for Children and Armed Conflict also produces context-specific reports, which provide further detail. The SRSG also provides a report to the UN Human Rights Council. In addition, violations against girls are reported in the UN Secretary-General's annual report on women, peace and security, and the UN's annual report on sexual violence in conflict includes data on sexual violence against girls and boys.
  - 27 See note 23
  - 28 Office of the Special Representative of the Secretary-General for Children and Armed Conflict (2018), '*Children faced with unspeakable violence in conflict as number of grave violations increased in 2017*' (webpage) <https://childrenandarmedconflict.un.org/children-faced-with-unspeakable-violence-in-conflict-as-number-of-grave-violations-increased-in-2017/>
  - 29 See note 23
  - 30 UNICEF, 27 November 2018, press release, '*Geneva Palais briefing note on the situation of children in Afghanistan*', <https://www.unicef.org/press-releases/geneva-palais-briefing-note-situation-children-afghanistan>
  - 31 See note 23
  - 32 See note 23
  - 33 Guha-Sapir et al (2017) '*Patterns of civilian and child deaths due to war-related violence in Syria: a comparative analysis from the Violation Documentation Center dataset, 2011–2016*', *The Lancet*, Vol 6, 1, 2017, pp 103–110. Available at [https://www.thelancet.com/journals/langlo/article/PIIS2214-109X\(17\)30469-2/fulltext](https://www.thelancet.com/journals/langlo/article/PIIS2214-109X(17)30469-2/fulltext)
  - 34 Landmine Monitor (2018), *Landmine Monitor 2018: 20th annual edition*. [http://www.the-monitor.org/media/2918780/Landmine-Monitor-2018\\_final.pdf](http://www.the-monitor.org/media/2918780/Landmine-Monitor-2018_final.pdf)
  - 35 See note 23
  - 36 Office of the Special Representative of the Secretary-General for Children and Armed Conflict (2019), '*Child recruitment and use*' (webpage), <https://childrenandarmedconflict.un.org/six-grave-violations/child-soldiers/>
  - 37 See note 23
  - 38 United Nations, Human Rights Council, '*I lost my dignity: Sexual and gender-based violence in the Syrian Arab Republic*'. HRC/37/CRP.3 (8 March 2018), <https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-37-CRP-3.pdf>
  - 39 See note 23. The Chibok girls are female students who were kidnapped from the Government Secondary School in the town of Chibok in Borno State, Nigeria in April 2014.
  - 40 UNICEF (2018), *Nearly five million Syrian children accessing education despite over seven years of war on children*. (webpage) <https://www.unicef.org/press-releases/nearly-5-million-syrian-children-accessing-education-despite-over-seven-years-war>
  - 41 UNOCHA (2018), *Yemen Humanitarian Needs Overview 2018*, [https://www.unocha.org/sites/unocha/files/dms/yemen\\_humanitarian\\_needs\\_overview\\_hno\\_2018\\_20171204.pdf](https://www.unocha.org/sites/unocha/files/dms/yemen_humanitarian_needs_overview_hno_2018_20171204.pdf); UNICEF, (2017). *Yemen Humanitarian Situation Report November 2017*, [https://www.unicef.org/yemen/YEM\\_sitreps\\_Nov2017.pdf](https://www.unicef.org/yemen/YEM_sitreps_Nov2017.pdf)
  - 42 See note 41
  - 43 Associated Press (2018), '*Back to school, but not for all of Syria's children*' (webpage), <https://www.apnews.com/0e72a3ca724b4b35bdb8a9c215363b3c>
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Eglantyne Jebb said  
'The only international language  
in the world is a child's cry.'  
We have heard that cry  
and it will not go unanswered.

**The war on children must stop.**



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