



APPEL DE GENÈVE  
GENEVA CALL

## Armed non-State actors speak about child protection in armed conflict



MEETING REPORT  
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**ABOUT GENEVA CALL**

Geneva Call is a neutral and impartial non-governmental organization dedicated to promoting respect by armed non-State actors (ANSAs) for international humanitarian norms, in particular those related to the protection of

civilians. As part of its work, Geneva Call engages ANSAs towards the protection of children from the effects of armed conflict, in particular the prohibition of the recruitment and use of children in hostilities.



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**ABOUT PEIC**

Protect Education in Insecurity and Conflict (PEIC), a programme of the Education Above All Foundation, advocates for the defence of education when it is most at risk and most vital. PEIC undertakes advocacy initiatives that safeguard the right to education in times

of insecurity and armed conflict. PEIC is also committed to research and policy work that brings global attention to the harm caused to education by war, conflict and insecurity.

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Representatives of **21 armed non-State actors (ANSA)** from 12 countries participated alongside **leading child protection agencies**.

The meeting was a **key opportunity for ANSAs to strengthen their knowledge of international standards and mechanisms** and for **child protection agencies to learn about ANSAs' experiences** and the challenges they face in implementing such standards in practice.

**The meeting addressed key issues** (such as the root causes of child recruitment and association, methods of age assessment and the protection of education from military use and attack) **and identified practical measures which ANSAs can take to ensure compliance with international standards.**

**Two ANSAs made new pledges** during the meeting: the Alliance des Patriotes pour un Congo Libre et Souverain (APCLS) signed Geneva Call's *Deed of Commitment for the Protection of Children from the Effects of Armed Conflict*, and the Sudan People's Liberation Movement-North (SPLM-N) signed an Action Plan with the United Nations to end and prevent the recruitment and use of children in conflict.

The meeting also created **the space for child protection agencies to interact with ANSAs**, to present their mandates and to identify ways to increase humanitarian assistance to children in need living in areas under their control.

“ I would like to commend Geneva Call for the opportunity ANSAs were given to exchange with specialized agencies on commitments related to child protection and for creating the opportunity for two groups to make new pledges during the meeting. In particular, I am grateful of Geneva Call's contribution to making possible the signature of the Action Plan with the SPLM-North ”

*Leila Zerrougui, Special Representative of the Secretary-General for Children and Armed Conflict (SRSG CAAC)*



*Signing of the Geneva Call's Deed of Commitment for the Protection of Children from the Effects of Armed Conflict by APCLS, November 2016, Geneva. © Geneva Call*

From 22 to 24 November 2016, Geneva Call invited representatives of armed non-State actors (ANSAs) and specialized agencies to Geneva for a unprecedented working meeting on child protection. The meeting's overall purpose was to discuss how children and education could be better protected from the effects of armed conflict. Its specific aims were to:

- strengthening ANSAs' knowledge of and adherence to international standards pertaining to the protection of children in armed conflict;
- reviewing progress, sharing good practices and addressing the challenges in implementing those standards;
- providing an opportunity for ANSAs and specialized agencies to interact and identify further child protection and assistance needs, as well as potential responses.

The demand for such a gathering had been identified during the Third Meeting of Signatories to Geneva Call's *Deeds of Commitment*, held in 2014<sup>1</sup>. ANSAs raised several issues there, but they could not be addressed, due to time constraints. These included:

- children's lack of alternatives to enlistment in armed forces and their reasons for joining;
- the challenges ANSAs face in verifying and assessing the age of recruits;
- the use of schools and universities for military purposes;
- ANSAs' lack of capacity and external support for reintegrating demobilized children into society;
- the challenges ANSAs face in providing "aid and care" to children living in areas under their control, including with regards to education and healthcare;
- the lack of understanding about the United Nations (UN) Monitoring and Reporting Mechanism (MRM) and its Action Plan process, how they work and their complementarities with other mechanisms such as Geneva Call's *Deed of Commitment for the Protection of Children from the Effects of Armed Conflict* (hereafter, *Deed of Commitment*).

A total of 31 representatives from 21 armed movements operating in Burma/Myanmar, Colombia, the Democratic Republic of Congo, India, Iran, Iraq, Lebanon, Sudan,

Syria, the Philippines, Turkey and Yemen participated in the meeting (see list in Annexe)<sup>2</sup>. Leading agencies working on the protection of children and education in armed conflict were also present, namely the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG CAAC), the UN Children's Fund (UNICEF), the UN Department of Peacekeeping Operations (DKPO), the Office of the UN High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), Save the Children, War Child, Protect Education in Insecurity and Conflict (PEIC, a programme of the Education Above All Foundation) and the Global Coalition to Protect Education from Attack (GCPEA). A number of Geneva Call's local partner organizations were also invited: Afaq Academy (Syria), Corporación Compromiso Humano and Comunidades construyendo paz en los territorios (Colombia), Karen Women Organization (Burma/Myanmar) and National Human Rights Monitors Organization (Sudan). Finally, Luxembourg, Norway and Switzerland—which are leading States in the protection of children and education in armed conflict—supported the event and attended the opening ceremony as well as some of the sessions.

“ Geneva Call is the only organization able to gather such an unusual meeting ”  
a UNICEF representative

Plenary sessions and expert briefings were used to introduce specific topics and inform ANSAs about international standards, mechanisms and guidelines, whereas smaller working group sessions addressed certain practical issues in more detail (such as enforcing compliance), giving ANSA representatives the opportunity to share their experiences. The final day's sessions, co-organized with PEIC, were dedicated to the protection of education, including protecting schools from military use and attack (see programme in Annexe). The meeting was held under the Chatham House Rule<sup>3</sup> so as to encourage all the participants to openly discuss the challenges which ANSAs face in complying with international standards as well as those faced by international agencies working to ensure ANSA compliance.

<sup>1</sup> The report of the meeting is available at [https://genevacall.org/wp-content/uploads/dlm\\_uploads/2015/07/3rd-Meeting-of-Signatories-Report.pdf](https://genevacall.org/wp-content/uploads/dlm_uploads/2015/07/3rd-Meeting-of-Signatories-Report.pdf)

<sup>2</sup> 11 ANSAs were signatories to the *Deed of Commitment*, two were signatories to UN Action Plans and the others were movements with

which Geneva Call and/or the UN had previously engaged with in a dialogue on child protection.

<sup>3</sup> Information received in a meeting can be freely used by the participants. However, neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.

### A. Recruitment and use in hostilities

Various legal instruments prohibit the recruitment and use of children in hostilities. It is generally considered that “use in hostilities” includes direct participation in combat operations, defending military objectives, participating in military activities such as scouting, spying, transporting ammunition and manning checkpoints, as well as other direct support functions on the frontline. “Recruitment” refers to both the process and condition of being a member of a State or ANSA armed force, whether a formal or an informal member<sup>4</sup>. Recruitment does not cover membership to a political or humanitarian branch. However, it does include self-defence forces which may be separate from the regular armed forces. With regards to age standards, there are differences between international humanitarian law (IHL) and international human rights law (IHRL). IHL prohibits the recruitment and use of children under the age of 15, whereas, under IHRL, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in Armed Conflict (OPAC) raises the minimum age for compulsory recruitment and use to 18 for ANSAs<sup>5</sup>. Despite these differences, there is a growing trend towards a prohibition on any form of military recruitment or use in hostilities of persons under the age of 18 years old.

During the meeting, one ANSA participant raised the question of State military academies as such institutions are excluded from the scope of OPAC. It was acknowledged that OPAC imposes different standards on States and ANSAs, notably regarding the age for voluntary recruitment. Currently, under OPAC, recruitment by ANSAs is subject to a higher minimum age requirement (18 years old) than recruitment by States (18 years old for compulsory recruitment and 16 for voluntary recruitment). However, States practices are making this distinction less relevant: over two thirds of States have prohibited the voluntary recruitment of under-18s in the binding declarations that they are required to deposit when becoming parties to OPAC.

Indeed, most ANSAs responded that 18 was the appropriate minimum age for recruitment and use and have accepted this as standard. Only two ANSAs

questioned the relevance of this threshold for participation in hostilities, whereas three others allowed the voluntary recruitment of children over 16 years old into non-combat units—a standard that would be permissible for State parties. ANSA participants noted it is only at the age of 18 that children are physically and mentally mature and capable of exercising judgement. Children must have enough time to go through all the stages of their personal development so as to become fully responsible for themselves and able to realise the consequences of their actions. From 10 to 13 years old, children are becoming teenagers and undergo significant hormonal changes. They develop their own value systems and need guidance on resolving conflicts and building self-confidence. From 14 to 18 years old, teenagers are on the edge of adulthood, developing their own sense of self—of who they are. Psychological distress or trauma at this stage can result in a confused sense of identity and low self-esteem. Some participants also highlighted that many countries recognize 18 as the legal age of adulthood (as demonstrated, for example, by the right to vote) and this is increasingly becoming accepted as the universal norm. The military efficacy of minors was also questioned. Their lack of experience, discipline and physical resistance was deemed a burden for officers. One ANSA delegate said that his movement had lifted the recruitment age to 18 in an attempt to ensure more professional combatants, with a mature mind and a solid education. Several ANSAs echoed that children should complete their education before joining armed forces.

Finally, participants highlighted the dire consequences which armed conflict can have on children: psychological trauma (mistrust, anxiety, fear, depression, etc.), disability, detention, torture, sexual abuse and exploitation, forced labour, illiteracy, social exclusion, behavioural or personality changes, addiction, brainwashing and so forth. From personal experience, some ANSA delegates added the challenge faced by children trying to return to a normal civilian life, particularly when all they have known is armed violence or they have witnessed and/or experienced abuse. This

<sup>4</sup> This reflects the realities in the field, where some ANSAs have strict formal procedures for membership (such as ceremonies, oaths, or written documentation), whereas others lack any formalities

and membership is therefore based on de facto circumstances.  
<sup>5</sup> OPAC uses the term ‘armed group’ to refer to what this report calls ANSAs.



An ANSA representative presenting its organization's recruitment policy at Geneva Call's meeting, November 2016. © Geneva Call

is partly due to a lack of trust in strangers, added to the difficulties of reintegrating children who have lost the cultural bonds to their communities and to the stigma faced by former child soldiers.

A number of ANSA delegates discussed the notion of childhood from anthropological, cultural, religious or social perspectives. The physical development and appearance of children may vary according to the context (ethnic background, life style and environment, nutrition, etc.). One example mentioned children who had had to do physical work from an early age and might be more physically developed than children who had only attended school. One ANSA representative disagreed, stating that children of 15 or 16 years old were fit enough to receive military training and mentally prepared to make important decisions about their future, such as joining an armed movement. Moreover, the notion of childhood may also be influenced by local culture and traditions. One ANSA representative shared the example of his country, where boys as young as 13 years old become men in the community's eyes after undergoing a rite of passage to adulthood. Beliefs and religious norms may also influence the definition of childhood. Several references were made, for example, to Islam, which creates age limits for certain activities that are not always congruent with modern international law. Certain ANSA representatives expressed reluctance to abide by norms different from

those espoused by their religion. Finally, social norms can play a role in defining childhood and a child's level of maturity. An ANSA delegate explained that it was not uncommon in his country to become parents at 14 years old, thus leading children to take over more adult responsibilities at an early age.

“ The movement has destroyed many innocent lives over the last 30 years. I realize what mistakes we made, not being aware of the international standards on the protection of children, but we are willing to correct them ”

*an ANSA representative*

All these examples demonstrate how the notion of childhood is not only understood by age, but also by context, culture, religion and lifestyle. However, most of the ANSA representatives were adamant that these differences, though significant, should not be used as excuses or justifications for ignoring international standards and recruiting or using minors. It was underlined that all human beings share common characteristics and features, implying that all children and teenagers go through the same stages of development, at approximately the same periods in their lives.

## B. The notion of association

The term “association” is a broad concept that captures the full spectrum of children’s involvement with fighting forces. Although it does not appear in any existing treaty law, it can be found in the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles).<sup>6</sup>

**Under the Paris Principles, a child associated with an armed force or an armed group refers to:** “any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.”

The notion of “association” is thus broader than the notion of membership and “use in hostilities”, as it refers to the use of children in any capacity, whether for military or non-military activities or tasks. It therefore covers the grey zone where children somehow play an active role in an armed force or group’s broader functioning, yet without actually being used in combat or being considered as formal members. This includes activities such as cooking, collecting firewood, providing logistics, and so forth. Under international law, association is not unlawful as such, as long as it does not amount to the recruitment or use of children in hostilities or constitute another violation of children’s rights, such as rape, sexual slavery or other forms of sexual violence.

Beyond the legal norm, participants identified a number of risks which such associations might expose children to. Several ANSAs highlighted that living in military camps or in their vicinity increased the risk of children being killed or injured in attacks by opposing forces. The presence of civilian children inside or near a military objective, even if they cannot be directly targeted, put them at risk of becoming lawful “collateral damage”. Beyond the risks of direct attacks, the presence of weapons and possibly of explosive remnants of war adds to the risk of accidents.

Furthermore, children associated with a fighting force may witness or be the victims of acts of violence, including sexual violence. They may also be exposed to abuse or ill-treatment in case of arrest. In addition to the risk of physical harm, there is a high risk of the children concerned suffering from depression or post-traumatic stress disorder, which could further perpetuate the cycle of violence. Children who experience violence tend to consider such behaviour normal and may repeat it later.

While recognizing the risks facing children, some ANSA delegates said that the status of children self-associated with their movements was not always clear-cut, and they argued that association was legitimate when children simply faced no better options. Several participants mentioned situations involving children living inside ANSA camps together with their families. In cases where ANSAs are closely intertwined with supportive communities, disassociation of children would mean their separation from their parents. One ANSA delegate emphasized that this would go against children’s right to a family life. Indeed, when one, and especially if both parents are members of an ANSA, it might not be easy to find alternative care solutions for their children. Moreover, though the presence of children inside military camps may put them at risk, it is not easy to differentiate between what could be considered part of a normal family life and what amounts to association with an ANSA. Likewise, the status of children embedded in militarized communities or associated with self-defence militia is unclear because of the mixed and informal nature of settings involving ANSAs. The separation of military and civilian structures and the division of their roles are often blurred. Some participants also raised the status of children active in ANSAs’ political or youth wings. It was underlined that political activism does not amount to association with an armed force but, depending on the context, it may expose children to the risk of prosecution or detention or be a stepping stone to military recruitment. ANSA representatives shared their concerns about these ambiguities. They stated that it would be very difficult for fighters in the field to understand the differences between *association* and *use in hostilities* and why association is prohibited in

<sup>6</sup> The Paris Principles have been endorsed by 105 States to date, and although they are not legally binding, they complement the legal framework already in place to ensure greater protection for children. They aim to guide national, regional and international actors on how to

develop strategies for preventing the recruitment and association of children, demobilizing them from armed forces or groups and helping them to reintegrate into society.



some circumstances. Additionally, although they may understand the reasons why children are prohibited from fighting, spying or carrying out any other function on the frontline, their recognition of the risks facing children carrying out tasks far from the frontline is more problematic, especially if these are non-military tasks. In all cases, the best interest of the child must be the primary concern in making decisions that may affect them.



*An ANSA representative participating in Geneva Call's meeting via Skype, November 2016. © Geneva Call*

### C. Challenges to the prevention of recruitment and association

Participants identified two main issues that make compliance with international norms challenging and which need to be considered when designing prevention strategies: underlying causes and age assessment.

#### Underlying causes

There are a number of factors that may push children to join or associate with ANSAs. These include poverty and a lack of education and economic opportunities. In situations of armed conflict, access to basic services and employment can be extremely difficult, particularly in areas under the control of ANSAs. Orphans, homeless or other vulnerable children may seek food and shelter from ANSAs. In some contexts, parents are political prisoners and their children have no relatives to take care of them. Children also join ANSAs to escape domestic violence, forced marriage, discrimination or

repression by the State. For instance, one ANSA representative said that youths involved in local politics and demonstrations often try to join the movement for fear of being arrested and ill-treated. Many children have been subjected to abuse while in detention, and some of them have been sentenced to death. A number of ANSAs also expressed the concern that the children who they turn away may be recruited by other armed actors, including their enemies. Other push factors include political motivation, indoctrination, revenge and family or community pressure. In some cases, communities contribute minors to ANSAs which defend them, or are perceived to defend them, against the State or other ANSAs. In other cases, impoverished parents may encourage their children to join the military. Cultural factors may also have an influence. Ideas about self-defence are deeply entrenched in some cultures in militarized environments, and boys in particular may be in regular contact with weapons from an early age and use them to prove their manhood.

Although ANSAs representatives insisted on the fact that much of their recruitment was unforced, they agreed that this should not be used as justification for accepting children into their ranks. A number of suggestions were made to prevent children from joining in the first place. First, it was stressed that children should receive explanations of why they are not welcome in ANSAs' armed forces, including through the media and via public pronouncements made by ANSAs. Second, families and communities should be taught about international norms and discourage their children from joining ANSAs. Child protection organizations also have an important role to play and should work with communities to offer credible alternative solutions to care for and protect children, and provide them with livelihoods. Although the ANSAs present agreed that children should not be recruited or forcefully associated with them, some nevertheless expressed reservations about disassociating children if there were no better options available to them (such as orphans or children living with their ANSA parents).

“ We established schools to prevent children from joining the armed movement. You cannot say to the child who left his family to go back to the same area without giving him an alternative ”

*an ANSA representative*

### Age assessment

Many ANSAs described the difficulties involved in verifying the age of recruits as they often have neither official identify cards, birth certificates nor any other documentary evidence of their age (school diplomas, medical records, etc.). In the absence of such objective means of identification, several alternative methods can be used to estimate a person's age:

- Medical assessments and physical examinations (teeth, bones, height, weight, hair, sexual maturation) are very intrusive and should be avoided.
- Psychological and developmental assessments should be carried by experts with specialized knowledge of child development, such as paediatricians, social workers and psychologists—experts rarely available for ANSAs.
- Age assessments using interviews and local knowledge and information are considered the most preferable. By conducting interviews about family structure and schooling with the individual and, when feasible, with relatives or community members, age claims can be cross-checked. In some contexts, it is possible to use local knowledge. People interviewed may not remember birth dates, but they may remember the memorable events that occurred that year (famine, war, natural disasters, etc.).

None of these methods can determine a person's exact age. To reduce the margin of error, ANSAs were recommended to adopt a multidisciplinary approach, where feasible, in order to triangulate information. At a minimum, this should include document checks and/or cross-checking with family members, community members and other in a position to know the age of the potential recruit. Ideally, age assessment processes should be undertaken by a group of designated persons with different skills (doctors, psychologists, teachers, etc.).

Child protection specialists also highlighted the importance of focussing on children's true chronological ages (measured in years from the moment of birth), rather than merely on their biological age (physical appearance), psychological age (maturity and behavioural capacities) or social age (roles and responsibilities expected in a society or culture) as these definitions of age can be misleading. For example, a child can look tall for his/her age and appear to be very mature when in fact he/she is under 18 years of age.

#### Age assessment standards and safeguards:

- Age assessment processes should only be undertaken as a measure of last resort, when there is serious doubt about the person's age and documentary evidence certifying the date of birth is either unavailable or not credible. In case of doubt, the individual should always be treated as a child.
- Age assessment processes should make the best interest of the child their primary consideration and maintain a friendly, child-centred perspective.
- Age assessment should be applied without discrimination.
- Age assessment should use the least intrusive method available, respect the person's dignity and physical integrity at all times and be appropriate to the person's gender and culture.
- The individual should give his/her informed consent and receive any relevant information about the assessment proceedings and their potential consequences.
- The individual should have a guardian appointed to help him/her through the age assessment procedure.
- The individual should have the right to appeal against the outcome of the age assessment.

Although the fulfilment of all these standards may not be realistic in some contexts, the responsibility to verify that recruits are not underage rests with ANSAs. Should there still be doubt as to whether the person is a child or an adult after the assessment, then the person should not be recruited and the benefit of the doubt should favour the best interests of the child.

During the discussion, several ANSAs representatives expressed their agreement with these standards and the approach recommended. One ANSA representative mentioned that his movement had established a four-person committee, headed by a medical doctor and tasked with assessing the age of recruits in cases of doubt. Another ANSA representative stated that his group assessed educational levels and cross-checked information with local communities in order to make sure that recruits were 18 years old or above. However, it was questioned whether all ANSAs had multi-skilled

persons available for these tasks. Small ANSAs, with limited resources, may not have the same administrative capacities as *de facto* authorities that have established stable control over territory and governing structures. In the absence of experts, age assessments should be carried out by designated focal persons who have received training on the issue and who know the local culture and context.

Several ANSAs asked for additional guidance, and particularly training, on age assessment methods. Furthermore, the needs for specific training tools were identified, including on how to communicate with children, as well as on reporting mechanisms related to the presence of children in the ranks. One ANSA representative suggested the development of a mobile phone application (similar to Geneva Call's *Fighter not Killer App* <http://fighternotkiller.org>) so that everybody could have access to it and learn how to conduct a proper age assessment. It was highlighted, however, that an application could only provide theoretical knowledge and that scenarios would need to be adapted to each context and culture in order to be useful. It was also recommended that ANSAs appoint focal persons for age assessment, with the proper expertise, and develop their own age assessment protocol and standard procedures, and disseminate them to their members.

#### D. Release and Reintegration

Child release is the process of complete disassociation of children from an armed force or an armed group. It can be formal, with the involvement of a third party coordinating the release, or it can be more spontaneous in situations such as when children escape, are allowed

to leave, are abandoned by commanders, are captured or are rescued by other actors during hostilities. The process includes a number of steps: assessing if the conditions are right for a release, putting in place coordination mechanisms and release protocols, establishing eligibility criteria, drawing up lists of eligible children, conducting screening, handing children over to a child protection agency, carrying out registration, providing reintegration, orientation and referral services, and tracing and reuniting families, as well as carrying out alternative care.

Some participants in the meeting underlined the importance of ensuring that children are released safely. They should not only have a place to go, but they should not be at risk when they get there (arrest and prosecution by the State, reprisals by other ANSAs or community members, etc.). In cases where ANSAs are unable to release children safely, they should request formal assistance from specialized agencies and hand over the children to them. Several of the ANSAs present had done so in past years. Furthermore, it was stressed that in principle, release should always be accompanied by support for the child's reintegration into civilian life, especially in terms of psychosocial support, education, job opportunities, as so forth. This is particularly true for children with no family or guardian. If reintegration options are unavailable, the child may be re-recruited or join another ANSA.

Various obstacles to safe release and the successful reintegration of children were identified. Several ANSAs highlighted that a child who had been a member of an ANSA might have had access to sensitive military information and might be captured by the State or another enemy of the ANSA concerned after his/her

Demobilization of child soldiers by an ANSA, Syria. © Geneva Call



release. This would not only be a risk for the safety of the child but also for the ANSA itself, should the child disclose that sensitive information. Before rejoining their families or their future place of residence, demobilized children often have to pass through a transit and orientation centre. Some ANSAs expressed their lack of trust in centres run by government authorities or agencies perceived as affiliated with the government. One example was given of a transit centre that looked more like a detention centre and was ill prepared to welcome demobilized children. Another example was a transit centre run by an NGO affiliated with an ethnic group that one particular ANSA was in conflict with. The ANSA did not trust the NGO and feared that any children released from its ranks would face discrimination in the centre. In every case, the ANSAs claimed that these negative experiences would make them reluctant to release children in similar circumstances.

To ensure a sustainable reintegration programme, one guaranteeing each child a successful return to civilian life, requires sufficient resources over several years. Yet finding support, whether financial or otherwise, for child release and reintegration in conflict settings has often proved challenging. One ANSA representative explained how his movement had provided its own basic education services for demobilized children, with little or no international support. Another ANSA representative echoed this frustration by describing the case of disassociated children which his group had aimed to reunite with their families. The ANSA was unsuccessful in its attempts to attract support from various NGOs.

Representatives of the child protection organizations described the financial constraints which they often face, particularly due to the difficulty in maintaining donor interest over long periods of time. They are thus often unable to take care of demobilized children, and in certain areas there are no alternatives. Furthermore, in certain contexts, child protection agencies face significant obstacles to securing the access (due to security, government restrictions, etc.) which would help them support the release and reintegration process.

Children living with their families in militarized communities create a particular set of challenges in terms of release or disassociation. One ANSA

representative explained that his movement did not want to send children away as part of a disarmament, demobilization and reintegration (DDR) process because the parents were ANSA members living together in the same camps. To avoid families being split up, his movement insisted on a “normalization process” during which weapons were put “beyond use” and communities were thus demilitarized.

Moreover, the psychosocial aspect of reintegrating children into their communities should not be underestimated, particularly when children have experienced traumatic situations or are stigmatized in their own society. Children brainwashed or abducted by “extremist” groups are deeply affected and need specialized care.

“ We must make sure that the communities are supporting the reintegration of children. If there is no acceptance, it will be incredibly difficult ”

*an NGO representative*

In terms of ways forward, participants underlined the importance of all stakeholders—ANSAs, communities, child protection organizations and, as much as possible, the States concerned—working together for the safe return of children to civilian life. The ANSAs and child protection agencies present at the meeting agreed on the need to reinforce cooperation on the prevention of recruitment, reintegration processes and support to education systems in order to offer true opportunities and livelihoods to children once they were away from armed actors. The best solution for reintegration is when children can return home as soon as possible. In this regard, families and communities are key pillars of successful reintegration: their participation and support are critical, especially to ensure that children are not ostracized or subject to retaliation. It is important that not only demobilized children but also their host families and communities, benefit from the process in terms of medical, economic, psychosocial and educational support. Finally, participants highlighted the importance of having DDR programmes that are truly adapted to different local contexts, addressing the root causes of why children joined ANSAs in the first place and providing a strong protective environment with a robust monitoring mechanism in place.

### A. Aid and care

The needs of children affected by armed conflict are often acute. Basic services such as education, healthcare and social welfare are often lacking, which may lead children to join fighting forces. ANSAs can play a positive role and, indeed, they have the responsibility to address the humanitarian needs of the children living in areas under their control. Under IHL, all parties to armed conflict, including ANSAs, must do everything feasible to provide children “with the care and aid they require”. This includes access to food, shelter, healthcare and education and, if possible, sport and leisure activities. In cases where they are unable to meet such requirements themselves, parties to armed conflict should, at the very minimum, grant rapid and unimpeded access to impartial humanitarian organizations.

The participants in the meeting identified two main challenges to fulfilling these responsibilities: lack of resources and access.

#### Lack of resources

Several ANSA representatives mentioned the efforts made by their humanitarian wing or civilian administration to run schools and/or provide relief to populations in need living in the areas under their control. Others described how the medical personnel within their ranks not only provide health services to ANSA members but also sometimes to civilians. Yet, as mentioned in previous sections, not all ANSAs have the capacity to do this. Many lamented their lack of resources (both human and material), particularly in situations where “embargos” or blockades imposed by States prevent the passage of essential goods or relief items, such as medicine. Moreover, in some cases, public infrastructure such as schools or hospitals have been destroyed or damaged by the conflict, which further hampers the provision of services. From their perspective, the representatives of child protection agencies pointed out the constraints and limitations their organizations face in terms of the resources needed to reach all the children in need. They particularly highlighted the challenge of finding sufficient, long-term funding for certain contexts that are no longer in the headlines or a part of donor priorities. Furthermore, certain donors exert pressure on child protection agencies to run operations in certain

areas and not in others, for example, by not giving funding for projects in areas under the control of ANSAs designated as “terrorist organizations”.

“The international community is quick to name and shame us but when it comes to vaccinating or educating our children it takes a much longer time”

*an ANSA representative*

#### Lack of access

Representatives from child protection agencies emphasized both the security and political challenges facing humanitarian access. Humanitarian relief is often highly politicized in non-international armed conflicts. Parties to armed conflict, whether States, ANSAs or other actors, have denied or restricted access. Many humanitarian actors, especially UN agencies, need permission from the State concerned if they wish to operate in ANSA-controlled areas. In response to a question, one representative of a UN agency said that it would only consider cross-border operations without the consent of the State concerned if authorized to do so by the Security Council. Furthermore, counter-terrorism legislation can also deter humanitarian actors from engaging in dialogue with ANSAs. This sometimes causes humanitarian actors to avoid direct engagement with them and only operate in areas where they are sure to face neither legal nor funding consequences. In addition to political constraints, volatile security situations have made access challenging in many countries. In some cases, aid workers and their property have even been deliberately attacked.

All the participants agreed that humanitarian actors need to have the necessary access and security guarantees to ensure that they can safely conduct assistance and protection activities in favour of children. IHL allows parties to armed conflict, including ANSAs, a “right of control” over humanitarian action conducted on the territory under their control. Yet this right of control should be used neither to discriminate between persons in need nor to divert or delay aid and care. ANSA representatives affirmed that they are willing to allow access and cooperate with humanitarian

actors. However, some stressed they had doubts about the neutrality, impartiality and independence of certain organizations. One ANSA member gave the example of a humanitarian actor his movement believed was involved in intelligence activities for its enemies. The importance of humanitarian organizations upholding humanitarian principles was underlined by all the participants. Beyond their own actions, the question of choosing local partners which also respect humanitarian principles was discussed.

“The twin challenges of access and resources often lead to a situation where humanitarian organizations cannot be present to provide assistance, whereas ANSAs do not have the capacity to respond to the civilian population’s basic needs”

*an NGO representative*

Participants agreed that the cooperation between ANSAs and child protection agencies must be intensified. To that end, certain ANSA representatives stated that their movements had appointed a focal person or created internal bodies to liaise with humanitarian actors. Such mechanisms are important for ensuring continuous interaction between ANSAs and humanitarian actors and improving assistance to children affected by armed conflict. Several ANSA members also expressed the need to have a space where the parties to armed conflict could discuss humanitarian issues, and they called on humanitarian actors to play an intermediary role should direct dialogue be impossible. Other ANSA representatives restated their call for the international community to increase pressure on States to permit humanitarian access in areas under their control.

## B. Education

### Provide and facilitate education

IHL requires that parties to armed conflict provide children with the aid and care they require, including education. The right to education is also a fundamental human right. Education should be accessible, inclusive, equitable and of sufficient quality. It should be free of

propaganda, protect children’s identity and promote peace, tolerance and human rights. The special needs of marginalized groups, such as persons with disabilities, should be taken into account. In territories under their control, ANSAs must try to provide education and, if they are not able to do so, they should seek to cooperate with relief organizations specialized in child protection or with States.

During the discussion, some ANSA members mentioned their movement’s efforts to provide education for children living in areas under their control. Several have established an education department within their movement, to run the provision of education themselves. They have established schools and provided training and salaries for teachers<sup>7</sup>.

One representative recounted how his ANSA had been cooperating with its adversary government to ensure that teachers could access remote areas. Other ANSAs have formal coordination mechanisms but allow teachers appointed by the State to work in areas under their control. In some cases, ANSAs have used a foreign State’s curriculum or introduced new subjects, such as their ethnic languages, into existing curricula. Furthermore, several representatives reported that their ANSA had rehabilitated schools damaged by the enemy so as to ensure that children could continue to receive an education.

Other representatives mentioned that diplomas from their movement’s schools were not recognized by the State’s government or the international community. This problem made it difficult for students to continue their studies or find jobs outside the regions controlled by those ANSAs. A related challenge is the lack of qualified teachers able to speak an ANSA’s local language, with many having been recruited by the government or having left the country. ANSAs members also said that the lack of resources and support was a major challenge to the provision of education. Child protection agencies highlighted the difficulties they face, for various reasons, to secure funding and access to work in ANSA controlled areas. Finally, ongoing hostilities, attacks against educational facilities and/or their military use by enemy forces makes access to education even more challenging because they discourage parents from sending their children to school.

<sup>7</sup> For details, see the report of PEIC/Geneva Call workshop “Education and armed non-State actors: towards a comprehensive agenda”, available

here [https://www.genevacall.org/wp-content/uploads/dlm\\_uploads/2015/12/Geneva\\_Call\\_Paper1.pdf](https://www.genevacall.org/wp-content/uploads/dlm_uploads/2015/12/Geneva_Call_Paper1.pdf)



*A bush school in Karen State, Burma/Myanmar.*  
© Karen Education Department

Overall, participants stressed the importance of education and that it should be kept safe and functioning, even during armed conflict. It was also agreed that child protection agencies and ANSAs needed to cooperate more closely and find ways to increase support for the provision of educational services in areas under ANSA control. Lastly, it was suggested that education should always be addressed in peace processes and that agreements on this issue should be promoted between national governments and ANSAs.

### **Protect education from attacks**

According to GCPEA, thousands of schools have been attacked worldwide since 2009, often as a deliberate tactic of war. Both States and ANSAs have been implicated. The causes are various and sometimes overlap. Schools have been targeted because they have been used, or suspected of use, for military purposes by enemy forces. Another recurrent reason is ideological—attacks occur when schools are perceived as tools for propaganda or cultural assimilation. Beyond the risks of death or injury, such attacks have a devastating impact on children’s right to education, leading to students dropping out, reduced attendance, fewer enrollments and shortages of teachers due to fear of future attacks, a lower quality of education and so on. Under IHL, students and teachers are protected from attack and the threat of attack as long as and for

such time as they do not directly participate in hostilities. Schools are protected as long as they are not used for military purposes. However, even when used for military purposes, schools must not be attacked if the expected civilian damage would be greater than the expected military advantage, and feasible precautions must always be taken to avoid or minimize damage.

Representatives of the ANSAs participating in the meeting considered government forces and their allies, as well as other ANSAs, to be responsible for attacks against schools, and they called for more pressure on States to end such attacks. They also highlighted the difficulties they face in protecting schools, particularly from enemy airstrikes. One ANSA said that it had dug “foxholes” near schools and trained children in shelter exercises. A member of another ANSA described how his movement had cleared schools and other civilian buildings contaminated with booby-traps and explosive remnants of war. Interestingly, it was suggested that armed forces should be kept away from schools and they should be identified with a white flag so as to increase their protection. One ANSA has established a police force to secure villages under its control, including civilian buildings such as schools. In cases like this, it was stressed that a police force should be distinct from a fighting force and should wear a different uniform. However, several ANSAs cautioned that they did not have the capacity to maintain such a force too, and in the case of an enemy attack, the police force assigned to protect the school might find itself participating in hostilities.

There was a general agreement among the ANSAs present that schools were neutral sanctuaries (like hospitals or places of worship) that should be protected from hostilities. However, when questioned about how they would react to the military occupation of a school by their enemies, ANSAs’ views differed. One ANSA stated that its forces would fire back if they were shot at from a school used as a military shelter. Another ANSA stated that it would attempt to “liberate” an occupied school in order to allow it to function again. Yet another ANSA said it would engage in hostilities, but only outside of school hours, after sending a warning to students and teachers to ensure they were not inside the building. Even if the school were empty,



A student from the Aal Okab school stands amid the ruins of his classroom, destroyed during the conflict, Saada, Yemen. © Giles Clarke for UN-OCHA/Getty Images

concern was also expressed about the potential damage caused to the building. Some ANSAs said that they would do their utmost not to attack a school and would instead wait for the enemy to leave and continue any clashes away from it. A few ANSAs went as far as stating that they would never attack a school, no matter the situation.

#### **Avoid use of schools for military purposes**

According to GCPEA, schools were used for military purposes by national armed forces, ANSAs and other actors in at least 26 countries between 2005 and 2015. They were most commonly used as bases, barracks, observation posts, firing positions, interrogation or detention centres, weapons and ammunition stores, and military training or recruitment centres. By turning schools into potential military targets, such use not

only endangers children lives but deprives them of access to educational facilities and ultimately of their right to education. Students and teachers can come under direct fire; they may also be subject to physical and psychological abuse. Schools may be partially or totally destroyed, and discarded weapons or ammunition pose the risk of further dangers for returning students.

In 2014, a group of international experts developed the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict* (Guidelines). The Guidelines are aimed at all parties to armed conflict, both States and ANSAs. Although they acknowledge that certain uses would not be contrary to IHL, they encourage all parties to endeavour to avoid compromising students' safety and education.



### Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict:<sup>8</sup>

1. Functioning schools and universities should not be used in any way by the fighting forces of parties to armed conflict in support of the military effort.
2. Schools and universities that have been abandoned or evacuated because of the dangers presented by armed conflict should not be used by the fighting forces of parties to armed conflict for any purpose in support of their military effort, except in extenuating circumstances when they are presented with no viable alternative, and only for as long as no choice is possible between such use of the school or university and another feasible method for obtaining a similar military advantage. Other buildings should be regarded as better options and used in preference to school and university buildings, even if they are not so conveniently placed or configured, except when such buildings are specially protected under International Humanitarian Law (e.g. hospitals), and keeping in mind that parties to armed conflict must always take all feasible precautions to protect all civilian objects from attack.
3. Schools and universities must never be destroyed as a measure intended to deprive the opposing parties to the armed conflict of the ability to use them in the future. Schools and universities—be they in session, closed for the day or for holidays, evacuated or abandoned—are ordinarily civilian objects.
4. While the use of a school or university by the fighting forces of parties to armed conflict in support of their military effort may, depending on the circumstances, have the effect of turning it into a military objective subject to attack, parties to armed conflict should consider all feasible alternative measures before attacking them, including warning the enemy in advance that an attack will be forthcoming unless it ceases its use.
5. The fighting forces of the parties to armed conflict should not be employed to provide security for schools and universities, except when alternative means of providing essential security are not available. If possible, appropriately trained civilian personnel should be used to provide security for schools and universities. If necessary, consideration should also be given to evacuating children, students and staff to a safer location.
6. The parties to armed conflict should, as far as possible and as appropriate, incorporate these Guidelines into their doctrine, military manuals, rules of engagement, operational orders, and other means of dissemination, to encourage appropriate practice throughout the chain of command.

Several ANSAs present at the meeting mentioned that, as a matter of policy, they do not use schools for military purposes, even if abandoned, in order to protect them from enemy attacks. One representative said that this policy was included in a ceasefire agreement between his group and its opposing government. Moreover, eleven participating ANSAs have pledged, under the Geneva Call's *Deed of Commitment*, "to avoid using for military purposes schools and premises primarily used by children" (Article 7).

During the discussion, it was generally agreed that the Guidelines were a useful tool and should be further

disseminated in the field. Some ANSAs regretted that there was no enforcement or sanction mechanism available, as well as no established system of reparations for rebuilding damaged or destroyed schools. The Guidelines are endorsed on a voluntary basis and it is up to each party to set up accountability measures. Some ANSA representatives asked questions about the Guidelines' relation to IHL, since some of their provisions go beyond IHL. They also sought clarity on practical issues, such as how far a military base should be from a school. It was made clear that the Guidelines are not legally binding but rather were examples of good practices, serving as a guide to facilitate

<sup>8</sup> [http://protectingeducation.org/sites/default/files/documents/guidelines\\_en.pdf](http://protectingeducation.org/sites/default/files/documents/guidelines_en.pdf)

compliance with existing law. Their aim is to make all the parties to armed conflict aware of the importance of giving special protection to educational facilities and to encourage them to take all feasible measures to avoid schools being damaged and ceasing to function. A simple example was to relocate training for military forces from schools to other locations.

As a way forward, it was suggested that ANSAs should include the Guidelines in their internal codes of conduct and training curricula, disseminate them widely within their armed forces and monitor their implementation.



*An expert from GCPEA presenting the Guidelines at Geneva Call's meeting, November 2016. © Geneva Call*

### A. International accountability mechanisms

A range of mechanisms has been established to prevent and end violations against children in armed conflict. The meeting addressed the following ones:

- The UN Monitoring and Reporting Mechanism and Action Plan system
- Geneva Call's *Deed of Commitment for the Protection of Children from the Effects of Armed Conflict*
- The International Criminal Court

#### The UN Monitoring and Reporting Mechanism (MRM) and Action Plan system

The UN Security Council has been addressing issues related to children affected by armed conflict since 1999 and has since issued 11 resolutions on this theme. In 1996, the mandate of Special Representative of the Secretary-General for Children and Armed Conflict was created to serve as the leading UN advocate for the protection of children affected by armed conflict. In the early 2000s, the Security Council asked the Secretary-General to list the parties to armed conflict which were recruiting and using children and to engage in dialogue with them to develop time-bound Action Plans aimed at halting these violations.

A monitoring and reporting mechanism (MRM) was established in 2005 to document the recruitment and use of child soldiers and other grave violations against children (killing and maiming of children, rape and other forms of sexual violence against children, attacks against schools and hospitals, denial of humanitarian access and abduction of children). The MRM is active in country situations where parties to armed conflict are listed for one or more violations.<sup>9</sup> The information is collected and verified by a country task force composed of UN agencies and NGOs. So far 24 listed parties (11 government forces and 13 ANSAs) have signed an Action Plan. Each Action Plan is context-specific, but they often include implementation measures such as issuing command orders, amending codes of conduct, releasing children from the ranks and providing child protection actors with unimpeded access to military camps. Once an Action Plan has been completed and violations have ended, a party to a conflict may be eligible for delisting.

Dialogue with ANSAs must take place within the context of peace processes and the cooperation framework in place between the UN and the government concerned. This has proved challenging in countries where the government has been reluctant to allow the signature of an Action Plan with an ANSA or has obstructed access for monitoring its compliance. During the meeting two listed ANSAs which had experienced this expressed their frustration that an adversary government could arbitrarily obstruct their delisting process.

#### Geneva Call's *Deed of Commitment for the Protection of Children from the Effects of Armed Conflict*

In 2010, Geneva Call developed an innovative mechanism—the *Deed of Commitment for the Protection of Children from the Effects of Armed Conflict (Deed of Commitment)*. As ANSAs cannot become parties to international treaties, this mechanism allows them to express their pledge to respect international standards relating to children and armed conflict and to be held publicly accountable. By signing the *Deed of Commitment*, ANSAs agree to prohibit the recruitment and use in hostilities of children under 18 years old, ensure that they are not forcibly associated with armed forces and safely release children recruited previously. The *Deed of Commitment* also contains positive obligations for ANSAs, such as protecting children living in areas under their control from the effects of military operations, providing them with the aid and care they need (food, shelter, healthcare, education, etc.) and avoiding the use of schools for military purposes. The *Deed of Commitment* is accompanied by an implementation plan and monitored by Geneva Call (and associated partners) to ensure compliance.

Since 2010, Geneva Call has engaged in dialogue with about 50 ANSAs on child protection. 19 of them, including 11 ANSAs present at the meeting, have signed the *Deed of Commitment*. For the most part, signatory groups have abided by their commitments, even though there have been cases of persistent child recruitment and use in hostilities.

<sup>9</sup> Parties are listed after the UN has documented recurrent violations over a certain period of time

Although Geneva Call is independent of the MRM system, it has sought to complement UN initiatives by engaging with ANSAs with which the UN's access has been hampered by government restrictions. Signing the *Deed of Commitment* does not result in delisting, but it may facilitate future engagement with the UN and pave the way for the conclusion of Action Plans, as demonstrated in the case of the Sudan People's Liberation Movement-North (SPLM-N), a signatory to the *Deed of Commitment* (see photo below).

### The International Criminal Court

The International Criminal Court (ICC) was created by States in order to prosecute individuals for the international crimes of genocide, crimes against humanity and war crimes. The ICC is intended to complement existing national judicial systems and, therefore, it can only exercise its jurisdiction when certain conditions are met, such as when national courts are unwilling or unable to prosecute criminals or when the UN Security Council or individual States refer investigations to it. The ICC began functioning on 1 July 2002, the date on which the Rome Statute entered into force.

The Rome Statute recognizes the conscription, enlistment and use of children under the age of 15 for active participation in hostilities as a war crime. It also criminalizes the forcible transfer of children, child trafficking and crimes that particularly affect children, such as attacks on schools. Since 2012, attention on crimes against children has been elevated to one of six strategic goals in the Office of the Prosecutor's Strategic Plan.

To date, a variety of cases concerning crimes affecting children has been brought before the ICC. 2012 saw the first and landmark sentencing of Thomas Lubanga Dyilo, the former leader of the rebel Union of Congolese Patriots, to 14 years of imprisonment for the recruitment and use of children under 15 years old. Since then, Jean-Pierre Bemba, leader of the Congolese Liberation Movement (MLC), was sentenced to 18 years in prison by the ICC. This case illustrated that military commanders are responsible not only for crimes they order directly but also for crimes committed by their combatants if they knew about them and failed to take the necessary measures to prevent their commission or punish the individuals responsible.

### B. Practical measures to ensure compliance

Most of the ANSAs present at the meeting have already committed themselves to prohibiting child recruitment and use in hostilities, either by signing Geneva Call's *Deed of Commitment* or an Action Plan with the UN or through other measures (unilateral declaration, Memorandum of Understanding, etc.). Although such commitments indicate an agreement to abide by international standards, enforcing compliance has often proved challenging and required concrete implementation measures, as well as constant monitoring and corrective actions.

One major risk factor that may lead to violations of their commitments is the weakness of ANSAs' command and control structures. Numerous ANSAs mentioned that they experienced difficulties in ensuring compliance due to the lack of understanding and acceptance of international standards within their



Malik Agar, SPLM-N Chairman (first from the right); Leila Zerrougui, Special Representative for the Secretary-General on Children and Armed Conflict (in the middle) and Abdullah A. Fadil, UNICEF Sudan Representative (first from the left) signing an Action Plan to End the Recruitment and Use of Children, 23 November 2016, Geneva. © UN/Violaine Martin

movements. There are often significant gaps between the leadership at headquarters level and the rank and file. Field commanders are not necessarily familiar with international standards, nor are they convinced of their relevance, particularly where enemy forces are also non-compliant. Political will to address violations may also be lacking. Only two of the ANSAs present at the meeting reported having imposed disciplinary sanctions against officers who had recruited or abused children in breach of internal policies.

Another challenge is the practical difficulty which some ANSAs face when trying to communicate with all their commanders across their regions, especially when units are highly mobile or are operating in remote areas. Several ANSAs admitted to internal communication breakdowns in their chains of command. They particularly highlighted the fact that no focal points had been appointed within their armed wings to monitor implementation, a factor which limits or hinders the capacity to verify allegations of violations effectively. Several ANSA representatives also mentioned their difficulties, in the absence of identify cards or other documentary records, in assessing the age of recruits. Interviews are sometimes carried out with relatives, but this is not always possible.

In response to these challenges, a number of ANSAs provided positive examples of measures that have effectively promoted compliance. One ANSA explained that it used annual gatherings at headquarters to disseminate international standards to the troops. Other ANSAs said that they had appointed focal persons or committees dedicated to child protection issues. One had established a monitoring committee composed of senior military officers, responsible for inspecting military camps, recruitment centres and front lines, for investigating allegations of violations and for sanctioning officers responsible for these violations. Another ANSA said that it had handed over a commander, responsible for sexual abuse against a child, to the State authorities as it lacked the capacity to try the perpetrator in accordance with international standards.

In addition, several ANSAs have issued command orders or amended their codes of conduct to include provisions on the prohibition of child recruitment and use in hostilities. Such internal rules can play an effective role in ensuring compliance. They are, however, only effective if disseminated and understood by the rank and file. In this regard, several ANSAs explained how they had adapted

Geneva Call training material to their own organization's practice and had distributed them with their logo. This appeared to have been well received since it provided internal ownership of the standards put in place. Translation into local languages is also key, as the terminology used can be hard to understand.

The ANSA participants agreed that there was a need for them to take further implementation measures. As many rank-and-file members are simply not aware of the relevant norms, it was recognized that there was a need for ANSAs themselves to increase the dissemination of child-related international rules, with the support of Geneva Call and other child protection actors. Continuous advocacy and training at all levels of military hierarchies were necessary, particularly for military commanders. The need to further raise the awareness of communities was also stressed. Traditional and religious leaders, elders and teachers have particularly important roles to play in discouraging children from joining ANSAs and preventing recruitment. Finally, humanitarian organizations should continue to engage with ANSAs and be more present in the field to monitor and to support compliance.

“ We are ready to cooperate with any relevant humanitarian organization to monitor our camps and to check if there are children present and if yes, to find out why there are here ”

*an ANSA representative*

It was also suggested that the positive actions taken by ANSAs to protect children should receive greater acknowledgement and be reported at an international level, for example in the UN Secretary-General's annual reports on children and armed conflict.



*A representative of a local partner organization speaking at Geneva Call's meeting, November 2016. © Geneva Call*

**Recommendations to ANSAs:**

- Publicly commit to prohibiting the recruitment and use in hostilities of children under 18 years old (through Geneva Call's *Deed of Commitment*, a UN Action Plan or other measures)
- Seek dialogue with the UN for the purpose of developing and implementing Actions Plan (especially those listed through the MRM)
- Issue command orders on the prohibition of child recruitment and use in hostilities
- Incorporate provisions on the prohibition of child recruitment and use in hostilities, and on the sanctions in case of non-compliance, into existing codes of conduct, legislation or other relevant internal regulations
- Use existing organizational structure, such as annual gatherings at headquarters, to communicate and explain policies on the prohibition of child recruitment and use in hostilities
- Educate members (starting with military commanders and officers) about the prohibition of child recruitment and use in hostilities and include this in military training programmes
- Translate policies prohibiting child recruitment and use into local languages and disseminate them widely to the rank and file as well as to communities to promote understanding and acceptance
- Discourage children from joining or associating with the armed forces, including through families, media and public appeals, and explain why they are not welcome in those armed forces
- Prohibit the forced association of children, ensure maximum protection for voluntarily associated children and disassociate them as much as possible from the armed forces
- Appoint dedicated focal persons or committees on child protection, whose role could include training and raising awareness on the prohibition on child recruitment and use in hostilities, liaison with humanitarian organizations, conducting age assessments, monitoring implementation, and so forth
- Integrate age verification mechanisms into recruitment procedures and disseminate them to ensure that children under 18 years old are not recruited—the responsibility for establishing the age of recruits lies with the recruiter and, in cases of doubt, individuals should not be recruited
- In cooperation with child protection experts, establish processes to screen all members so as to identify and facilitate the release of any children under 18 years old
- Create internal bodies that can liaise with humanitarian organizations to facilitate the provision of aid and care for children in need
- Allow unhindered access to impartial humanitarian organizations for the provision of aid and care to children and for monitoring compliance with international standards
- Establish monitoring committees (composed of senior military officers) dedicated to inspecting military camps, recruitment centres and the front line and to reporting any cases of child recruitment and use in hostilities to the leadership
- Investigate all credible allegations of violations and take appropriate disciplinary measures against the perpetrators, in line with international standards
- Seek technical or legal advice from Geneva Call or other relevant humanitarian organizations if necessary
- Take measures to facilitate or provide quality education and encourage parents to send children to school
- Ensure that codes of conduct and internal policies address the protection of education, including the issues of military use of schools and attacks on schools
- Train members of armed forces on the protection of education
- Create mechanisms to monitor and report attacks on schools or their military use, and ensure enforcement mechanisms are in place, including sanctions in case of non-compliance
- Consider the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict (Guidelines) as a tool to avoid any military use of schools and consider integrating them in internal codes of conduct, training curricula and dissemination materials
- Seek advice from and cooperation with relevant actors so as to enhance the protection of education
- Where possible, cooperate with the concerned State on recognition of curricula and diplomas

### Recommendations to humanitarian organizations (the UN and NGOs)

- Intensify engagement with ANSAs on child protection and other humanitarian issues and ensure a field presence to monitor and support their compliance with international standards
- Intensify advocacy and pressure on concerned States to allow access to ANSAs for the purposes of entering into dialogue on child protection, assisting children living in areas controlled by ANSA areas, supporting their demobilization and release and monitoring compliance with international standards
- Where possible, facilitate humanitarian agreements between parties to armed conflict
- Strengthen support for efforts aimed at addressing the root causes of recruitment and association of children (such as domestic violence, a lack of livelihood opportunities or access to education) and providing them with sustainable alternatives
- Provide ANSAs with guidance and training on age assessment methods
- Increase assistance to children in need living in areas controlled by ANSAs, including support for their reintegration following release, in order to ensure their safety and to avoid re-recruitment
- Acknowledge the positive actions which ANSAs undertake to protect children
- Raise community leaders' awareness of international standards and encourage them to dissuade children from joining or associating with armed forces and armed groups
- Continue advocacy for the better protection of education by all parties to armed conflict
- Work with States that have endorsed the Safe Schools Declaration towards effective implementation of the Guidelines
- Strengthen monitoring and reporting on attacks on education and the military use of schools and ensure accuracy
- Increase support for the provision of education in areas controlled by ANSAs
- Ensure that peace processes address educational issues
- Strengthen support for communities in the provision of education and the dissemination of the Guidelines

**MONDAY, 21 NOVEMBER 2016****OPENING CEREMONY**

14:00 – 17:00 **Registration**

17:30 – 18:00

**Opening remarks**

- *Elisabeth Decrey Warner*, Executive President, Geneva Call
- *Raphael Nägeli*, Deputy Head of the Human Security Division, Swiss Federal Department of Foreign Affairs
- *Hans Brattskar*, Ambassador and Permanent Representative of Norway to the United Nations and Other International Organizations in Geneva
- *Jean-Marc Hoscheit*, Ambassador and Permanent Representative of the Grand Duchy of Luxembourg to the United Nations and other International Organizations in Geneva

**Keynote speaker:**

- *Leila Zerrougui*, Special Representative of the Secretary-General for Children and Armed Conflict

18:00 – 19:00 **Reception**



## TUESDAY, 22 NOVEMBER 2016

### DAY 1

8:00 – 9:00 Registration

9:00 – 9:20

**Introduction**, *Pascal Bongard*, Geneva Call

9:20 – 11:00

#### **SESSION 1: International mechanisms to protect children in armed conflict**

- Geneva Call's *Deed of Commitment for the Protection of Children from the Effects of Armed Conflict*, *Carolin Nehmé*, Geneva Call
- Children and armed conflict: the United Nations framework and mechanisms, *Nelly Sabarthes* and *Li Fung*, Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG CAAC)
- Open discussion
- The role of the International Criminal Court in ensuring accountability for violations against children, *Professor Paola Gaeta*, Graduate Institute of International and Development Studies
- Open discussion

11:00 – 11:30 Coffee Break

11:30 – 12:30

#### **SESSION 2: The psycho-social consequences of armed conflict on children**

- Expert briefing on child development and psycho-social effects of experiencing and witnessing violence, *Victoria Whitaker*, War Child UK
- Open discussion

12:30 – 14:00 Lunch Break

14:00 – 16:00

#### **SESSION 3: Assistance to children affected by armed conflict**

- Providing "aid and care" to children in armed conflict, *Carla Ruta*, Geneva Call
- Working methods of child protection agencies, *Ayda Eke*, United Nations Children's Fund (UNICEF) and *Christine McCormick*, Save the Children
- Open discussion

16:00 – 16:30 Coffee Break

16:30 – 18:00

#### **SESSION 4: Release and reintegration of children**

- Expert briefing on release and reintegration of children, *Ibrahim Sesay*, UNICEF and *Christine McCormick*, Save the Children
- Community-based reintegration – the case of Colombia, *Maria Eugenia Mosquera Riascos*, Comunidades construyendo paz en los territorios (CONPAZ)
- Open discussion

19:00 – 22:00 Social event (by invitation only)

## WEDNESDAY, 23 NOVEMBER 2016

## DAY 2

8:00 – 9:00 Registration

9:00 – 11:00

**SESSION 5: Preventing recruitment and use of children in hostilities**

- Legal framework and challenges for compliance, *Carolin Nehmé*, Geneva Call
- Working group discussions
- Reporting from the working groups
- Open discussion

11:00 – 11:30 Coffee Break

11:30 – 12:30

**SESSION 6: Children associated with armed forces and armed groups**

- The notion of association, *Jonathan Somer*, Persona Grata Consulting
- Open discussion

12:30 – 14:00 Lunch Break

14:00 – 16:00

**SESSION 7: Ensuring compliance with international standards**

- Practical measures for implementation and challenges, *Hichem Khadhraoui*, Geneva Call
- Working group discussions
- Reporting from the working groups
- Open discussion

16:00 – 16:30 Coffee Break

17:00 – 17:30

**SESSION 8: Age assessment**

- Expert briefing on methods of age assessment, *Ibrahim Sesay*, UNICEF
- Open discussion

17:30 – 19:00

**Bilateral meetings**

## THURSDAY, 24 NOVEMBER 2016

### DAY 3

8:00 – 9:00 Registration

9:00 – 9:10

**Introduction**, *Jonathan Somer*, Persona Grata Consulting

9:10 – 10:15

#### **SESSION 9: Providing, facilitating and protecting education**

- Measures that can be taken to provide, facilitate and protect education, *Peter Klanduch*, Protect Education in Insecurity and Conflict (PEIC)
- Open discussion

10:15 – 10:45

#### **SESSION 10: Attacks on education**

- Global initiatives to prevent attacks on education, *Gisela Schmidt-Martin*, Global Coalition to Protect Education from Attack (GCPEA)
- Open discussion

10:45 – 11:15 Coffee Break

11:15 – 12:45

#### **SESSION 11: Avoiding the use of schools for military purposes**

- Measures to avoid schools from being used for military purposes, *Bede Sheppard*, GCPEA
- Working groups discussion
- Reporting back from working groups

12:45 – 14:00 Lunch Break

14:00 – 16:00

#### **SESSION 12: Summary of recommendations and ways forward**

- Presentation of key outcomes, *Pascal Bongard*, Geneva Call
- Open discussion

15:45 – 16:00

#### **Closing remarks**

- *Maleiha Malik*, Executive Director, PEIC
- *Saudamini Siegrist*, Senior Advisor of child protection in emergencies, UNICEF
- *Elisabeth Decrey Warner*, Executive President, Geneva Call

## List of ANSA participants

COUNTRY	NAME	ABBREVIATIONS
BURMA/MYANMAR	Karenni National Progressive Party/ Karenni Army	KNPP/KA
	New Mon State Party/ Mon National Liberation Army	NMSP/MNLA
	Pa'O National Liberation Organization/ Pa'O National Liberation Army	PNLO/PNLA
	Restoration Council of Shan State/ Shan State Army (South)	RCSS/SSA-S
	Karen National Union/ Karen National Liberation Army	KNU/KNLA
COLOMBIA	Revolutionary Armed Forces of Colombia – People's Army	FARC-EP
DEMOCRATIC REPUBLIC OF CONGO	Alliance des Patriotes pour un Congo Libre et Souverain	APCLS
INDIA	Kuki National Front	KNF
IRAN	Democratic Party of Iranian Kurdistan	PDKI
	Free Life Party of Kurdistan	PJAK
LEBANON	Palestinian Liberation Organisation/ Palestinian National Security Forces	PLO/PNSF
SUDAN	Sudan Peoples' Liberation Movement – North	SPLM-N
	Sudan Liberation Movement/Army – Minni Minnawi	SLM/A-MM
	Justice and Equality Movement	JEM
SYRIA	People's Protection Units/ Women's Protection Units/ Democratic Self-Administration in Rojava	YPG/YPJ Rojava administration
THE PHILIPPINES	Moro Islamic Liberation Front/ Bangsamoro Islamic Armed Force	MILF/BIAF
TURKEY	People's Defences Forces/ Kurdistan Worker's Party	HPG/PKK
YEMEN	Al-Houthi movement/Ansar Allah	Ansar Allah/Al-Houthi

In addition, three armed actors from Iraq participated in the meeting









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