

J-SOCHUM

Children Rights in Armed Conflicts

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1-Letter from Secretary-Generals

Most distinguished participants,

It is our privilege to serve you as Secretaries-General of this year's ATAMUN and we are thrilled to announce our upcoming conference, ATAMUN'24.

Since the first committees were made and the first conference was shaped, our conference strives to amplify the voices of the global youth on our beloved planet, we aim to unite the fragmented cultural aspects of humanity. Our essential objective is to embrace the diverse ideas put forth by the youth without imposing judgment based on individual perspectives.

After many years of participation in Model United Nations and accumulating valuable experience, we now find ourselves organizing a conference. Our journey within the MUN community has provided insights into the dedicated efforts of the MUN team working tirelessly every year, in order to make the conference better than the previous years and to continue this tradition, we are pleased to declare our commitment to uphold and enhance this year's oncoming conference.

We are working continuously to make our upcoming conference an admirable attendance for everyone taking place. Our magnificent academic team has chosen topics for 2 joint Crisis committees, 3 junior committees, and 7 various committees, which we believe will make certain delegates enhance themselves and also kindle a heightened interest in global affairs. We aim to encourage participants to contribute their problem-solving skills and explore solutions from unconventional perspectives. Additionally, our exceptional organizing team is planning enjoyable events, ensuring a harmonious blend of fun and the creation of unforgettable memories.

Finally, to wrap things up, as Secretaries-General of this splendid conference, we extend a warm welcome to participants of ATAMUN'24.

Yours sincerely,

Salih Gülbenim
Zeynep Mina Yolaçan.

2-Introduction to the Committee: United Nation

The United Nations General Assembly Third Committee (also known as the Social, Humanitarian, and Cultural Committee or SOCHUM or C3) is one of six main committees at the General Assembly of the United Nations. It deals with human rights, humanitarian affairs and social matters.

When it comes to children, the aim of SOCHUM is to address various issues and challenges affecting children globally, and to promote and protect their rights and well-being. The committee works towards creating international policies and frameworks that ensure the rights and development of children are prioritized.

Overall, SOCHUM aims to create a global framework that fosters the holistic development and protection of children, recognizing them as rights-holders and contributors to society.

3-Introduction to the Topic: Children's Rights in Armed Conflicts

Children's rights or the rights of children are a subset of human rights with particular attention to the rights of special protection and care afforded to minors. The 1989 Convention on the Rights of the Child (CRC) defines a child as "any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier."^[2] Children's rights includes their right to association with both parents, human identity as well as the basic needs for physical protection, food, universal state-paid education, health care, and criminal laws appropriate for the age and development of the child, equal protection of the child's civil rights, and freedom from discrimination on the basis of the child's race, gender, national origin, religion, disability, color, ethnicity, or other characteristics.

Children have two types of human rights under international human rights law. They have the same fundamental general human rights as adults, although some human rights, such as the right to marry, are dormant until they are of age. Secondly, they have special human rights that are necessary to protect them during their minority. General rights operative in childhood include the right to security of the person, to freedom from inhuman, cruel, or degrading treatment, and the right to special protection during childhood. Particular human rights of children include, among other rights, the right to life, the right to a name, the right to express his views in matters concerning the child, the right to freedom of thought, conscience and religion, the right to health care, the right to protection from economic exploitation, and the right to education.

The Convention on the Rights of the Child (CRC) is a comprehensive international treaty adopted by the United Nations General Assembly. It was opened for signature on November 20, 1989, and entered into force on September 2, 1990. The CRC is a landmark document that outlines the rights of children and sets out the obligations of states to ensure the well-being and development of every child. The CRC is the most widely ratified human rights treaty in history, with almost every country in the world being a party to it. By ratifying the CRC, countries commit to implementing its provisions and ensuring that the rights and well-being of children are protected and promoted. The Convention has been instrumental in shaping national and international policies and programs related to children's rights.

An armed conflict is a situation in which two or more organized groups, typically states or non-state actors such as rebel groups or militias, engage in the use of armed force against one another. These conflicts can range from relatively minor fights to large-scale wars involving significant military forces and causing extensive destruction and loss of life. Armed conflicts can arise from a variety of causes, including territorial disputes, ideological differences, ethnic or religious tensions, resource competition, or struggles for political

power. They can take place within the borders of a single country (internal or civil conflicts) or involve multiple nations (international conflicts).

Children are profoundly affected by armed conflicts in various ways, often experiencing some of the most severe consequences. Physical harm, psychological trauma, displacement and refugees, education disruption, recruitment and use as child soldiers, health risks, loss of family and caregivers, impact on future opportunities and various different things could be examples. Children are profoundly affected by armed conflicts in various ways, often experiencing some of the most severe consequences.

Key features of the Convention on the Rights of the Child include:

•***Non-Discrimination (Article 2):*** The principle of non-discrimination requires that all children enjoy their rights without discrimination based on race, color, sex, language, religion, national or social origin, birth status, or other characteristics.

•***Best Interests of the Child (Article 3):*** In all actions concerning children, the best interests of the child shall be a primary consideration.

•***Right to Life, Survival, and Development (Article 6):*** States parties recognize the inherent right to life of every child and undertake to ensure the child's survival and development.

•***Respect for the Views of the Child (Article 12):*** Children have the right to express their views in all matters affecting them, and these views should be given due weight according to the child's age and maturity.

•***Right to Education (Article 28):*** Children have the right to education, and primary education should be compulsory and free. Secondary education, including vocational training, should be accessible to every child.

•***Right to Play and Leisure (Article 31):*** Children have the right to engage in play, recreational activities, and cultural life appropriate to their age.

•***Protection from Exploitation and Abuse (Article 32):*** Children have the right to be protected from economic exploitation and from work that may be hazardous to their health or interfere with their education.

•***Protection in Armed Conflicts (Article 38):*** Children should be protected from involvement in armed conflicts. Parties to the conflict must take all feasible measures to ensure that children under the age of 15 do not take a direct part in hostilities.

4- A Deep Dive to the Topic

a. Article 38 in CRC

Article 38 of the Convention on the Rights of the Child (CRC) addresses the special protection and care that children affected by armed conflicts should receive. This article recognizes the particularly vulnerable position of children during times of war or armed conflict and aims to ensure their well-being, safety, and protection from the harsh realities of armed hostilities. Here is a more detailed explanation of Article 38:

•***Prevention of Involvement in Armed Conflicts (Paragraph 1):***

States parties are obligated to take all feasible measures to ensure that children under the age of 15 do not take a direct part in hostilities. This includes efforts to prevent the recruitment and use of children as child soldiers.

•***Minimum Age for Recruitment (Paragraph 2):***

States parties are urged to raise the minimum age for voluntary recruitment into their national armed forces. While the CRC does not set a specific age, it encourages states to consider the physical and psychological maturity of the child.

•***Measures to Provide Protection and Care (Paragraph 3):***

States parties must take measures to ensure the protection and care of children affected by armed conflicts. This includes providing assistance for the physical and psychological recovery and social reintegration of children who have been victims of armed conflict.

•***International Cooperation (Paragraph 4):***

States parties are encouraged to cooperate in the implementation of this article, particularly through international cooperation and assistance. This can include sharing best practices, providing support for demobilization and rehabilitation programs, and collaborating on efforts to prevent the involvement of children in armed conflicts.

•***Protection of Schools and Hospitals (Paragraph 5):***

Parties to the conflict must take all feasible measures to ensure the protection and care of children who are affected by armed conflicts. This includes ensuring the protection of schools and hospitals from attacks, as these are places where children often seek refuge and receive education and healthcare.

In conclusion, Article 38 emphasizes the need for special attention to the rights and protection of children in situations of armed conflict. It underscores the importance of preventing their involvement in hostilities, raising the age of voluntary recruitment, and providing appropriate care and support for those who have been affected by armed conflict. The article reflects a commitment to minimizing the impact of armed conflicts on the lives of children and promoting their physical, mental, and social well-being.

b. Challenges Faced

Children's rights in armed conflicts face numerous challenges due to the complex and volatile nature of such situations. Some of the key challenges are:

•***Recruitment and Use of Child Soldiers:***

Armed groups and sometimes even state forces may recruit children as soldiers, exposing them to physical and psychological harm.

•***Violence and Abuse:***

Children are often subjected to various forms of violence, including sexual violence, physical abuse, and exploitation during armed conflicts.

•***Displacement and Separation:***

Many children become internally displaced or refugees, facing the risk of separation from their families, leading to emotional distress and vulnerability.

•***Limited Access to Education:***

Conflict disrupts educational systems, limiting access to schools and exposing children to the risk of being recruited or engaged in risky work.

•***Healthcare Challenges:***

Access to healthcare services becomes compromised, leading to inadequate medical care and increased susceptibility to diseases and injuries.

•***Psychological Trauma:***

Exposure to violence, loss of family members, and displacement can lead to severe psychological trauma, affecting children's mental health and well-being.

•***Targeting of Schools and Hospitals:***

Schools and hospitals may become targets in armed conflicts, disrupting essential services and placing children at risk.

•***Lack of Humanitarian Access:***

Humanitarian organizations may face challenges in accessing conflict zones to provide essential services, leaving children without adequate support.

•***Underreporting and Lack of Accountability:***

Violations of children's rights in armed conflicts are often underreported, and there is a lack of accountability for perpetrators, contributing to a culture of impunity.

•***Long-Term Impact on Development:***

The effects of armed conflict can have long-term consequences on a child's physical, cognitive, and emotional development, impacting their future opportunities and well-being.

•***Landmines and Unexploded Ordnance:***

The presence of landmines and unexploded ordnance poses a significant threat to children's safety, leading to injuries or fatalities.

•***Disruption of Social Structures:***

Armed conflicts disrupt social structures, leaving children without proper familial and community support systems, exacerbating their vulnerability.

c. Survivors of the Armed Conflicts

Survivors of children in armed conflicts face numerous challenges, and supporting their recovery and rehabilitation is essential. Here are some key considerations and actions that can be taken to assist survivors of children affected by armed conflicts:

•Psychosocial Support:

Provide counseling and mental health support to help survivors cope with the trauma and emotional distress resulting from their experiences in armed conflicts.

•Reintegration Programs:

Develop and implement programs focused on the reintegration of survivors back into their communities, addressing the stigma they may face and fostering acceptance.

•Access to Education:

Ensure access to quality education for survivors, addressing disruptions caused by armed conflicts and creating opportunities for catching up on missed schooling.

•Healthcare Services:

Establish and strengthen healthcare services to address the physical and mental health needs of survivors, including rehabilitation for injuries and access to ongoing medical care.

•Legal Protections:

Advocate for and enforce legal measures that protect the rights of child survivors, ensuring accountability for those who have committed crimes against them.

•Prevention of Re-recruitment:

Implement measures to prevent the re-recruitment of survivors into armed groups, including awareness programs, vocational training, and community support.

•Family Reunification:

Facilitate efforts to reunite survivors with their families whenever possible, recognizing the importance of family support in the recovery process.

•Livelihood and Skills Development:

Support survivors in acquiring vocational skills and opportunities for sustainable livelihoods, enabling them to build a better future for themselves.

•Protection from Discrimination:

Advocate against discrimination and social stigma that survivors may face, promoting inclusivity and acceptance within their communities.

•Community Awareness and Sensitization:

Conduct awareness campaigns within communities to reduce stigma and promote understanding of the unique challenges faced by child survivors of armed conflicts.

•Landmine and Explosive Remnants of War Awareness:

Raise awareness about the dangers of landmines and explosive remnants of war, educating survivors and communities to prevent accidents and injuries.

•***Access to Justice:***

Ensure access to justice for survivors by supporting legal mechanisms that hold perpetrators accountable for crimes committed against them.

•***International Cooperation:***

Facilitate international cooperation and coordination to provide financial and logistical support for programs aimed at assisting child survivors.

5-Past Attempts to Solve the Issue

Efforts to address children's rights in armed conflicts have been ongoing for several decades, and various international initiatives and agreements have been established to address the challenges faced by children in such situations. Some notable past attempts to solve the issue include:

•***Convention on the Rights of the Child (CRC):***

Adopted in 1989, the CRC is a landmark international treaty that explicitly recognizes the rights of children, including those affected by armed conflicts. It has been ratified by the majority of countries globally and serves as a comprehensive framework for protecting and promoting the rights of children.

•***Optional Protocols to the CRC:***

The Optional Protocol on the Involvement of Children in Armed Conflict (OPAC), adopted in 2000, sets 18 as the minimum age for direct participation in hostilities and prohibits the recruitment and use of child soldiers. The Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography complements efforts to protect children from exploitation.

•***Paris Principles (2007):***

The Paris Principles and Commitments on Children Associated with Armed Forces or Armed Groups provide guidelines for the release and reintegration of child soldiers. These principles emphasize the importance of protecting the rights of children affected by armed conflicts.

•***Safe Schools Declaration (2015):***

The Safe Schools Declaration is an international commitment aimed at protecting students, teachers, schools, and universities during times of armed conflict. It seeks to prevent the use of educational institutions for military purposes and to minimize the impact of armed conflicts on education.

•***Graca Machel's Impact Study (1996):***

The "Impact of Armed Conflict on Children" report, led by Graca Machel, highlighted the devastating effects of armed conflict on children and called for urgent action to protect and promote their rights. This influential report contributed to increased international awareness and efforts to address the issue.

•***United Nations Security Council Resolutions:***

The UN Security Council has passed various resolutions addressing the protection of children in armed conflicts, including resolutions 1261 (1999), 1612 (2005), 1882 (2009), and 2427 (2018). These resolutions call for the monitoring and reporting of violations against children, the inclusion of child protection provisions in peacekeeping mandates, and the listing of parties that commit grave violations against children.

•***Children and Armed Conflict Working Group (2005):***

The UN Security Council established a Working Group on Children and Armed Conflict, which focuses on monitoring and reporting on the impact of armed conflict on children and developing strategies to address violations against children.

•***Coalition to Stop the Use of Child Soldiers (1998):***

Formed by leading human rights organizations, this coalition works to prevent the recruitment and use of child soldiers and promotes the implementation of international standards regarding children in armed conflicts.

•***Special Representative of the Secretary-General for Children and Armed Conflict (SRSG-CAAC):***

Established by the United Nations in 1997, the SRSG-CAAC works to advocate for the protection and rights of children affected by armed conflicts. The Special Representative monitors and reports on violations against children and engages with parties involved in conflicts to prevent such violations.

•***Guidelines for the Alternative Care of Children (2009):***

Developed by UNICEF and other partners, these guidelines provide a framework for ensuring appropriate alternative care for children who are separated from their families due to armed conflicts, emphasizing the importance of placing children in family-based care whenever possible.

•***Child Protection and Education in Emergencies (INEE, 2004):***

The Inter-Agency Network for Education in Emergencies (INEE) has developed tools and resources to ensure that education remains a priority during and after armed conflicts. These guidelines focus on providing safe and quality education for children in crisis situations.

•***Children and Armed Conflict Resolutions (1999-2021):***

The United Nations Security Council has issued multiple resolutions on children and armed conflict. These resolutions address various aspects, such as the protection of schools, accountability for perpetrators, and the development of action plans by parties to conflicts to end the recruitment and use of child soldiers.

•***International Criminal Court (ICC):***

The ICC has played a role in holding individuals accountable for war crimes, including those related to the recruitment and use of child soldiers. Cases involving crimes against children in armed conflicts have been brought before the ICC.

•***Global Coalition to Protect Education from Attack (2010):***

This coalition brings together various organizations to address the issue of attacks on education during armed conflicts, emphasizing the need to protect schools, students, and educators.

•***World Health Organization (WHO) Mental Health Gap Action Programme (mhGAP):***

WHO's mhGAP aims to provide evidence-based guidelines for the management of mental, neurological, and substance use disorders in non-specialized health settings, including those in conflict-affected areas where children may experience psychological trauma.

•***Safe Schools for Children in Conflict-Affected Countries (2013):***

Launched by the Global Coalition to Protect Education from Attack, this initiative aims to promote the protection of schools and universities during armed conflicts and support the continuation of education for children in conflict-affected areas.

•***United Nations Committee on the Rights of the Child General Comments:***

The Committee issues general comments to interpret and guide the implementation of the CRC. General Comment No. 6 (2005) focuses on the treatment of unaccompanied and separated children outside their country of origin, emphasizing their rights and protection.

6-International Organizations and Their Roles

International organizations play a crucial role in addressing children's rights in armed conflicts due to the global and complex nature of the issue. Here are several reasons highlighting the importance of international organizations in this context:

•*Global Perspective:*

International organizations bring together nations from around the world, providing a platform to address children's rights in armed conflicts with a comprehensive and global perspective. This is important because armed conflicts often cross national borders, and a collective effort is necessary to address the challenges faced by children in conflict zones.

•*Standard Setting and Norms:*

International organizations contribute to the development and promotion of international standards and norms related to children's rights in armed conflicts. Treaties, conventions, and protocols, such as the Convention on the Rights of the Child (CRC) and its Optional Protocols, provide a framework that guides the actions of nations and establishes common expectations.

•*Advocacy and Awareness:*

International organizations play a crucial role in raising awareness about the impact of armed conflicts on children. They engage in advocacy efforts to promote understanding, garner support, and mobilize resources to address the unique challenges faced by children in conflict zones.

•*Coordination and Collaboration:*

Armed conflicts involve multiple actors, including governments, non-governmental organizations (NGOs), and humanitarian agencies. International organizations facilitate coordination and collaboration among these diverse stakeholders to ensure a cohesive and effective response to the complex needs of children affected by armed conflicts.

•*Monitoring and Reporting:*

International organizations actively monitor and report on violations of children's rights in armed conflicts. This includes documenting instances of child recruitment, attacks on schools, and other forms of abuse. Such monitoring helps hold perpetrators accountable and informs global efforts to address systemic issues.

•*Humanitarian Assistance:*

International organizations are often at the forefront of providing humanitarian assistance in conflict zones. They deliver essential services, including healthcare, education, nutrition, and psychosocial support, to mitigate the immediate and long-term impact of armed conflicts on children.

•*Conflict Prevention and Resolution:*

By engaging in conflict prevention and resolution efforts, international organizations work to reduce the occurrence and intensity of armed conflicts. This proactive approach helps prevent the violations of children's rights that often accompany armed hostilities.

•*Legal Frameworks and Accountability:*

International organizations contribute to the development and enforcement of legal frameworks that hold individuals accountable for crimes against children in armed conflicts. This includes supporting international tribunals and mechanisms aimed at prosecuting those responsible for such violations.

•Capacity Building:

International organizations support the capacity building of local governments and organizations to address the specific needs of children in conflict-affected areas. This includes training on child protection, education, and healthcare in emergency situations.

•Research and Data Collection:

International organizations conduct research and collect data on the impact of armed conflicts on children. This evidence-based approach helps inform policies, programs, and interventions, ensuring that responses are tailored to the specific needs of children in different conflict contexts.

In summary, international organizations serve as key actors in addressing children's rights in armed conflicts by providing a collaborative and coordinated response, setting global standards, advocating for change, and ensuring that the unique vulnerabilities and needs of children are prioritized on the international agenda.

7-Resolutions Should Cover

- How can the international community prevent the re-cruitment and use of child soldiers in armed conflicts?
- How can the safety and protection of children in conflict zones be ensured, including the protection of schools, hospitals and other essential services for children?
- What measures can be taken to improve humanitarian Access to conflict-affected areas to provide essential services for children?
- How can psychosocial support be provided to children affected by armed conflicts to address trauma, promote mental well-being and facilitate the reintegration of child survivors into their communities?
- What strategies can be employed to ensure continuous access to education and protection of education for children in conflict zones?
- How can access to healthcare services be improved for children affected by armed conflicts, including malnutrition and preventing the spread of diseases?
- What measures can be taken to facilitate the reunification of separated children with their families*?
- How can children in armed conflicts be protected from violence, abuse, and exploitation?
- How can international cooperation be enhanced to provide support for programs addressing children's rights?
- What legal measures can be put in place to strengthen the protection of children's rights in armed conflicts?
- What measures can be taken to reduce discrimination against child survivors?

8-Further Readings

<https://www.warchild.org.uk/>

<https://www.unicef.org/sudan/stories/five-things-you-need-know-about-children-and-armed-conflict>

<https://warchildhood.org/children-and-armed-conflict-legal-framework/>

<https://resourcecentre.savethechildren.net/document/legal-protection-children-armed-conflict/>

<https://childrenandarmedconflict.un.org/>

<https://www.icrc.org/en/doc/resources/documents/article/other/57jmat.htm>

<https://www.unicef.org/child-rights-convention>

https://en.wikipedia.org/wiki/Convention_on_the_Rights_of_the_Child

<https://ihl-databases.icrc.org/en/ihl-treaties/crc-1989/article-38>

https://en.wikipedia.org/wiki/Children%27s_rights