

# Enhancing the EU Response to Children Affected by Armed Conflict

With particular reference to  
development policy

Study for the Slovenian EU Presidency



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While this study was commissioned by the Slovenian Presidency of the EU in relation to the agreed and shared German, Portugal, troika priorities on development cooperation, the views expressed in this paper are those of the author only and do not necessarily represent the views of the Slovenian government, nor those of ECDPM.

## List of acronyms

ACP	Africa, Caribbean and Pacific
ADC	Austrian Development Cooperation
AIDS	Acquired Immune Deficiency Syndrome
BMZ	Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (German Federal Ministry for Economic Cooperation and Development)
CAAC	Children Affected by Armed Conflict
CFSP	Common Foreign and Security Policy
CIDA	Canadian International Development Agency
CIVCOM	Council working group on civilian crisis management
CODEV	Council working group on development
COHOM	Council working group on human rights
CSP	Country Strategy Paper
DAC	Development Assistance Committee of the OECD
DCI	Development Cooperation Instrument
DDR	Disarmament, Demobilisation and Reintegration of former Combatants
DFID	Department for International Development - United Kingdom
DGDC	Directorate General for Development Cooperation - Belgium
DG DEV	EC Directorate General for Development
DG RELEX	EC Directorate General for the External Relations
DRC	Democratic Republic of Congo
EC	European Community
ECDPM	European Centre for Development Policy Management
ECHO	EC Directorate General for Humanitarian Aid
EDF	European Development Fund
EGT	European Group on Training
EIDHR	European Initiative for Democracy and Human Rights
EPLO	European Peacebuilding Liaison Office
ERW	Explosive Remnant of War
ESDP	European Security and Defence Policy
EU	European Union
EUFOR- TCHAD/RCA	European Union Force Mission in Chad and Central African Republic
EUPM	European Union Police Mission to Bosnia and Herzegovina
EUPOL	European Union Police Mission in the DRC
EUPT	European Union Planning Team in Kosovo



EUSEC	European Union Security Sector Reform Mission in the DRC
EUSR	European Union Special Representative
FTI	Fast Track Initiative
GAERC	General Affairs and External Relations Council
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit (German Agency for Technical Cooperation)
IA	International Alert
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ICTJ	International Center for Transitional Justice
ILO	International Labour Organisation
LRA	Lord's Resistance Army - Uganda
LRRD	Linking Relief, Rehabilitation and Development
MDG	Millennium Development Goals
MDRP	Multi-Donor Reintegration Programme
MEP	Member of the European Parliament
MS	Member State of the European Union
NGO	Non-governmental organisation
NIP	National Indicative Programme
OECD	Organisation of Economic Cooperation and Development
PCNA	Post-Conflict Needs Assessment
PMG	Political Military Group
PRSP	Poverty Reduction Strategy Paper
SFCG	Search for the Common Ground
SIDA	Swedish International Development Agency
SRSG-CAAC	Special Representative of the UN Secretary-General on Children and Armed Conflict
SSR	Security Sector Reform
SWaP	Sector Wide Approach
UN	United Nations
UNDAF	United Nations Development Framework
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNESCO	United Nations Education, Science and Cultural Organization
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations International Children's Fund

UNIDIR	United Nations Institute for Disarmament Research
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UXO	Unexploded Ordinance
WHO	World Health Organization
WV	World Vision

## Foreword

The issue of children affected by armed conflict is one of the priorities outlined in the 18 month troika programme 'Strengthening the European Union's Role as a Global Partner for Development' as jointly agreed by the three Presidencies of Germany, Portugal and Slovenia. The European Centre for Development Policy Management (ECDPM) was commissioned by the Slovenian Ministry of Foreign Affairs to undertake this study on children affected by armed conflict and the European Union's response. In particular the study was interested in how to enhance the development cooperation dimension of the issue and to add possible development linkages to the European Union's approach.

In preparing this paper an initial meeting was held in Brussels that brought together NGOs, EC officials, the Slovenian Foreign Ministry with ECDPM in June 2007. Subsequently, the first stages of research included an analysis of current UN and EU official documents relevant to CAAC. This was complemented by assessing the latest relevant reports produced by United Nations agencies and specialist organizations with an established track record in the field of either CAAC or the European Union, including NGOs. Finally, this was supplemented by academic research on the issue of children affected by armed conflict. To complement the desk study, face-to-face and telephone interviews were undertaken with over thirty officials from EU institutions, EU member-states, NGOs, UN, and other specialist organisations. A roundtable meeting was held with UN agencies in Brussels. Certain specialist non-governmental agencies in the CAAC field were invited to make formal submissions and case studies. In addition a questionnaire was undertaken that sought the opinions of those working in EC Delegations in countries affected by armed conflict (see annex 3). The research was undertaken from July to December 2007.<sup>1</sup> Feedback on an initial 1<sup>st</sup> draft of this paper was received from the Ministry of Foreign Affairs of Slovenia, representatives of troika government agencies and relevant specialist officials of the European Commission.

### Scope of the Study

The focus of this research originally intended to address the needs of both children and women affected by armed conflict in all stages of the conflict cycle. However, as the research progressed it became increasingly clear to the study team that it was not possible to tackle both issues adequately in one study. After discussing this with the Slovenian Ministry of Foreign Affairs it was agreed that this study should focus on children and the study will therefore not extend to exploring the issue of women and armed conflict.<sup>2</sup> The three main reasons for this decision are first that the study had to work with fairly tight parameters and therefore a sharp focus was important if a good product was to be achieved. Second it was apparent that both in the wider international debate and more specifically within EU circles thinking on women and armed conflict is relatively more advanced than on children in armed conflict<sup>3</sup>; the latter therefore emerged as the more urgent question where clear advances could be made. Perhaps most convincing of all, however, was the apparent unanimity among research participants that seeking to combine both women and children and armed conflict issues within one relatively short study might actually prove to be a step backward in improving the EU response in either or both areas, as both deserved serious treatment in their own right. Moreover, the complexity of both children and women's issues – in different roles and different situations – demands adequate, separate attention. It is, however, important to emphasise that gender also applies to

<sup>1</sup> Main research was finalised in November 2007 with additional amendments in December 2007.

<sup>2</sup> Issues of women and armed conflict should not be seen as entirely synonymous with issues of gender and armed conflict. For a discussion of gender and armed conflict see, Amani El Jack et al., *Gender and Armed Conflict Overview Report*, BRIDGE (development - gender). Institute of Development Studies - University of Sussex. Brighton. 2003.

<sup>3</sup> Indeed as recently as May 2007 the EU GAERC reached conclusions on women and development which include references to women and armed conflict. As did the EU GAERC conclusions of the 2831<sup>st</sup> council meeting on November 2007 which mentioned the importance of gender mainstreaming in ESDP operations and further work on UNSCR 1325 in the context of Security and Development whereas the last time the GAERC focused on children and armed conflict specifically was in 2005.

children, and that girls and young women are often affected differently by conflict than boys and young men. The paper does, therefore, acknowledge the differentiated needs of girls and young women under 18 (see particularly box 1) as well as learning from the gender field that may be relevant to a more appropriate response to CAAC.

That said it is useful to quickly outline a number of issues about women and armed conflict that did emerge during the study and which we believe point to the need for further separate work.

To start with our research made clear that while women in areas affected by armed conflict may be traditionally considered as care givers for children, their roles in conflict situations should not be reduced or understood as this alone. Indeed, the 2000 United Nations Security Council Resolution (UNSCR) 1325 on 'women, peace and security' clearly states that women play multiple roles in conflict situations, extending well beyond that of care-giver for children even extending to active and willing combatants. A greater understanding of these roles and perspectives must to be taken into account in relation to marginalisation and empowerment. For example, particularly important is addressing the marginalisation of women from peace processes and the negotiation table as well as the potential for women to act as peacebuilders throughout society. Likewise, it is important to ensure that women are not marginalised from processes of economic reconstruction, disarmament, demobilisation, and reintegration, as well as security sector reform. The European Institutions and the EU member-states have in multiple forums noted the more comprehensive women's empowerment role that UNSCR 1325 rightfully demands. Countries such as Austria, Denmark, Sweden and the United Kingdom have subsequently adopted comprehensive national action plans for UNSCR 1325, demonstrating its importance.<sup>4</sup> This is in addition to other EU work undertaken on gender and women's issues such as the *Check list to ensure gender mainstreaming and implementation of UNSCR 1325* in the planning and conduct of European Security and Defence Policy Operations developed in 2006 by the Council Secretariat.<sup>5</sup>

European Parliament resolutions from as far back as 2000 on the participation of women in peaceful conflict resolution provide a number of practical ideas for how to adopt a more comprehensive EU approach toward the issue.<sup>6</sup> More recently in May 2007, the Communication from the Commission on *Gender Equality and Women Empowerment in Development Cooperation* makes reference to women's empowerment in the governance field with particular emphasis on conflict and post conflict situations.<sup>7</sup> Additionally, the General Affairs and External Relations Council (GAERC) Conclusions on *Gender Equality and Women's Empowerment in Development Cooperation* of May 2007, "calls on the Commission and Member States within their respective competences: to develop and fully implement appropriate measures [in relation to women and conflict] such as concerted and harmonised national action plans for the implementation of UNSCR 1325 and the integration of the provisions of Resolution 1325 in country strategy papers (CSPs), including promoting the role and utilising the resources of women in disarmament, demobilisation and reintegration and post-conflict reconstruction, peace-building and development..."<sup>8</sup>

<sup>4</sup> See Giji Gya, 2007. "The importance of Gender in ESDP", *European Security Review* 34, pp. 4-8 and, Gerhard Pfanzelter, "At the open debate of the Security Council on "Women, Peace and Security: Towards a coherent and effective implementation of Security Council Resolution 1325 (2000)", Permanent Mission of Austria to the United Nations, New York, 23<sup>rd</sup> of October 2007.

<sup>5</sup> Council Secretariat, *Check list to ensure gender mainstreaming and implementation of UNSCR 1325 in the planning and conduct of ESDP Operations*, (doc 12086/06), 27 July 2006. For an overview of other EU related policy developments related to women and gender and ESDP in particular see, Giji Gya, "The importance of Gender in ESDP", *European Security Review* 34, pp. 4-8.

<sup>6</sup> European Parliament, *Report on participation of women in peaceful conflict resolution (2000/2025(INI))* session document, Committee on Women's Rights and Equal Opportunities Rapporteur: Maj Britt Theorin, A5-0308/2000 20 October 2000. This report also includes the resolution.

<sup>7</sup> Commission of the European Communities, *Communication from the Commission to the European Parliament and the Council: Gender Equality and Women Empowerment in Development Cooperation*, COM(2007) 100 final, Brussels, 8.3.2007. Available: <[http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007\\_0100en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0100en01.pdf)>

<sup>8</sup> Council of the European Union, *Gender Equality and Women's Empowerment in Development Cooperation - Conclusions of the Council and of the Representatives of the Governments of the Member States meeting within the*

It would seem that further progress on the implementation of United Nations Security Council 1325 in combination with implementation of the other EU measures described above provides a useful, but not wholly sufficient, entry point for a more comprehensive and effective EU approach to issues of women and armed conflict.<sup>9</sup> Hence our conclusion that more research would indeed be useful on women and armed conflict to significantly inform and improve the European Union's approach and response in this area.<sup>10</sup>

The scope of this study includes girls and young women below 18 years of age.<sup>11</sup> For the reasons cited above, it does not extend to women and armed conflict. However, we would recommend that a separate, comprehensive study be conducted to fully examine the wide-ranging issues related to gender, women and armed conflict.

### Structure of the study

This study is divided into three parts. Part I encompassing sections 1, 2, and 3, provides a background to the issue of children affected by armed conflict and international responses to it. Part II focuses on the European Union's response and comprises chapters 4 and 5. Part III encompassing chapters 6 and 7 provides an analysis of the options for enhancing the EU's response in these areas.

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Council, 9561/07, Brussels, 15 May 2007. Available:

<<http://register.consilium.europa.eu/pdf/en/07/st09/st09561.en07.pdf>>

<sup>9</sup> For a comprehensive toolkit to addressing women's and gender issues in relation to security see, International Alert / Women Waging Peace, *Inclusive Security A Toolkit for Advocacy and Action*, (London: International Alert / Women Waging Peace, 2004).

<sup>10</sup> The European Peacebuilding Liaison Office (EPLO) has a Gender, Peace and Security Working Group that is advocating for an EU wide approach to UNSCR 1325 and is working with certain institutions and member states to bring this agenda forward. Also the International Alert led multi-agency EC funded new Initiative for Peacebuilding has a particular section on Gender and Peacebuilding see, <<http://www.initiativeforpeacebuilding.eu>>

<sup>11</sup> Many commentators note that youth aged 15-24 are a particularly important group when it comes to responding to armed conflict. They are a group that is often neglected. It was not the parameters of this study to engage on the issue of youth, but they do constitute an extremely important group in relation to the issue of armed conflict and its resolution. For further information see, UNDP, *Youth and Violent Conflict: Society and Development in Crisis* (New York, UNDP – Bureau of Crisis Response and Recovery, 2006).

## Part I: Background

Part I provides a background to the issue of children affected by armed conflict (CAAC), international approaches to CAAC, and how children are affected by armed conflict.

### 1 Introduction

Unlike many issues on the European Union's (EU) agenda, children affected by armed conflict (CAAC) is one in which member-states and European institutions agree much needs to be done, and done better. Any child under 18 years of age is particularly vulnerable to the impact of conflict and children represent the future of any country.<sup>12</sup> CAAC is not a controversial issue, yet it is one that is often misunderstood.<sup>13</sup> Children are not merely helpless victims. Their views and perspectives must be taken into account. Also, as children have expressed themselves recently the issue of children affected by armed conflict extends beyond humanitarian responses to those of child rights, human rights, long-term development, strategic peacebuilding, and conflict prevention.<sup>14</sup> Too often the issue of CAAC is understood as entirely synonymous with the issue of 'child soldiers', rather than children associated with armed groups being part of a wider CAAC agenda that encompasses many issues in the health, education, security, governance and legal fields. These are all areas in which development cooperation has a significant role to play.

Because children affected by armed conflict requires a multifaceted response spanning diplomatic, humanitarian, human rights, governance, development, crisis management and peacebuilding measures, few international entities can by themselves undertake an effective response. The European Union is one of the few international initiatives that brings all the elements of a multilateral approach (encompassing diplomacy, development and defence) to the issue of CAAC. It is this potential, long noticed by those interested in comprehensive approaches to conflict prevention and human security, which makes the EU an important potential player when responding to the issue of children affected by armed conflict. Responding to CAAC effectively requires a long-term approach that seeks to build on the principles of local ownership, accountability and partnership of national agencies within conflict settings. In situations of fragility and conflict it may be tempting to focus only on supporting service delivery by international agencies, yet as the EU has recently acknowledged long-term strengthening of the state and its core functions and its links with non-state actors is required.<sup>15</sup> This approach is a challenging one to actually implement but would benefit CAAC.

The actions of the EU must also be supportive, mutually reinforcing, and add value to those of the United Nations (UN) system, both at the diplomatic level and also at the level of UN agency programmes and initiatives. Indeed, most EU policy documents strongly stress the importance of a coordinated approach with the UN on the issue of CAAC, and both the EU and UN have long recognised the need for a more effective working relationship more widely. Indeed the European Security Strategy notes the importance of effective multilateralism and the General Affairs & External Relations Council conclusions of 8<sup>th</sup> December 2003 addressed this topic, and also endorsed a Communication from the European Commission that recommended

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<sup>12</sup> For the purposes of this study and in line with international norms a child is defined as anyone under the age of 18 years of age.

<sup>13</sup> Many of those interviewed during this research saw the issue of children affected by armed conflict within a very narrow human rights and/or humanitarian perspective.

<sup>14</sup> For an excellent collection of views expressed by children affected by armed conflict themselves in their own words see, Office of the Special Representative of the Secretary General for Children and Armed Conflict, UNICEF, Global Youth Action Network, UNFPA, et al. *"Will you listen?" Young voices from conflict zones*, UNICEF, New York, October 2007. Available: <[http://www.unicef.org/publications/files/Will\\_You\\_Listen\\_eng.pdf](http://www.unicef.org/publications/files/Will_You_Listen_eng.pdf)>

<sup>15</sup> Council of the European Union, 2831st General Affairs and External Relations External Relations 15240/07, Brussels, p. 44.

increased EU/UN cooperation.<sup>16</sup> In addition, effective EU responses to CAAC issues must also involve national authorities, local NGOs and other specialist agencies with expertise, experience, and capacity in the realm of CAAC. In this regard, an appropriate approach to CAAC is comprehensive and based on good information provided by many agencies spanning the diplomatic action and multilateral and bilateral programming, and crisis managements areas. It also has to be conflict sensitive in that it is planned, strategised and implemented with its impact on conflict dynamics as a central consideration, otherwise even the best intentioned interventions can end up causing more harm than good.<sup>17</sup> The need for conflict sensitive approaches has also been acknowledged in the recent General Affairs and External Relations Council (GAERC) conclusions on security and development and its importance has also been noted in the agreed EU-Africa Strategy.<sup>18</sup>

## 2 International Approaches to CAAC

### 2.1 Global Development Cooperation and CAAC

Ultimately, effective initiatives by national actors in the governance and non-governmental sectors in countries affected by conflict will have the most important impact on the issue of CAAC. As has been noted though, donors need to support multi-year strategies placing emphasis on ensuring that national actors can assume responsibility in this regard.<sup>19</sup> Also required is appropriate national ownership, financial support and expertise from EU donors/actors and pressure at the diplomatic level for compliance with existing commitments in the Child Right's and CAAC field (see section 2.2) for this to occur.

In recent years, within the development field a "rights based approach to development" has gained increasing prominence and was endorsed by the Council of the EU in 2001.<sup>20</sup> Simply put, when applied to children affected by armed conflict a rights based approach views children not as mere beneficiaries but rather as those who have rights to be protected and met under international law most notably the *Convention of the Rights of the Child* (see section 2.2 for more info). It is then incumbent upon those within the international community (including the development community) and national actors to respect and address these rights.<sup>21</sup> It is also their responsibility to target development cooperation programming towards these ends.

While not specifically targeted at CAAC, achieving the Millennium Development Goals (MDG) will have a positive impact on CAAC. Conversely, progress on CAAC issues will also have a

<sup>16</sup> European Commission, *The European Union and the United Nations: The choice of multilateralism*, Communication from the European Commission to the Council and the European Parliament, 10.9.2003, COM(2003) 526 final. Interestingly, this document does not specifically mention CAAC issues.

<sup>17</sup> The EU institutions and several member-states have committed themselves to the importance of conflict sensitivity within a number of policy documents. For information on how to operationalise conflict sensitivity see, <http://www.conflictsensitivity.org/>. For specific information from the NGO sector on the EU taking forward a conflict sensitive approach see: EPLO, International Alert and Saferworld, *Acting on commitments: How EU strategies and programming can better prevent violent conflict*, (London & Brussels: EPLO, 2007).

<sup>18</sup> Council of the European Union, 2831st General Affairs and External Relations External Relations 15240/07, Brussels, 19-20 November 2007, p. 36 & 45., and The Africa-EU Strategic Partnership – A Joint Africa-EU Strategy [2007]. p. 6 and 30. Available: < [http://www.eu2007.pt/NR/rdonlyres/D449546C-BF42-4CB3-B566-407591845C43/0/071206jsapenlogos\\_formatado.pdf](http://www.eu2007.pt/NR/rdonlyres/D449546C-BF42-4CB3-B566-407591845C43/0/071206jsapenlogos_formatado.pdf)>

<sup>19</sup> United Nations General Assembly, Report of the Special Representative of the Secretary-General for Children and Armed Conflict – *Item 68 (a) on the provisional agenda – Promotion and protection of the rights of children*, 13 August 2007, A/62/228. Available: <[http://www.un.org/children/conflict/\\_documents/machel/MachelReviewReport.pdf](http://www.un.org/children/conflict/_documents/machel/MachelReviewReport.pdf)>

<sup>20</sup> See, Council of the European Union, *Council conclusions on the European Union's role in promoting Human rights & Democratisation in third countries* □ Luxembourg, 25 June 2001 available, <[http://ec.europa.eu/external\\_relations/human\\_rights/doc/gac\\_conc\\_06\\_01.htm](http://ec.europa.eu/external_relations/human_rights/doc/gac_conc_06_01.htm)>

<sup>21</sup> For a discussion of rights based approaches and the link between human rights and development see, Peter Uvin, *Human Rights and Development*, (Bloomfield, Kumarian Press, 2004).

positive impact on MDG. Of the 20 countries with the highest under-five mortality rate, 15 are experiencing complex emergencies related to conflict.<sup>22</sup> There is much synergy between the MDGs and CAAC, particularly in the areas of the eradication of extreme poverty and hunger, achieving universal primary education, promoting gender equality, reducing child mortality and improving maternal health. Poverty alleviation is a good framework to address CAAC issues, for example in Sri Lanka armed groups have traditionally found it easier to recruit children from the poorest in society.<sup>23</sup> However, responding to CAAC effectively requires a more targeted approach than simply poverty alleviation 'business as usual' in pursuit of the MDGs. Therefore more targeted development cooperation initiatives are required for CAAC than those simply broadly working towards the MDG.

In addition to working on international legal measures, the donor community is addressing CAAC issues within more comprehensive approaches to development and conflict prevention. The Organization for Economic Cooperation and Development (OECD) Development Assistance Committee (DAC) has addressed the issue of how its members (many of which are also EU member-states) can better respond to the issue of children affected by armed conflict.<sup>24</sup> Since 1997, the DAC has generally sought to mainstream the issue of children into its wider work on conflict, peace and development cooperation, as well as within specific thematic areas such as security sector reform.<sup>25</sup> Yet interestingly, the recent, comprehensive DAC peer review of EC Development Cooperation did not make any specific reference to EC engagement on the issue of CAAC or child rights.<sup>26</sup>

## 2.2 International Legal Approaches

The European Union and its members have been at the forefront of the development and promotion of international legal instruments to protect children affected by armed conflict. Ensuring adherence to legal norms and commitments and upholding children's rights represents one clear way in which to address CAAC issues. The Geneva conventions of 1949 and Additional Protocols of 1977 include specific provisions covering the issue of children and armed conflict offering children general and specific protection.<sup>27</sup> The Rome Statue of the International Criminal Court (ICC) notes that the active recruitment or involvement of those under 15 constitutes a war crime.<sup>28</sup> The first arrest warrants of the ICC were issued in 2005 against the leader of the Lord's Resistance Army (LRA) in Northern Uganda, a notorious user of child soldiers, and there is further pursuit of suspects accused of similar crimes in the Democratic Republic of Congo that the EU has welcomed.

In addition to focusing specifically on the issue of children affected by armed conflict, many commentators and experts feel that the most appropriate response to the phenomenon is to place it within the field of 'child rights' more widely.<sup>29</sup> The EU Strategy on the Rights of the Child

<sup>22</sup> United Nations General Assembly, Report of the Special Representative of the Secretary-General for Children and Armed Conflict – *Item 68 (a) on the provisional agenda – Promotion and protection of the rights of children*, 13 August 2007, A/62/228. Available:

<[http://www.un.org/children/conflict/\\_documents/machel/MachelReviewReport.pdf](http://www.un.org/children/conflict/_documents/machel/MachelReviewReport.pdf)>

<sup>23</sup> UNDP, *Human Development Report 2005*, (Oxford: Oxford University Press, 2005), p. 161.

<sup>24</sup> OECD-DAC, *The DAC Guidelines: Helping Prevent Violent Conflict*, (Paris: OECD, 2001).

<<http://www.oecd.org/dataoecd/15/54/1886146.pdf>>

<sup>25</sup> OECD-DAC, *The OECD Handbook for Security System Reform: Supporting Security and Justice*, (Paris: OECD, 2006). <<http://www.oecd.org/dataoecd/43/25/38406485.pdf>>

<sup>26</sup> OECD-DAC, *Development Assistance Committee Peer Review of the European Community*, (Paris: OECD, 2007). See: <<http://www.oecd.org/dataoecd/57/6/38965119.pdf>>

<sup>27</sup> For background on legal issues about the protection offered to Children Affected by Armed Conflict see: International Committee of the Red Cross (ICRC), *Legal Protection of Children in Armed Conflict*, Advisory Service on International Humanitarian Law, Geneva, 02/2003.

<[http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/57JQU/\\$FILE/ANG03\\_03\\_juridique\\_NEWlogo.pdf](http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/57JQU/$FILE/ANG03_03_juridique_NEWlogo.pdf)>

<sup>28</sup> Rome Statue of the International Criminal Court, (U.N. Doc. A/CONF.183/9\*). Available:

<<http://www.un.org/law/icc/statute/romeofra.htm>>

<sup>29</sup> UNICEF, Save the Children and World Vision generally support and advocate for this approach.



notes this approach.<sup>30</sup> The most influential international child rights tool is the *Convention on the Rights of the Child*, which is one of the most universally accepted international conventions with 193 signatory countries. Key elements of a child rights approach as reflected in the convention responses to children's issues that are non-discriminatory, in the best interest of the child, advance survival and development and include the participation of children.<sup>31</sup> The Convention includes an Optional Protocol on the involvement of children in armed conflict signed by 114 countries, which came into force in 2002 and which notes that standards related to children and armed conflict should be applied to anyone under 18 years of age. In this respect, if well-formulated commitments and international standards to child rights are respected and implemented, many issues associated with CAAC are automatically prevented or addressed. For example, if all states complied with and implemented statutes on child rights and the optional protocol there would be no child soldiers. It would be a mistake, however, to think that child rights alone addresses all aspects and dimensions of CAAC related issues. Certain aspects of reconciliation and the issue of children as peacebuilders do not, for example, appear explicitly in the child rights agenda yet are important areas where development cooperation could be targeted.

In recent years, the UN has been very active on the issue of Children Affected by Armed Conflict, including issuing a number of related UN Security Council Resolutions.<sup>32</sup> In 1997 the UN created the Office of the Special Representative of the Secretary-General on Children and Armed Conflict (SRSG-CAAC) responding to a comprehensive review on the issue.<sup>33</sup> The appointment of an SRSG-CAAC with an office has been seen as an important step in providing high-level leadership and a focal point to drive the CAAC agenda within the UN. This is a high-level official with a staff, who undertakes regular reporting and field visits and is an interesting model and focal point within the complex UN system. In the past, the UN Special Representative for CAAC has addressed various EU and member-state forums and has recently overseen along with UNICEF a comprehensive report (Machel Review) of the UN's approach to the issue of Children Affected by Armed Conflict that provides a useful and broad base of information on which to improve the EU's response.<sup>34</sup>

In 2005, the UN Security Council passed resolution 1612 (UNSCR 1612) specifically on the issue of children affected by armed conflict.<sup>35</sup> UNSCR 1612 called for greater monitoring and implementation of existing commitments particularly as they relate to the issue of child soldiers and CAAC issues more widely. Most specifically, it calls for the reporting of CAAC issues in the area of: killing or maiming of children; recruiting or using child soldiers; attacks on schools or hospitals; rape and other grave sexual violence against children; abduction of children; and finally the denial of humanitarian access for children. It includes particular benchmarks and reporting requirements as well as individual reports on specific countries, UNSCR 1612 is seen as a step forward in ensuring the actual implementation of commitments in relation to children affected by armed conflict.<sup>36</sup>

<sup>30</sup> Commission of the European Communities, Towards an EU Strategy on the Rights of the Child, Communication from the Commission, COM(2006) 367 final, Brussels, 4.7.2006.

<sup>31</sup> For more information understanding a child right's approach inspired by international legal instruments see, Jane Backhurst, Sarah Collen, and Helen Young, *Small Voices, Big Concerns: a child rights approach to HIV/AIDs, meeting European Community commitments to poverty reduction*, (Brussels: World Vision, August 2004), p. 16 – 20.

<sup>32</sup> See, UN Security Council Resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005). For a link to these documents go to: <<http://www.un.org/children/conflict/english/keydocuments88.html>>

<sup>33</sup> For more information about the scope of this office see: <<http://www.un.org/children/conflict/english/home6.html>> A number of member-states have directly financially supported this office.

<sup>34</sup> United Nations General Assembly, Report of the Special Representative of the Secretary-General for Children and Armed Conflict – *Item 68 (a) on the provisional agenda – Promotion and protection of the rights of children*, 13 August 2007, A/62/228. Available: <http://www.un.org/children/conflict/documents/machel/MachelReviewReport.pdf> This is the second review, the original Machel Review was completed in the 1990s.

<sup>35</sup> United Nations Security Council, Resolution 1612 (2005) Adopted by the Security Council at its 5235th meeting, on 26 July 2005, S/RES/1612 (2005).

<sup>36</sup> This is a point that has been made many times by UN officials and other concerned with the issue of CAAC. For one example see, Security Council Fifty-eighth year, 4684th meeting, Tuesday, 14 January 2003, 10 a.m. New York, S/PV.4684.

Generally, however, it is noted that despite the development and adoption of international legal instruments, the situation of children affected by armed conflict has not improved greatly. Therefore, the need for monitoring and evaluation of progress is crucial. Member-states have in recent years led UN initiatives aimed at increasing the international effectiveness of responses to the issue of children and armed conflict. The EU has been involved with France being particularly active, leading the UN Security Council Working Group on Children and Armed Conflict since its creation in 2005.<sup>37</sup>

Other international organizations and instruments are also active in the area of CAAC. The International Labour Office's (ILO) *Worst Forms of Child Labour Convention*, 1999 (No. 182) includes specific reference to CAAC.<sup>38</sup> Additionally, although the EU is not party to them regional agreements on addressing children rights such as the 1990 *African Charter on the Rights and Welfare of the Child*, are an important element of the international architecture for responding to CAAC issues.<sup>39</sup> There have also been additional initiatives in the CAAC field through the ACP-EU Joint Parliamentary Assembly.<sup>40</sup>

In February 2007 a major initiative backed by the French Ministry of Foreign Affairs brought 58 countries together to promote new principles on CAAC, to be known as the *Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups*.<sup>41</sup> These principles were developed with input from UNICEF, the European Community Humanitarian Office (ECHO) and a variety of NGOs and other experts.<sup>42</sup> The principles are important as they reflect a change of thinking from 'child soldiers' to noting that there are many non-combatant children that suffer from the impact of being associated with armed groups in many different roles including porters, spies and those abused for sexual purposes. The principles also differentiate the impact and needs of girls and boys in relation to CAAC issues, an issue that is now acknowledged by the UN (see box 1). Importantly, the *Paris Principles* are an attempt to move from legal principles to guidance on practical implementation.

The serious gap between agreed international legal principles and commitments and actual implementation is a consistent theme surrounding CAAC, with the UN Security Council in 2003 noting that what was needed was an 'era of application'.<sup>43</sup> This point about the importance of monitoring implementation was made again as a key finding of the "Machel Review", a comprehensive UN led review of the international community's response to children and armed conflict undertaken in 2007.<sup>44</sup> Many of those contacted for this study (a sample including a wide variety of stakeholders) consistently noted that the development of new principles or international legal measures is not necessary.<sup>45</sup> Instead, there is a great need for sustained implementation and follow-up of those that already exist. Indeed, there is a considerable degree of suspicion and fatigue within the NGO community, who often feel that the development of new guidelines draws energy away from the very necessary process of

<sup>37</sup> For more information on France's activities at the United Nations related to Children and Armed Conflict see: <[http://www.franceonu.org/rubrique.php3?id\\_rubrique=490](http://www.franceonu.org/rubrique.php3?id_rubrique=490)>

<sup>38</sup> Worst Forms of Child Labour Convention, 1999 (No. 182) Adopted on 17 June 1999 by the General Conference of the International Labour Organization at its eighty-seventh session. Entry into force: 19 November 2000, in accordance with article 10. Available: <<http://www.ohchr.org/english/law/childlabour.htm>>

<sup>39</sup> African Charter on the Rights and Welfare of the Child, OAU Doc. CAB/LEG/24.9/49 (1990), entered into force Nov. 29, 1999. The Organization of American States (OAS) also has a similar if less well known charter in this area.

<sup>40</sup> See, Committee on Political Affairs – ACP-EU Joint Parliamentary Assembly, *Draft Report on Children's Rights and Child Soldiers in Conflict Situation*, Rapporteurs: Vitaliano Gemelli and Ephraïm Kamuntu (Uganda), 25 June 2003, APP/35871.

<sup>41</sup> The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, February, 2007 [Paris]. These principles are themselves an update of the Cape Town Principles of 1997.

<sup>42</sup> UNICEF, "Free Children from War", (UNICEF, February 2007) see <[http://www.unicef.org/media/media\\_38208.html](http://www.unicef.org/media/media_38208.html)>

<sup>43</sup> United Nations Security Council, Resolution 1460 (2003), Adopted by the Security Council at its 4695th meeting, on 30 January 2003, S/RES/1460 (2003), p. 2.

<sup>44</sup> UNSRSG-CAAC, Executive Summary, Children and Conflict in a Changing World, Strategic Review report to the General Assembly, A/62/228, October, 2007.

<sup>45</sup> For a list of those interviewed please see annex 2.

evaluating the implementation and practical existing commitments. Moving in the right direction, the *Paris Principles* include a commitment to ensure that funding for child protection is made available swiftly even in the absence of a formal peace agreement, another key development that has been picked up by the UN. This recommendation could also be taken up in relation to EU development cooperation funding.

### 2.3 A Comprehensive Approach

Within international law, and also within international approaches to development cooperation, there is a recognition of the importance of addressing children's issues and CAAC specifically. The international community's approach to development cooperation and international law already has provisions for focusing on children's issues and the issue of children affected by armed conflict specifically. These are commitments and obligations that the EU and its member-states have often been in the forefront of promoting. The challenge is to ensure that the EU adopts a comprehensive approach, that marries multiple diplomatic actions, bilateral and multilateral programming and crisis management towards a positive end regarding empowering children affected by armed conflict. This is particularly the case considering the large scope of the various issues that are related to how children are affected by armed conflict which is beyond any humanitarian, development, diplomatic solution alone.

## 3 How Conflict Affects Children

The scope of the issues related to children affected by armed conflict is broad, necessitating a comprehensive response. Children are affected negatively throughout the conflict cycle: during rising tensions, when conflict has broken out, and in the post-conflict phase. A child protection approach emphasises the need to prevent violations of children's rights, redress violations when they occur, and also to restore rights and dignity. This is necessary in the more than 56 situations around the world where children are affected by armed conflict.<sup>46</sup> There are no reliable figures on the entire scope of the impact of conflict on children and even those related to specific issues are not entirely reliable. One estimate notes that since 1990 over 2 million children have been killed and more than 6 million injured as a result of conflict, with a further 20 million children forced to flee their homes either internally or across borders.<sup>47</sup> This figure certainly seems on the low side given that rigorous academic research on mortality in the Democratic Republic of Congo alone estimated that 3.9 million people have died as a direct or indirect result of the conflict.<sup>48</sup>

#### Box 1: Understanding and responding to the differentiated needs of girls and boys

Despite a focus on children and armed conflict dating from the early 1990s one of the issues that has come to increasing attention only in recent years is the way that conflict affects girls and boys differently. The UN and the EU need a differentiated approach to dealing with male and female children who in many instances have experiences and needs that must be specially targeted. Also young and adolescent girls may not have the same needs as women. A one-sized-fits-all approach to CAAC that does not recognise and respond to differentiated needs will be ineffective at best and

<sup>46</sup> United Nations General Assembly, Report of the Special Representative of the Secretary-General for Children and Armed Conflict – *Item 68 (a) on the provisional agenda – Promotion and protection of the rights of children*, 13 August 2007, A/62/228. Available:

<http://www.un.org/children/conflict/documents/machel/MachelReviewReport.pdf>, Riina Kionka, Remarks by Riina Kionka, Personal Representative for Human Rights (CFSP) of SG/HR Javier Solana on Justice for Child Soldiers The Centre Brussels, 13 June 2007, uses figures of 30 situations but this was before the new Machel Review.

<sup>47</sup> UNICEF figures from, <[http://www.unicef.org/protection/index\\_armedconflict.html](http://www.unicef.org/protection/index_armedconflict.html)>

<sup>48</sup> B. Coghlan, R. Brennan, P. Ngoy, D. Dofara, B. Otto, M. Clements, T. Stewart, "Mortality in the Democratic Republic of Congo: a nationwide survey", *the Lancet*, Volume 367, Issue 9504, Pages 44-51.

counter-productive at worst. One instance in which this is particularly the case is the demobilisation of female soldiers.<sup>49</sup> At times, girls comprise up to 40% of those associated with armed groups.<sup>50</sup> However, generally girls and women associated with armed groups have been marginalised or overlooked in Disarmament, Demobilisation and Reintegration (DDR) processes.<sup>51</sup> Girls and young women associated with armed groups are often particularly stigmatized and therefore it requires particularly sensitive programming to assist them reintegrate back into society. Recent international initiatives, most notably the *Paris Principles* and the report of the UN Special Representative of the Secretary General for Children and Armed Conflict have called attention to the problem of differentiated needs of girls and boys and for effective action.<sup>52</sup> In relation to issues of sexual violence girls also are disproportionately targeted and require protection and programming specifically targeted towards their needs and rights. The EU must reflect this differentiated approach in its own actions in the diplomatic, multilateral and bilateral programming, and crisis management spheres. This approach is already being recognised in many of the latest EU and UN policy statements, but now needs to be carried through into programming. Specific ideas for this include<sup>53</sup>:

- Providing HIV/AIDs and sexual reproductive health education for adolescent girls and boys
- Increasing the protection for refugee and internally displaced adolescent girls
- Supporting gender-based violence prevention programmes with confidential reporting mechanisms
- Providing girl-friendly primary and secondary education
- Including the needs of girls in DDR programmes

In relation to children associated with armed groups, children fight in 75% of the world's conflicts and the number of 'child soldiers' is currently estimated at 250,000-300,000 by UNICEF, though again, these figures are unreliable.<sup>54</sup> Children are also subject to organized violence in many countries not undergoing what is conventionally understood to be a war situation.<sup>55</sup> For example, there have been 8,000-9,000 child deaths from landmines.<sup>56</sup> In Lebanon in 2006, 35% of the victims of cluster munitions were children, and in Laos children make up over 50% of the casualties from unexploded ordnance (UXO) almost a generation after conflict in that country has ended.<sup>57</sup> The direct impact of conflict on child mortality only tells a small part of the CAAC story, and is merely the tip of the iceberg. The destruction of livelihoods, infrastructure, and the psychological consequences of conflict have a devastating impact on children and the future prosperity of any country. The requirement to address issues of children affected by armed conflict is not just a humanitarian gesture. Without sufficiently addressing the impact of conflict on children, children are likely to constitute a lost generation

<sup>49</sup> See, The Courier, "Demobilising women and girls" *the Courier*, n°198 May - June 2003, p. 42-43.

<sup>50</sup> Ms. Hilde F. Johnson, UNICEF Deputy Executive Director Address to the Ministerial Meeting on October 1st 2007 on Children and Armed Conflict; Follow-up meeting to the Paris Principles and Paris Commitments of February 2007. Available: < <http://www.unicef.org/protection/files/Final-Paris-Principles-1Oct07-HFJ-speech.pdf> >

<sup>51</sup> For an excellent piece of detailed research on this subject see: Susan McKay and Dyan Mazurana, *Where are the Girls? Girls in Fighting Forces in Northern Uganda, Sierra Leone and Mozambique: Their Lives During and After War*, (Montreal: International Centre for Human Rights and Democratic Development, 2004). <[http://www.dd-rd.ca/site/PDF/publications/women/girls\\_whereare.pdf](http://www.dd-rd.ca/site/PDF/publications/women/girls_whereare.pdf)> This groundbreaking piece of work was funded by Canadian International Development Agency (CIDA).

<sup>52</sup> The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, February, 2007 [Paris].

<[http://www.diplomatie.gouv.fr/en/IMG/pdf/Paris\\_Conference\\_Principles\\_English\\_31\\_January.pdf](http://www.diplomatie.gouv.fr/en/IMG/pdf/Paris_Conference_Principles_English_31_January.pdf)>

<sup>53</sup> Drawn from, Women's Commission on Refugee Women and Children, 2005. *Adolescent girls affected by violent conflict: Why should we care?*, Factsheet, [New York].

<sup>54</sup> Human Security Report, *Human Security Report 2005*, (Oxford: Oxford University Press, 2005). p. 34. The Human Security Report actually casts doubt on the reliability of the figure of 300,000 and seems to infer that the number actually might now be lower given the general decline in number of wars in the last decade. & UNICEF, "Free Children from War", (UNICEF, February 2007) see <[http://www.unicef.org/media/media\\_38208.html](http://www.unicef.org/media/media_38208.html)>

<sup>55</sup> For a survey of this see, Luke Dowdney, *Neither War nor Peace: international comparisons of children and youth in organised armed violence*, s.l: Letras, 2006.

<sup>56</sup> UNICEF figures from: [http://www.unicef.org/protection/index\\_armedconflict.html](http://www.unicef.org/protection/index_armedconflict.html)

<sup>57</sup> Thomas Nash, *Foreseeable harm: The use and impact of cluster munitions in Lebanon*, (London: Landmine Action, 2006), p. 3. < <http://www.landmineaction.org/resources/Foreseeable%20Harm.pdf> > and Rosy Cave, Anthea Lawson, Andrew Sherriff, *Cluster Munitions in Albania and Lao PDR: The Humanitarian and Socio-Economic Impact*, (Geneva: United Nations Institute for Disarmament Research (UNIDIR), September, 2006)., p. 29. < <http://www.unidir.ch/pdf/ouvrages/pdf-1-92-9045-006-A-en.pdf> >

significantly impacting the economic and political future of the country as well as its social fabric. Not addressing the impact of conflict on children will feed into negative dynamics that promote state fragility. There is of course an important role for development cooperation in addressing these various consequences of armed conflict on children, and making a contribution to preventing them occurring in the future.

#### **Box 2: How conflict affects children<sup>58</sup>**

Children are affected by conflict in many ways, some more obvious than others. In such circumstances a checklist such as the one below can be useful in identifying the full range of problems. The list is drawn from EU Guidelines on Children and Armed Conflict.

- Killing,
- Maiming,
- Loss of parents,
- Loss of social services,
- Loss of health care,
- Loss of education,
- Detention,
- Abduction,
- Trafficking,
- Disruption of birth registration and juvenile justice,
- Child participation in conflict,
- Psychosocial problems,
- Problems of reintegration,
- Lack of access to justice

It is not possible to explore all aspects in detail of how conflict affects children, and the below sections merely give a brief indication of some of the impacts across certain themes. It is not only the direct consequences of violence but also the indirect consequences that are important to focus on, as was indicated by all of the EC officials within Delegations that responded to a survey conducted in relation to this study.<sup>59</sup>

### **3.1 Human and Child Rights Violations**

All the affects of conflict on children as explained above are violations of child rights. Incidences of domestic violence tend to increase in areas affected by armed conflict and sexual violence against children is often rife. For example, in the Democratic Republic of Congo it is estimated that of the 30,000 children associated with armed groups, almost all girls and some boys have been sexually abused.<sup>60</sup> Specific measures to stop and respond to the sexual abuse of all children but particularly targeting the needs girls and young women are required in all conflict settings. Girls particularly need to have access to reproductive health services as they are vulnerable to forced pregnancy, sexually transmitted diseases and HIV from rape/exploitation. Restrictions on freedom movements in Gaza and the West bank meant that fewer children were able to access healthcare, and malnutrition rose by 50%. In Myanmar (Burma) children are force-ably recruited by adults and effectively sold into the armed forces for as little as \$15.<sup>61</sup> In the Central African Republic children are also subject to kidnap and

<sup>58</sup> Adapted from: EU Guidelines and Transitions International, *Children and Armed Conflict the Response of the EU, A background paper for the UNIDIR Project: European Action on Small Arms, Light Weapons, and Explosive Remnants of War*, April 2005. p. 12.

<sup>59</sup> See ECDPM, *Survey on EU response to children affected by armed conflict*. October 2007. Annex 3 for full notation of this survey.

<sup>60</sup> Watchlist on Children and Armed Conflict, *Children in Armed Conflict in the Democratic Republic of the Congo: Struggling to Survive*: April 2006. < [http://www.watchlist.org/reports/pdf/dr\\_congo.report.20060426.pdf](http://www.watchlist.org/reports/pdf/dr_congo.report.20060426.pdf)>

<sup>61</sup> Human Rights Watch, *Sold to Be Soldiers The Recruitment and Use of Child Soldiers in Burma*, *Human Rights Watch*, Volume 19, No. 15(C), October 2007.

ransom by armed groups.<sup>62</sup> In addition in many conflict settings children are incarcerated and held in miserable conditions without trial or hope of a fair trial, often in an inappropriate setting with adults. The human rights of children in situations of armed conflict are best approached by ensuring adherence to international standards, yet bilateral and multilateral programming can help promote awareness of this, assist in capacity building in dealing with the consequences of rights violations, as well as empowering children to articulate and achieve their needs themselves. Within the EC the European Initiative on Democracy and Human Rights has recently funded initiatives of this nature in Colombia, Nepal, Lebanon, and Sri Lanka.<sup>63</sup>

### 3.2 Humanitarian Issues

The humanitarian crises created by conflict always have a particularly hard impact on the most vulnerable in society. Nine out of the ten countries which have the highest rates of infant mortality are conflict countries.<sup>64</sup> In conflict situations, children suffer greatly in terms of health and nutrition and denial of humanitarian access and targeting of humanitarian agencies is an issue in DRC and Sudan. In Afghanistan UNICEF estimate that in relation to health issues nearly 900 children under age five died every day, largely as a result of the conflict.<sup>65</sup> In Liberia ECHO has had to respond to the impact of the war on children by instituting a variety of psycho-social programming specifically targeted at their needs as well as facilitating family tracing. Children being separated from their parents is a significant issue and one which ICRC has a long history in responding to reuniting over a thousand children. In relation to the conflicts in Liberia, Sierra Leone and in Côte d'Ivoire ICRC is still trying to reunite hundreds of children with their families.<sup>66</sup> It is an issue that ECHO is going to focus more on in the future. In Rwanda following the genocide in 1994 it was estimated that there were up to 60,000 child headed households as a result of the conflict with no access to education, healthcare and no or limited property rights.<sup>67</sup> To ensure that children affected by armed conflict do not become dependent on humanitarian agencies and are empowered to deal with their own destiny there is a need to ensure that there are possibilities to earn their own livelihoods, particularly older youths. Education, healthcare, property rights and livelihoods are all areas in which development cooperation programming can make a useful contribution. These require good linking between relief, rehabilitation and development (LRRD), an issue that the EU will have to make further efforts to ensure occurs effectively. Some commentators have suggested that the Commission's work on LRRD provides a model of how convincing Communications on any given subject are resolutely failed to be translated into innovative practical measures that are implemented on the ground.<sup>68</sup> While psycho-social support is an immediate humanitarian need it also requires long term capacity building and is therefore an appropriate target for linking humanitarian assistance to longer term development cooperation in the health arena (see box 3).

<sup>62</sup> Human Rights Watch, Central African Republic: State of Anarchy Rebellion and Abuses against Civilians *Human Rights Watch*, Volume 2007.

<sup>63</sup> See, European Commission, *Summary of CAAC-Related EU Projects*, European Commission, 2007, available: <[http://ec.europa.eu/external\\_relations/human\\_rights/child/ac/project\\_table0607.pdf](http://ec.europa.eu/external_relations/human_rights/child/ac/project_table0607.pdf)>

<sup>64</sup> UNDP, *Human Development Report 2005*, (Oxford: Oxford University Press, 2005), p. 161.

<sup>65</sup> UNICEF: *Child Alert – Martin Bell Reports on Children Caught in War in Afghanistan*, UNICEF, October 2007. <[http://www.unicef.org/childalert/afghanistan/Child\\_Alert\\_Afghanistan\\_Oct2007.pdf](http://www.unicef.org/childalert/afghanistan/Child_Alert_Afghanistan_Oct2007.pdf)>

<sup>66</sup> ICRC, Liberia, Sierra Leone and Côte d'Ivoire, 2005, For unaccompanied/separated children and their parents/relatives being looked for in connection with the armed conflict in Liberia, Sierra Leone and Côte d'Ivoire, 22-04-2005, Available <<http://www.familylinks.icrc.org/Web/doc/siterf10.nsf/htmlall/familylinks-west-africa-eng>>

<sup>67</sup> World Vision, UNICEF, *Qualitative Needs Assessment of Child-Headed Households in Rwanda*, World Vision, Kigali, 1998.

<sup>68</sup> See, Damian Helly compares the possible fate of SSR to his analysis of the failings of implementing LRRD in, Damian Helly, 2006. Security Sector Reform: From Concept to Practice, *European Security Review*, December.



**Box 3: The need for psycho-social support – the work of the Together Foundation**

War and conflict by nature are interruptions of normal developmental processes of children. Often these experiences include severe traumatic experiences that go beyond the rational and cognitive capacity of children to rationalise them. The necessary psychosocial support often can not be provided by the family since adult family members will have experienced similar trauma. Also society will lack adequate systems which are either destroyed or non-capable to provide psychosocial support. Therefore, children should be prioritised in the provision of psychosocial help during and after the conflicts.<sup>69</sup>

Concrete examples are the interventions of the Foundation “TOGETHER” in Bosnia, Herzegovina and Kosovo through the project “Psychosocial counselling centres for children and parents in Bosnia and Herzegovina and Kosovo”. This project is community based; aiming to promote and protect the mental health and psychosocial well-being of children and families affected by war and post war adversities taking in consideration that existing services in both countries were unable to respond to the needs of the community. Local professionals have been trained in an ongoing way via seminars and training sessions in the field of child mental health protection. It included training of mental health workers of the Centre, training of mentors of volunteers, of teachers, of coordinators of the Centre, workshops for children in expressive activities, and peer education on drug abuse. An important element that strongly contributes to the sustainability of the interventions is that 90% of the local staff involved in the implementation of the project transferred new skills and practices in the public services where they work like child and adolescent mental health services, schools and health facilities. As a response to the growing awareness of psychological consequences of traumatic experiences that may cause long-term damage, the interventions in regions of Former Yugoslavia probably outnumber the interventions conducted in other parts of the world.<sup>70</sup>

The majority of psychosocial programmes rarely undergo rigorous evaluation procedures, usually because the urgent need for action at the first stage after or during the armed conflicts is out weighted by the need of impact.<sup>71</sup> Nevertheless several examples of positive effect of psychosocial interventions are documented. These observations include interventions that have resulted in positive effects on mental health of mothers<sup>72</sup>; weight gain, and general psychosocial and mental wellbeing of children<sup>73</sup>; improvement in children’s emotional wellbeing; improvement in behaviour coping strategies<sup>74</sup>; increase in overall psychosocial functioning<sup>75</sup>; and realisation of long term local responsibility and local autonomy of projects.<sup>76</sup>

By Vera Remškar, Foundation “TOGETHER”, Ljubljana.<sup>77</sup>

<sup>69</sup> Hodes M. 1998. Refugee children may need a lot of psychiatric help. *British Medical Journal*, 316, 793–794.

<sup>70</sup> Dybdahl, R. 2001. Children and mothers in war: an outcome study of a psychosocial intervention program. *Child Development*, 72, 1214-1230.

<sup>71</sup> Macksoud, M. S. & Aber, J. L. 1996. The war experiences and psychosocial development of children in Lebanon. *Child Development*, 67, 70-88.

<sup>72</sup> Dybdahl, R. 1999. Child development and impact of stress on young children. An intervention for mothers. Bergen, Norway: UNICEF/Center for Crisis Psychology.

<sup>73</sup> Dybdahl, R. 2001 Children and mothers in war: an outcome study of a psychosocial intervention program. *Child Development*, 72, 1214-1230.

<sup>74</sup> Maryanne, L., Ager, A., Eirini, F., Vivian, K., Hamid Abdel, A. & Samir, Q. 2006. The impact of structured activities among Palestinian children in a time of conflict. *Journal of Child Psychology & Psychiatry*, 47, 1211-1218.

<sup>75</sup> Möhlen, Heike; Parzer, Peter; Resch, Franz; Brunner, Romuald. 2005. *Psychosocial support for war-traumatized child and adolescent refugees: evaluation of a short-term treatment program. Australian & New Zealand Journal of Psychiatry*, 39, 81-87

<sup>76</sup> Keough, Mary Ellen; Samuels, Margaret F. (2004). The Kosovo Family Support Project: Offering Psychosocial Support for Families with Missing Persons. *Social Work*, 49, 587-594

<sup>77</sup> The Foundation “TOGETHER”- is a Slovenia based regional Centre for the Psychosocial Well-being of Children aiming to protect and improve the psychosocial well-being of children in areas which have been affected by armed conflict, war, terrorist attacks, natural disasters or technical accidents. The Foundation “TOGETHER” is active in the regions of South-Eastern Europe, Iraq, and North Caucasus.

### 3.3 Development Issues

Conflict at its most intense can knock a generation out of the workforce having severe long-term effects on the economic development of a country. At the end of the average conflict the economy of a country will be 15% less than at the start.<sup>78</sup> This represents not just massive economic loss but a lost opportunity for children across the board as government revenues will be less or used for war resources rather than social services. A World Bank study characterised conflict as “development in reverse”, and children usually at the forefront of this negative impact.<sup>79</sup> Development cooperation offers one of the most important tools by which the international community can address the impact of conflict on children and provide hope for the future. One of the key aspects of how development can assist children affected by armed conflict is education. It is estimated that of the 75 million children worldwide who do not go to school every day, 30 million live in countries affected by conflict.<sup>80</sup> Some studies note a higher 50%.<sup>81</sup> In addition, children who do not have access to education are more likely to be recruited by military forces.<sup>82</sup> Even when children do go to school they may suffer dire psychological consequences of the conflict around them. One survey found that 92% of children in Iraq had learning impediments that are for the most part directly attributable to the current climate of fear.<sup>83</sup> As the United Nations Educational, Scientific and Cultural Organisation (UNESCO) has noted, maintaining education systems during conflicts and other emergencies, like natural disasters, is essential, as education offers some stability, normality and hope for the future.<sup>84</sup> Education offers the possibility of a multiplier effect in terms of responding to CAAC, not only helping address the immediate impact of the conflict but also provides longer term benefits to children and society at large.

Barring access to educational opportunities for children or privileging access to education opportunities may in many cases contribute to grievance and the perpetuation of conflict.<sup>85</sup> Therefore, ensuring equitable access to education for children in the post-conflict phase and over the rehabilitation of the education system can be an important investment in conflict prevention. A number of EU member-states and the Commission (notably ECHO which is making education in emergencies one of its new foci) have begun to undertake innovative approaches to education for CAAC. Yet some informed observers feel that a good deal more could be done by EU institutions and member-states in relation to education in conflict situations. In fact, some feel that education would be one very effective entry point for improving EU response to CAAC.<sup>86</sup> Some member-states themselves already have focused on education and conflict and have valuable lessons for future development programming in this

<sup>78</sup> Paul Collier and Anke Hoeffler, *The Challenge of Reducing the Global Incidence of Civil War, Summary of the Copenhagen Consensus Challenge Paper*, Centre for the Study of African Economies, Oxford University, 23rd of April 2004, p. 1.

<sup>79</sup> Paul Collier, VL Elliott, Håvard Hegre, Anke Hoeffler, Marte Reynal-Querol and Nicholas Sambanis, *Breaking the Conflict Trap: Civil War and Development Policy* (Washington, DC, World Bank & Oxford University Press, 2003). Also quoted in, Dan Smith, *Towards a Strategic Framework for Peacebuilding: Getting Their Act Together* Overview report of the Joint Utstein Study of Peacebuilding, Evaluation Report 1/2004, (Oslo: Ministry of Foreign Affairs, 2004).

<sup>80</sup> See, <<http://www.dfid.gov.uk/news/files/pressreleases/education-beyond-borders.asp>>

<sup>81</sup> For an exploration of a number of these issues see Save the Children, *Last in Line, Last in School: How donors are failing children in conflict-affected fragile states*, (London: International Save the Children Alliance, 2007).

<sup>82</sup> Human Rights Watch, *Democratic Republic of Congo: Renewed Crisis in North Kivu*, Human Rights Watch, Volume 19, No. 17 (A), October 2007, p. 48.

<sup>83</sup> The Association of Psychologists of Iraq, 5 February 2006. More than 1,000 children were interviewed countrywide. See IRIN: ‘Children’s mental health affected by insecurity, say specialists’ <[http://www.irinnews.org/report.asp?ReportID=51573&SelectRegion=Middle\\_East&SelectCountry=IRAQ](http://www.irinnews.org/report.asp?ReportID=51573&SelectRegion=Middle_East&SelectCountry=IRAQ)>

<sup>84</sup> UNESCO, *Education for All*, (Paris: United Nations Educational, Scientific and Cultural Organization, 2005). <<http://unesdoc.unesco.org/images/0014/001416/141639e.pdf>>

<sup>85</sup> See, Tony Jackson, *Equal Access to Education: A peace imperative for Burundi*, (London: International Alert, 2000), Alan Smith and Tony Vaux, *Education, Conflict and International Development*, (London: Department of International Development, 2003), and World Bank, *Reshaping the Future Education and Postconflict Reconstruction* (Washington DC, The International Bank for Reconstruction and Development / The World Bank, 2005).

<sup>86</sup> Save the Children, *Last in Line, Last in School: How donors are failing children in conflict-affected fragile states*, (London: International Save the Children Alliance, 2007).



area (see boxes 4 and 14).

**Box 4: Key lessons from BMZ and GTZ on programming for Education, Children and Conflict<sup>87</sup>**

While studying the question of 'how' to program better development assistance aimed at children in conflict situations, GTZ, the German Agency for Technical Cooperation identified the following lessons. These lessons provide useful guidance for those planning educational programming in conflict zones that will have a beneficial impact on children and longer-term peacebuilding.

- Bring together national and international networks for research, data gathering, innovation and strategic planning in the field of "Education And Conflict Transformation".
- Reinforce the crisis resistance and adaptability of educational facilities.
- Develop and implement concepts for complex and adapted education intervention in emergency situations and under crisis conditions.
- Develop criteria for conflict-sensitive education systems and apply them to education reform processes.
- Utilise peace education concepts for crisis-education assistance.
- Develop and implement instruments and processes for conflict analysis and conflict-related efficacy analysis for the education sector.

### 3.4 Peacebuilding, Reconciliation and Conflict Prevention

The potential ways in which armed conflict can impact children is limitless and leads clearly to the conclusion that one of the most effective ways of dealing with children affected by armed conflict is to prevent conflict in the first place.<sup>88</sup> Indeed, the cost of conflict on African development is estimated be US\$300bn between 1990 and 2005, this is equal to the amount the continent received in international aid.<sup>89</sup> With approximately 40% of countries coming out of conflict reverting to war within five years and therefore repeating a cycle of violence and harm, engaging children as active agents in peacebuilding and reconciliation is not a luxury but an imperative for preventing the future impact of conflict on another generation of children.<sup>90</sup> Not dealing with the post-traumatic stress felt by child soldiers can directly feed into the creation of a further cycle of violence. Recent research indicates that child soldiers suffering from post-traumatic stress are significantly less likely to forgive and will often seek vengeance.<sup>91</sup> This clearly illustrates that responding to the issue of children affected by armed conflict is an issue of conflict prevention and stability as much as it is an issue of human rights and humanitarian response. In relation to Northern Uganda the situation of children improved dramatically with progress in the peace process since 2005. The European Commission has long acknowledged that addressing the issue of children affected by armed conflict does have a specific conflict prevention impact.<sup>92</sup> A recent report on peacebuilding activities by the Commission also stated that "the protection of children's rights is a pivotal concern in the context of peacebuilding, with the rehabilitation of children traumatised by conflict being a key factor in ensuring future stability

<sup>87</sup> From: Klaus Seitz, *Education and Conflict: The role of education in the creation, prevention and resolution of societal crises – Consequences for development cooperation*, Division 43 Health, Education, Social Protection Deutsche (Eschborn: Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH & Federal Ministry for Economic Cooperation and Development (BMZ), 2004), p. 12.

<sup>88</sup> For a perspective on how the EU can further enhance its conflict prevention impact see, EPLO, *International Alert and Saferworld, Acting on commitments: How EU strategies and programming can better prevent violent conflict*, (London & Brussels: EPLO, 2007).

<sup>89</sup> IANSA, Oxfam, & Saferworld, *Africa's missing billions International arms flows and the cost of conflict*, 107 Briefing Paper, London, 2007. Available: <[http://www.oxfam.org/en/files/bp107\\_africas\\_missing\\_billions\\_0710.pdf](http://www.oxfam.org/en/files/bp107_africas_missing_billions_0710.pdf)>

<sup>90</sup> Figures on chances of a return to war are from Paul Collier and Anke Hoeffler, "The Challenges of Reducing the Global Incidence of Civil War," Centre for the Study of African Economies, Department of Economics, Oxford University and the Copenhagen Consensus Challenge Paper, Copenhagen, April 2004.

<sup>91</sup> Christophe Pierre Bayer, Fionna Klasen, Hubertus Adam, "Association of Trauma and PTSD Symptoms With Openness to Reconciliation and Feelings of Revenge Among Former Ugandan and Congolese Child Soldiers", *Journal of the American Medical Association*, 2007 No. 298, pp. 555 - 559.

<sup>92</sup> Commission of the European Communities, *Communication from the Commission on Conflict Prevention*, COM(2001) 211 Final, Brussels.

and prosperity".<sup>93</sup> More recently the United Nations has acknowledged the central role of children as agents of peace in its comprehensive review of action in the CAAC sphere.<sup>94</sup> EU member-states have already supported activities that specifically target children in relation to an approach to peacebuilding (see box 5).

#### **Box 5: Programming for children as peacemakers**

Misinformation and lack of information plays a key role in perpetuating stereotypes and continuing conflict or the risk of conflict. Information to address this must be relevant and targeted not just at adults but youth and children as well. To support the Demobilisation, Disarmament and Reintegration (DDR) process in Liberia, as well as the broader social reintegration process the Netherlands funded the production of a specific radio program. Implemented by the NGO Search for the Common Ground (SFCG) and entitled *Young Citizens*, it provides up-to-date information on the peace process in Liberia and DDR. SFCG hired two child ex-combatants to host the programme. The hosts were involved in the country's civil war on opposite sides, and partook into the DDR process themselves. Together, they showed that peace between the two groups is possible and give voice to both sides while sharing their personal search for common ground with the audience. *Young Citizens* continues to mainstream the voices of ex-combatants and war-affected youth both from Monrovia and rural communities and focuses mainly on youth's concerns about the delay and inadequacy of the reintegration and rehabilitation component of the DDR process. Search for the Common Ground also undertakes other child and youth focused peacebuilding programming in Africa and Asia and is supported by DFID, SIDA, Belgium DGDC, and the European Commission.

### **3.5 Impact of Poor Governance and Situations of Fragility**

Effective states provide for the human security of their citizens whereas in situations of fragility and those with poor governance the authorities are likely to be incapable, unwilling or active agents in the insecurity of children. At a more functional level, governance authorities in situations of fragility are unlikely to be able to administer bureaucratic mechanisms needed to live up to international commitments on children's rights and CAAC more widely. For example, governance authorities in situations of fragility are unlikely to keep accurate child birth records, and even in places such as Colombia only 20% of children are registered which makes it difficult for the state to care for them.<sup>95</sup> Birth records can help ensure that the recruitment of child soldiers is avoided and those associated with their recruitment can be held to account in forums such as the International Criminal Court (ICC). The Commission sees promoting children's rights as one of the important aspects to be taken on board in any EU response strategy to situations of states at risk of fragility.<sup>96</sup> The GAERC conclusions on situations of fragility further noted that particular attention should be paid to women's and children's rights.<sup>97</sup> Further work could be done to understand exactly how fragility affected children in conflict situations and how bilateral and multilateral programming could support this. Children's access to justice, respect of children's rights, security sector reform, as well as children's rights within child headed household all require good governance and functioning states. All these are areas where bilateral and multilateral programming can pay further attention to children's issues within an overarching approach to poor governance and situations of fragility.

<sup>93</sup> European Commission, *Supporting Peacebuilding: An Overview of European Community Action*, Directorate-General for External Relations, Brussels, 1 June 2006.

<sup>94</sup> United Nations General Assembly, Report of the Special Representative of the Secretary-General for Children and Armed Conflict – *Item 68 (a) on the provisional agenda – Promotion and protection of the rights of children*, 13 August 2007, A/62/228. Available:

<[http://www.un.org/children/conflict/\\_documents/machel/MachelReviewReport.pdf](http://www.un.org/children/conflict/_documents/machel/MachelReviewReport.pdf)>

<sup>95</sup> European Commission, *Colombia Country Strategy Paper, 2007 – 2013*, 28.03.2007 (E/2007/484) Brussels, p. 12.

<sup>96</sup> Commission of the European Communities, *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Towards an EU Response to situations of fragility – engaging in difficult environments for sustainable development, stability and peace*, COM(2007) 643 final, Brussels, 25.10.2007. p. 12.

<sup>97</sup> The Council of the European Union, Council Conclusions on a EU response to situations of fragility, 2831st External Relations Council meeting Brussels, 19-20 November 2007.

### **3.6 *An Effective International Response***

An effective response to CAAC must be initiated at the multiple levels of the individual, family, community, society, and in governance at the national, regional and global levels. These different levels are important and ECHO, like many humanitarian agencies, notes that the most effective way to deal with children affected by armed conflict is first to support the family. This family based approach alone is not sufficient, however, which ECHO and others also note. Working effectively to conceptualise responses and ensure positive impact at multiple levels directly or indirectly with partners presents a significant challenge. The EU is one of the few global bodies with the policy framework, mix of instruments, and institutions to initiate an effective response to CAAC collectively and in collaboration with key national and international partners.

## Part II: EU Response

Part II focuses on the EU response to the issue of CAAC and the current policy environment, planning and implementation of CAAC related activities.

## 4 EU Responses to CAAC

### 4.1 EU Policy Framework for CAAC

The European Union has several policies that are relevant to CAAC. These provide the overarching policy framework within which an EU response to CAAC should be undertaken. These approaches blend together diplomacy (including human rights policy), development (including humanitarian response) and defence (including crisis management) to improve the human security of individuals including children. An ideal EU response should thus include aspects of diplomatic action, bilateral and multilateral programming and crisis management. While this study is primarily concerned with the development cooperation angle, it is important to look at all the various frameworks together. A holistic 'all of government' approach has been noted recently by the Council of the EU as the most effective way to respond to both conflict prevention and situations of fragility, as put forward by work undertaken during the Portuguese EU Presidency.<sup>98</sup> Indeed this is equally the case of EU response to CAAC issues.

#### 4.1.1 Development and Humanitarian Aid

The EU is a major global player in development cooperation. The Treaty of the European Union, the fundamental document of the EU, emphasises that the focus should be on development cooperation on poverty and human rights.<sup>99</sup> Together the EC and the 27 member-states of the EU make up more than half the total overseas development assistance (ODA) disbursed in any one year, and in 2006 the EU/EC disbursed €46.9 billion.<sup>100/101</sup> Globally therefore, the EU is a very substantial international development actor with significant resources at its disposal. In 2005 the EU for the first time agreed upon an overarching documenting laying out its vision for development cooperation. The *European Consensus on Development* of November 2005 makes specific reference to improving the response to CAAC and to further mainstreaming related issues such as child rights, human rights, conflict prevention, gender equality and good governance.<sup>102</sup> In addition, the *Petersberg Communiqué on European Development Policy* of May 2007 notes the centrality of children and peace and security to EU approaches to development.<sup>103</sup>

<sup>98</sup> Council of the European Union, 2007. 2831st Meeting of General Affairs and External Relations Council 15240/07, Brussels, 19<sup>th</sup> – 20<sup>th</sup> November, p. 42.

<sup>99</sup> Treaty on European Union, Official Journal C 191, 29 July 1992.

<sup>100</sup> OECD-DAC, *Development Assistance Committee Peer Review of the European Community*, (Paris: OECD, 2007), p. 12. See: <<http://www.oecd.org/dataoecd/57/6/38965119.pdf>>

<sup>101</sup> Commission of the European Communities, *Annual Report 2007 on the European Community's Development Policy and the Implementation of External Assistance in 2006*, Brussels, 21.6.2007, COM(2007) 349 final.

<sup>102</sup> See, Council of the European Union, *Joint Statement by the Council and the representatives of the Governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: "The European Consensus"* 14820/05, 22 November 2005, particularly sections, 12, 97, 101 and 103.

<sup>103</sup> *Petersberg Communiqué on European Development Policy*, Bonn: Federal Ministry for Economic Cooperation and Development, May 2007. It was issued by the representatives of the Member States of the European Union and of the European Commission on the occasion of the fiftieth anniversary of the founding of the EU, and sets out the objectives, values and principles of EU development policy.

The EU is a major player in humanitarian aid with the EC alone spending €732 million on this type of assistance in 2007.<sup>104</sup> The EU has embarked upon a similar process as the achievement of the European Consensus on Development to get wide agreement on fundamental humanitarian aid principles. These include enshrining the principles of humanity, neutrality, impartiality and independence. This new EU-wide *European Consensus on Humanitarian Aid*, due late in 2007, will also include a specific reference to the importance of addressing the vulnerability of children.<sup>105</sup> Therefore concerns related to CAAC are noted and justified at the heart of the most important documents outlining the EU's development vision. All EC and EU member-states multilateral and bilateral strategies, programming and projects should more or less be aligned with the spirit of *European Consensus on Development* and the *European Consensus on Humanitarian Aid*.

#### 4.1.2 Common Foreign and Security Policy

With 27 members-states the EU has certain collective global foreign and security concerns. This forms part of the wider Common Foreign and Security Policy (CFSP) of the EU where collective action of the EU and its member-states is seen as protecting and advancing collective interests which is also the realm of European Security and Defence Policy (ESDP). In December 2003 the European Union endorsed its first collective Security Strategy – *A Secure Europe in a Better World*.<sup>106</sup> It provides a clear statement and overview of the threats facing Europe and how the EU should tackle them. It also notes that there can be no security without development (a point also made in the *European Consensus on Development*). The European Security Strategy (ESS) does not make specific reference to children, yet as a policy framework is relevant because it mentions the importance of security to development and vice versa, the threat posed by regional conflicts, and the need to work on a multilateral basis with the United Nations. It also notes the importance of aligning different diplomatic, and development programming instruments towards a common end. All these points naturally complement a comprehensive approach to CAAC. Indeed if children affected by armed conflict rights and needs are not addressed they are likely to become part of disaffected youth with a grievance and a history of exposure to violence. This in itself is likely to pose a security risk, therefore it is in the enlightened self-interest of the EU to have an effective response to the issue of CAAC that makes the best use of the EU's collective defence, diplomacy and development capabilities. All relevant member-state and EC diplomatic actions should, in the areas that it covers, be aligned to the goals of the European Security Strategy. As the link between security, children and youth is strong, it could be argued that it is an issue worthy of specific mention in any future review of the European Security Strategy. Additionally, the CFSP is implemented in certain geographical contexts and a collaborative approach to defining strategy has progressed in this regards with the new joint Africa-EU strategy. This strategy itself makes frequent reference to addressing the issue of children affected by armed conflict, and the implementation of UNSCR 1612.<sup>107</sup>

#### 4.1.3 EU Human Rights Policy

EU human rights policy is part of the CFSP and related to development cooperation, but it obviously has a particular role in relation to CAAC. Given international legal commitments to CAAC and the wide scope of the issue, the EU has had to develop its own specific response mechanisms. While the EU has long noted its concern about the issue of CAAC, it was not

<sup>104</sup> European Commission Report for the Commission, Directorate-General for Humanitarian Aid - (ECHO) Annual Report 2006 [SEC(2007)] Brussels.

<sup>105</sup> For discussions of this process see, <[http://ec.europa.eu/echo/whatsnew/questionnaire\\_en.htm](http://ec.europa.eu/echo/whatsnew/questionnaire_en.htm)>

<sup>106</sup> European Union, *Secure Europe in a Better World, Brussels, 12 December 2003, available:* <[http://www.consilium.europa.eu/cms3\\_fo/showPage.ASP?id=266&lang=DA&mode=g](http://www.consilium.europa.eu/cms3_fo/showPage.ASP?id=266&lang=DA&mode=g)>

<sup>107</sup> The Africa-EU Strategic Partnership – A Joint Africa-EU Strategy and Action Plan [2007]., particularly p. 3, 7, 31. Available: <[http://www.eu2007.pt/NR/rdonlyres/D449546C-BF42-4CB3-B566-407591845C43/0/071206jsapenlogos\\_formatado.pdf](http://www.eu2007.pt/NR/rdonlyres/D449546C-BF42-4CB3-B566-407591845C43/0/071206jsapenlogos_formatado.pdf)>

until 2003 that the GAERC adopted the EU Guidelines for Children and Armed Conflict (henceforth called 'the Guidelines').<sup>108</sup> While many member-states and EU institutions (including the Parliament and the Commission) have undertaken unilateral initiatives at the country, regional and international level, the Guidelines represent a serious commitment at the collective EU level. The Guidelines have been widely lauded as good in both their comprehensive nature and also their brevity and ease of comprehension.<sup>109</sup> In December 2007 the GAERC adopted new EU Guidelines on the Promotion and Protection of the rights of the Child (and its implementation strategy), which also noted the importance the EU CAAC guidelines and the necessity for a comprehensive and strategic approach to the issue.<sup>110</sup> Additionally, the EU has separate guidelines covering issues of the Death Penalty (1998), Torture and other cruel, inhuman or degrading treatment (2001), Human Rights dialogues with third countries (2001) and Human Rights defenders (2004), all of which relate to CAAC.<sup>111</sup> These are known collectively as the EU Human Rights Guidelines and are primarily the responsibility of the Council Working Party on Human Rights (COHOM) which includes representatives from the member-states, the Commission and the Council Secretariat. However, the issue of CAAC clearly extends beyond the human rights sphere to that of bilateral and multilateral programming and crisis management, as noted in the EU Guidelines themselves. Also calling attention to the issue of CAAC on behalf of the wider EU is the Personal Representative for Human Rights of the EU High Representative of the Common Foreign and Security Policy, Javier Solana.<sup>112</sup>

Although not formally consulted, the European Parliament's work on CAAC contributed to the development of the EU Guidelines. The European Parliament as a whole and specific Members of the European Parliament (MEPs) continue to be active advocates for CAAC issues.<sup>113</sup> Also, the EU Guidelines were developed with active input from a number of external specialist agencies from the UN (notably UNICEF) and NGOs in the human rights and child rights field. Indeed, as EU institutions generally lack specialist expertise in CAAC, this was an innovative, foresighted and necessary approach to ensure quality and pertinence.

While the EU Guidelines are seen as a component of EU Human Rights Guidelines they recommend a wider course of action than simply engagement in human rights. For example, the Guidelines note that there are a variety of tools at the disposal of the EU as it acts on CAAC. These tools can be categorized as diplomatic action, multilateral and bilateral programming, and crisis management operations. (See table 1 below)

To ensure progress on the EU Guidelines on CAAC an implementation strategy with reporting mechanisms was developed upon which progress could be assessed. This is an important step, as it emphasizes implementation in a number of fields. It is important to note that the EU is the only regional organization to develop such specific CAAC guidelines and also an implementation plan to further their application. External commentators from the UN and NGO sectors have consistently emphasised the importance of implementation and the gap between principles, paper commitments and tangible actions in relation to CAAC with regards the EU.

One of the important innovations associated with the EU Guidelines has been the identification of priority countries in 2005. The list includes Afghanistan, Burundi, Colombia, Cote d'Ivoire, Democratic Republic of Congo, Liberia, Myanmar (Burma), Philippines, Somalia, Sri Lanka,

<sup>108</sup> Available from: < <http://www.consilium.europa.eu/uedocs/cmsUpload/GuidelinesChildren.pdf>>

<sup>109</sup> Interviews conducted with multiple stakeholders in the course of this research emphasized this opinion. See annex 2 for a list of those consulted.

<sup>110</sup> Council of the European Union, *Council Conclusions on EU Guidelines for the Promotion and Protection of the Rights of the Child* 2839th General Affairs Council meeting, Brussels, 10<sup>th</sup> of December 2007.

<sup>111</sup> To access the full text of these documents in a number of languages see:

<[http://www.consilium.europa.eu/cms3\\_fo/showPage.asp?id=944&lang=EN&mode=g](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=944&lang=EN&mode=g)>

<sup>112</sup> For information see: <[http://www.consilium.europa.eu/cms3\\_fo/showPage.asp?id=849&lang=EN&mode=g](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=849&lang=EN&mode=g)>

<sup>113</sup> EIUC - European Inter-University Centre for Human Rights and Democratisation, *Beyond Activism: The impact of the resolutions and other activities of the European Parliament in the field of human rights outside the European Union* (Venice: October 2006). <<http://www.europarl.europa.eu/comparl/afet/droi/beyondactivism.pdf>>

Sudan, and Uganda. The selection procedure for priority countries is not clear, and the EU list currently differs from a similar list by the United Nations, although there is apparently discussion on harmonising the lists. The UN list contains those on the EU list plus Chad, Haiti, Lebanon, Israel and the Occupied Palestinian Territories. There is a slight lack of clarity in what the definition of a priority country means in practice in terms of on the ground action. Many within the EU working on these countries are unaware of the EU Guidelines and their priority country status. According to a survey conducted in relation to this study, more than 50% of those contacted at the EC Delegation level either answered incorrectly or did not know whether their country was a priority country for CAAC.<sup>114</sup> Finally, it does not seem as if additional mechanisms to engage in bilateral or multilateral programming have been developed in the priority countries, something which has also caused frustration to those officials within the EC at the country level. According to the same survey, these were not found sufficient to fund the different aspects of the issue. As one respondent put it: "I have currently no financial instruments available to address the issue of children affected by armed conflict. There was a shortfall in funding and I followed several 'avenues' to find additional funding, but to no avail."<sup>115</sup>

## 4.2 EU Instruments to Respond to CAAC

The EU has three types of instruments to respond to CAAC. Firstly, there is diplomatic action in the form of political dialogue, demarches and other areas of applying diplomat pressure and promoting activities in international forums such as the United Nations. The second area is that of multilateral and bilateral programming (primarily related to development cooperation and humanitarian assistance), and thirdly that of crisis management. Within each of these areas there is a wide variety of action that can be taken and many different types of instruments.

**Table 1: The Grouping of EU Tools to Respond to CAAC**

<b>EU Tool referred to in EU Guidelines on CAAC</b>	<b>Grouped as</b>
<ul style="list-style-type: none"> <li>• Political dialogue</li> </ul>	<ul style="list-style-type: none"> <li>• Diplomatic action</li> </ul>
<ul style="list-style-type: none"> <li>• Démarches</li> </ul>	<ul style="list-style-type: none"> <li>• Diplomatic action</li> </ul>
<ul style="list-style-type: none"> <li>• Multilateral co-operation (also notes that... Member States will equally seek to reflect priorities set in these guidelines in their <b>bilateral co-operation projects</b>).</li> </ul>	<ul style="list-style-type: none"> <li>• Multilateral and bilateral programming (in development<sup>116</sup> and humanitarian spheres)</li> </ul>
<ul style="list-style-type: none"> <li>• Crisis management operations</li> </ul>	<ul style="list-style-type: none"> <li>• Crisis management operations</li> </ul>
<ul style="list-style-type: none"> <li>• [EU engagement in] early-warning and preventive approaches as well as actual conflict situations, peace negotiations, peace agreements, ensuring that crimes committed against children be excluded from all amnesties, post-conflict phases of reconstruction, rehabilitation, reintegration and long-term development.</li> </ul>	<ul style="list-style-type: none"> <li>• Diplomatic action</li> <li>• Multilateral and bilateral programming (in development and humanitarian spheres)</li> <li>• Crisis management operations</li> </ul>
<ul style="list-style-type: none"> <li>• Training</li> </ul>	In relation to: <ul style="list-style-type: none"> <li>• Diplomatic action</li> <li>• Multilateral and bilateral programming (in development and humanitarian spheres)</li> <li>• Crisis management operations</li> </ul>
<ul style="list-style-type: none"> <li>• Other measures: such as the imposition of targeted measures</li> </ul>	<ul style="list-style-type: none"> <li>• Diplomatic action</li> <li>• Multilateral and bilateral programming (in development and humanitarian spheres)</li> <li>• Crisis management operations</li> </ul>

<sup>114</sup> ECDPM, *Survey on EU response to children affected by armed conflict*. October 2007. See annex 3 for more details.

<sup>115</sup> ECDPM, *Survey on EU response to children affected by armed conflict*. October 2007.

<sup>116</sup> A comprehensive understanding is taken of development programming to all fields of development cooperation including governance, human rights, peacebuilding and conflict prevention measures.

In relation to multilateral programming in late 2006, the European Community established the legal basis for new financial instruments for external relations covering a variety of areas. Prior to these new regulations, the EC had over 75 different internal and external funding instruments related to children and child rights.<sup>117</sup> The new financial instruments thus represent a level of consolidation.<sup>118</sup> Almost all of the new instruments include a reference to child rights or specifically CAAC-related issues (see Annex 1). This provides a legal basis to fund initiatives in this area, which indicates that there are no impediments and even active encouragement for the EC to financially support CAAC activities. In addition, the Cotonou Partnership Agreement between the EC, 27 member-states, and 77 African, Caribbean and Pacific countries disburses European Development Fund (EDF) resources and makes special reference to CAAC issues. In particular, Article 26 and Article 11 afford a degree of latitude to design approaches to conflict prevention and peacebuilding that could also involve children.<sup>119</sup>

**Box 6: Understanding the need for flexibility and LRRD in CAAC programming<sup>120</sup>**

Instruments are necessary to actually provide resources for programming in areas related to CAAC. Yet these instruments have to be appropriate and flexible. The EC does not generally have the best reputation for flexibility as a donor amongst NGOs. Yet this is what is often required in CAAC programming. However, in supporting Save the Children – Denmark education projects in Somalia, the EC's flexibility and understanding of the complexity involved in programming in such a difficult environment is cited as one of the main reasons these education projects have been so successful. The projects in question ensure that war- and conflict- affected children do not become a lost generation without basic education. An Alternative Basic Education method was developed to provide emergency education with available human resources, meaning the use of sub-standard teachers, while at the same time ensuring a transition into long-term development by building up the skills of the teachers. This approach ensures that there is a link between immediate relief actions and long-term developmental approaches by clearly involving local authorities and governance structures at every stage. By appropriate funding in a flexible manner a positive outcome for CAAC was thus achieved.

More specifically with regards to EC Financial Instruments steps have been taken to earmark resources for CAAC issues, such as the European Initiative for Democracy and Human Rights (EIDHR) for 2007-2013, where €6,8 million has been set aside for the protection of children's rights in armed conflicts.<sup>121</sup> In addition, under the DCI instrument 'Investing in People' strategy children rights is given key prominence, with €90 million allocated to address child labour, child trafficking, child soldiers and violence against children during the 7 years it covers.<sup>122</sup> When compared to the overall resources that the EC has for development cooperation these earmarked resources are very small indeed. If, as the UN indicates there are currently 56 contexts where CAAC is an issue then for the year 2007-13 under EIDHR there is less than €17,500 per country per year, and under Investing in People less than €230,000 per context per year. These calculations offer merely a rough indication as resources would not be divided in this fashion, yet do indicate that thematic resources related to CAAC could be spread thinly.

ECHO's new strategy also focuses on three areas in relation to children in man-made crises and natural disasters 1) reuniting families and unaccompanied children 2) education in emergencies 3) children associated with armed groups, including DDR of children. Children

<sup>117</sup> Commission of the European Communities, *Annual Report 2007 on the European Community's Development Policy and the Implementation of External Assistance in 2006*, Brussels, 21.6.2007, COM(2007) 349 final. <[http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007\\_0349en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0349en01.pdf)>

<sup>118</sup> Commission of the European Communities, *Annual Report 2007 on the European Community's Development Policy and the Implementation of External Assistance in 2006*, Brussels, 21.6.2007, COM(2007) 349 final. <[http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007\\_0349en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0349en01.pdf)>

<sup>119</sup> Partnership Agreement between members of the Africa, Caribbean and Pacific Group of States of the one part, and the European Community and its member states, of the other part, signed in Cotonou, 2000.

<sup>120</sup> Basic information provided from a questionnaire administered by this study to Save the Children, Brussels Office, October 2007.

<sup>121</sup> European Commission, *EU Human Rights and Democratisation Policy – Rights of the Child- DG External Relations*, 2007. Available: <[http://ec.europa.eu/external\\_relations/human\\_rights/child/ac/index.htm](http://ec.europa.eu/external_relations/human_rights/child/ac/index.htm)>

<sup>122</sup> See <[http://ec.europa.eu/external\\_relations/human\\_rights/child/index.htm](http://ec.europa.eu/external_relations/human_rights/child/index.htm)>



affected by armed conflict is clearly on the EC agenda, yet care must be taken to ensure that there is appropriate synergy and not overlap between these different mechanisms. Particularly as given the overall EC and EU resources for both development and humanitarian assistance the amount targeted at CAAC is relatively small.

The 27 member-states of the European Union have a large variety of programming instruments of their own upon which to draw. These tend to fall into three categories: firstly geographic instruments targeted at a particular country or region (usually governed by a country or regional strategy), secondly thematic instruments targeted at a particular theme (such as gender, governance, democracy, health, humanitarian assistance, conflict prevention, economic development etc), or thirdly institutional support (such as that given to some United Nations agencies or civil society organizations). Indeed, of the top twenty donor countries to UNICEF, twelve are EU members.<sup>123</sup> These are all development cooperation financial instruments that could in some way be used to support CAAC.

### **4.3 European Union Institutions and Missions Implementing Commitments on CAAC**

Using the policy frameworks and instruments laid out above there are various institutions associated with implementing the EU's response to children affected by armed conflict. These range from those of the European Commission, such as the Directorate-Generals for Development (DG DEV) and External Relations (DG RELEX), through to the Council of the EU such as the Council Secretariat and its various working groups, through to 27 member-states' foreign ministries, embassies and missions, to name only a few. All these are involved in diplomatic action and at times development cooperation. The European Parliament, together with its individual members, has also been particularly active on the issue of CAAC in terms of oversight and while welcoming certain EU actions has been critical of the lack of progress on mainstreaming and use of diplomatic instruments.<sup>124</sup> This indicates the complexity of the EU's response and the many different and varying institutions involved in actually implementing action in relation to CAAC. The challenge with so many different institutions both at the global and at the country level is to ensure that the engagement of the EU on CAAC is harmonized and adds up to more than the sum of its parts.

<sup>123</sup> Data from UNICEF, Annual Report 2006, New York, UNICEF, 2007, available: [http://www.unicef.org/about/annualreport/files/Annual\\_Report\\_2006.pdf](http://www.unicef.org/about/annualreport/files/Annual_Report_2006.pdf)

<sup>124</sup> See amongst others, European Parliament, *Report on the Annual Report on Human Rights in the World 2006 and EU's Policy on the matter*, (2007/2020(INI)) Committee of Foreign Affairs Rapporteur: Simon Coveney, Brussels, A6-0128/2007. Sections 64 – 72.

**Table 2: EU related Institutions Engaging on CAAC**

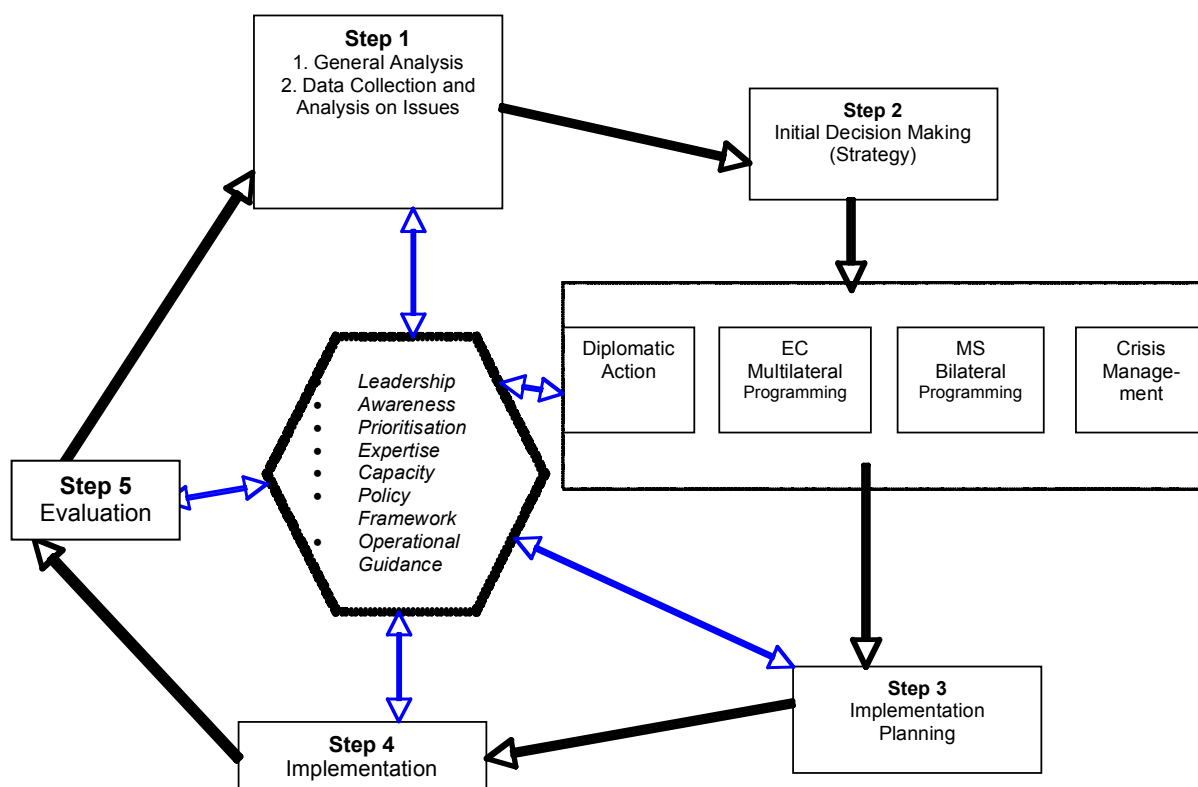
	<b>European Commission<sup>125</sup></b>	<b>Council of the EU</b>	<b>EU Member States (MS)</b>
<i>Diplomatic action</i>	<ul style="list-style-type: none"> <li>• DG External Relations</li> <li>• DG Development (for ACP countries)</li> <li>• EC Delegations</li> </ul>	<ul style="list-style-type: none"> <li>• GEARC</li> <li>• High Representative</li> <li>• PMG</li> <li>• Council Working Groups (COHOM, CODEV, CIVCOM and regional working groups)</li> <li>• EUSR</li> <li>• Council Secretariat</li> </ul>	<ul style="list-style-type: none"> <li>• MS Foreign Ministries</li> <li>• MS Embassies / Missions</li> </ul>
<i>Multilateral and bilateral programming</i>	<ul style="list-style-type: none"> <li>• DG External Relations</li> <li>• DG Development</li> <li>• DG ECHO (Humanitarian Aid)</li> <li>• DG EuropeAid</li> <li>• EC Delegations</li> </ul>		<ul style="list-style-type: none"> <li>• MS Development Cooperation Ministries/Agencies</li> <li>• MS Operational Development Agencies</li> <li>• MS Embassies / Missions</li> </ul>
<i>Crisis management</i>		<ul style="list-style-type: none"> <li>• ESDP Missions</li> </ul>	<ul style="list-style-type: none"> <li>• MS contributions to ESDP Missions</li> </ul>

#### **4.4 Implementing the EU Commitment to Children Affected by Armed Conflict**

There is a logical approach to ensuring an effective EU response to CAAC, consisting of five sequential steps (see figure 1). The European Commission has a version called project cycle management.<sup>126</sup> Indeed, this basic logical 'project cycle' is one of the most accepted tools in the development cooperation field as a promoter of quality and impact and is becoming more accepted in the foreign policy and diplomatic arenas. Step 1 of the cycle involves information gathering that has relevance to CAAC. Step 2 leads to decision making on types of intervention options. Step 3 incorporates intervention / initiative planning. Step 4 is the implementation of actions and activities and Step 5 the evaluation of such interventions and actions which should feed into a loop back to Step 1. Whether this occurs in practice is related to leadership, awareness, prioritisation, expertise, capacity, and utilisation of the policy framework, instruments and institutions that the EU has at its disposal.

<sup>125</sup> Institutions have different roles within each of these areas, and the European Commission cannot initiate EU wide diplomatic action.

<sup>126</sup> See, EuropeAid Cooperation Office, *Aid Delivery Methods, Project Cycle Management*, Volume 1, Brussels, 2004, <[http://ec.europa.eu/europeaid/reports/pcm\\_guidelines\\_2004\\_en.pdf](http://ec.europa.eu/europeaid/reports/pcm_guidelines_2004_en.pdf)>

**Figure 1: A logical programme cycle to implement the EU's approach to CAAC**

These steps and the links between them are implied by the EU Guidelines and by the accompanying Implementation Strategies. The cycle should happen at the Brussels EU level, but more importantly also at the country level to ensure progress where CAAC issues really impact the every-day reality of children. With 27 member-states of the EU and the institutions associated with the Council of the European Union and the European Commission a considerable number of institutions are potentially involved with the implementation of the EU approach to CAAC. This does not include the many other CAAC actors, such as UN agencies, international and local NGOs and governance authorities at the national and local levels within countries. In its abstract form, if incorporated EU-wide, the Step-by-Step approach to CAAC is attractive for many reasons. It is based on a logical flow, it is related to existing ways of working, and it is a tested framework that is widely accepted in the field. It has also the ability to promote coherence, coordination and complementarity, the so called 3Cs that all EU external action would benefit from adhering to.

## 5 The EU's Response to CAAC – Steps of the CAAC cycle

As the various EU policy frameworks already note the importance of child rights, both generally and CAAC more specifically, there is already an EU justification for focusing on these issues. The challenge is therefore how these various policy commitments are implemented in practice and through the various steps of management of the programme cycle.

### 5.1 Step 1: Collecting Information

The first step of data collection is imperative as EU responses to CAAC can only be effective, if informed by the collection and analysis of information relating to CAAC issues particularly at the country-level. Analysis of CAAC issues by EU members is already a requirement for EU Heads

of Mission within EU human rights factsheets, in addition to reporting requirements under UNSCR 1612 which are a requirement of UN member-states. COHOM regularly gets reports on CAAC situation in various countries. There is also a wealth of information being gathered on CAAC by the UN Security Council Working Group on Children and Armed Conflict, UN agencies, particularly UNICEF, the Office of the Special Representative of the UN Secretary General on Children and Armed Conflict, NGOs, and other specialist networks such as the Watchlist on Children and Armed Conflict coalition.<sup>127</sup> More detailed, country specific information on CAAC exists than ever before, including initiatives on specialist data collection that have been actively supported by the EU Institutions and member states.<sup>128</sup> In addition, as encouraged by the Guidelines, local UNICEF supported Child Protection Networks exist in some settings (such as Liberia) which can provide direct local insight, however these networks often do not function well in many conflict settings. Yet while there is always a need for higher quality and more specific information, it can no longer be claimed that good information does not exist upon which to base informed decisions on appropriate and feasible CAAC interventions in the diplomatic action, multilateral and bilateral programming and crisis management spheres.

Unfortunately, information gathering presents some problems at the EU-level. First information is collected in many different places by the EU and across virtually all the institutions listed in table 2. European Commission desk officers interviewed in the course of this study noted that they are overwhelmed with information from NGOs, UN agencies and other specialised interests on a wide range of issues on everything including human rights, governance, humanitarian issues, development indicators and conflict prevention, to name only a few. Keeping on top of the evolving developments in individual country contexts across many different specialist fields was felt to be a particular challenge. While the EU in many policy pronouncements including the Guidelines and its implementation strategy call on the input from external agencies many NGOs, the UN, and specialised agencies mentioned they do not know who within the EU missions or at headquarters level to connect with to provide information on CAAC issues. This fact that CAAC responsibility is spread across some many institutions and individuals means that there is often not a clear focal point for analysis or action. For local NGOs in conflict settings this is even more of a challenge. The issue of utilising UN, NGOs and other specialist agencies to provide specialist information and insight has been long noted by the EU, but how to manage this practically continues to provide challenges.

Also, these external non-governmental actors noted it is not possible to verify the quality of the information the EU uses to make decisions on CAAC issues because some of this is not publicly available. Countering this, EU officials commented that much of the information is of a sensitive nature and therefore cannot be made public. For example, the EU Human Rights Factsheets covering CAAC issues are not presently public documents. There is a danger that if key officials in member-states and EU institutions do not have access to information regarding the nature and extent of CAAC issues in a particular context, a possible response will fail at the outset. That is that CAAC is not being prioritised in diplomatic action, multilateral and bilateral programming or crisis management actions because the right information is not being availed of to make informed decisions. The evidence from interviews and the survey conducted in this research is that EU officials in different parts of the European Institutions and EU member-states have varying degrees of quality and information around the CAAC issue.

## **5.2 Step 2: Decision Making Process and Options for Action**

The next step in the CAAC cycle sees information gathering lead to decision-making on options and courses of action. As was noted above there are a variety of actions (diplomatic, bilateral or multilateral programmatic or crisis management-related) that the EU could initiate or adapt in

<sup>127</sup> By August 2007 the Security Council Working Group on Children and Armed Conflict had produced 10 country reports. See also, <<http://www.watchlist.org/reports/>>

<sup>128</sup> See, <<http://www.watchlist.org/reports/>> and <[http://programs.ssrc.org/children/sri\\_lanka.pdf](http://programs.ssrc.org/children/sri_lanka.pdf)>

relation to CAAC. Notably, while specific CAAC actions are often called for, it is important to place CAAC within a more comprehensive approach to the promotion of human security. For this to be successful, diplomatic action, multilateral and bilateral programming, and crisis management must be coordinated, coherent, and complimentary across the EU. Other comprehensive studies have noted that while the EU may be good at sharing information it is less good at making collective decisions particularly in the sphere of development cooperation and that this often leads to considerable waste.<sup>129</sup> There are essentially three levels associated with the challenge of taking collective and coherent decisions on CAAC. One is amongst the diplomatic action and bilateral and multilateral programming choices within the European Commission. The second level is amongst the EU member-states and the Commission, and the third is between the EU and the United Nations.

Coordination and complementarity is where CAAC issues come up squarely against age-old issues of division of responsibilities across the 'pillars' of the EU. It is difficult, for example, for the EU to appear serious in its diplomatic outrage about child soldier issues if at the same time it is giving considerable budgetary support to governments violating child rights. The decision-making processes within the EU in the three areas of diplomatic actions, multilateral and bilateral programming and crisis management are not currently aligned. Yet scope for further alignment does exist in the provisions of the new EU Reform Treaty. Specifically the creation of a High Representative of the Union for Foreign Affairs and Security Policy combining the role of the current HR and External Relations Commissioner and 'external action' service.

### 5.2.1 Diplomatic Actions

With the 27 member-states and the Commission, the EU is probably the most powerful international block globally and often acts together on issues related to human rights such as CAAC. Much of the EU action in relation to CAAC comes in the form of political action at the international level such as the statement by the Portuguese Permanent Representative to the UN representing the EU Presidency at the UN Security Council on "Protection of Civilians in Armed Conflict" in November 2007.<sup>130</sup> A country-level diplomatic example of CAAC action is the EU troika condemning the situation of child soldiers in Columbia. In 2006, a similar strongly worded statement was made by the Presidency of the EU in relation to the situation in Sri Lanka.<sup>131</sup> At the EU diplomatic level, it is easier to coordinate an EU wide approach given the EU presidency troika and the GAERC. Yet these responses to country specific situations are often generated from on the ground engagement. COHOM also generated the 2006 Implementation Strategy for CAAC that calls for the follow up of specific diplomatic actions in certain contexts.<sup>132</sup>

NGOs complain that unfortunately there is a distinct lack of transparency in EU action in the human rights field, which they believe makes it difficult for them to hold the EU to account for its action and/or perceived inaction. Some NGOs consulted even went so far as to say that the lack of transparency of the EU in its compliance with international CAAC norms was the most fundamental weakness in the EU's approach to the issue.

In geographic regions of particular concern, the EU appoints Special Representatives (EUSR). These officers have particular duties regarding information gathering, reporting and acting on CAAC issues as outlined in the EU Guidelines on CAAC and their Implementation Strategies.

<sup>129</sup> See, the overview of the comprehensive EU evaluation process at <<http://www.three-cs.net/>>

<sup>130</sup> H.E. Ambassador João Salgueiro, Statement by H.E. Ambassador João Salgueiro, Permanent Representative of Portugal to the United Nations on behalf of the European Union, United Nations Security Council, "Protection of Civilians in Armed Conflict", New York, 20 November 2007.

<sup>131</sup> CFSP statement, General Affairs and External Relations, Declaration by the Presidency on behalf of the European Union on the situation of children affected by armed conflict in Sri Lanka, 01 Dec 2006, Press release 502/2006, 1 December, 2006.

<sup>132</sup> Council of the European Union, Working Party on Human Rights, *Implementation Strategy for Guidelines on Children and Armed Conflict*, 8285/1/06, Brussels, 25 April 2006,

Yet at present only the EUSR mandates for the Great Lakes and Sudan make explicit reference to the CAAC Guidelines. While Afghanistan is a CAAC priority country, the EUSR mandate of January 2006 makes only one very general reference to children.<sup>133</sup>

### 5.2.2 Multilateral and Bilateral Programming

Multilateral and bilateral programming is governed by a number of processes. Usually country strategies are multi-annual in nature both of the EC and EU member-states (where they have them). In addition there may be any number of thematic instruments which would allow for programming that would be implemented at the country or regional level. It has been found in conflict and fragile settings that multi-annual programming is required, as well as regional programming. Given that during the survey administered for this study that guidance from headquarters on CAAC was highlighted as particularly important, it is at this stage that headquarters should be putting forward the options for the potential of CAAC programming.

### 5.2.3 Crisis Management Responses

The decision making mechanism for launching crisis management missions is a complicated CFSP / ESDP process. As the rationale for launching an ESDP mission could be humanitarian in nature, good information surrounding the nature of how children are currently affected by armed conflict could well feed into the initial discussion of if such a mission should be undertaken. Indeed those advocating the *Responsibility to Protect* agenda would argue that the situation of children and civilians more generally, requires the international community (including the EU) to intervene in more situations than it presently does.<sup>134</sup> The rationale for launching crisis management missions certainly can be impacted by humanitarian concern writ large, as it has in the past, yet this is not the only motivation.<sup>135</sup>

#### Box 7: EC Responding to CAAC in Colombia

Colombia is a country in which children are brutally affected by the ongoing armed conflict. In Colombia the EC is responding to this by supporting a variety of engagements. The most recent EC Country Strategy Paper for 2007-2013 includes extensive reference to the importance of treating children's rights as a cross-cutting issue.<sup>136</sup> Yet it is overall focus on peace and stability ensures that the macro goals of the EC in Colombia are highly compatible with ensuring progress on CAAC issues. Also the ECHO strategy for Colombia from both 2006 and 2007 includes a good analysis of the multiple ways that children are affected by armed conflict within its overall humanitarian analysis. In doing this analysis it utilises statistics and information from a variety of sources including the UN and NGOs.<sup>137</sup> The ECHO strategy also includes various areas of intervention from protection, to nutrition and health. The range of activities supported in Colombia by the EC in relation to CAAC extends from the prevention of the recruitment of child soldiers implemented by organizations such as UNICEF through to psychosocial support for children, youth and their families by both local and international NGOs. Other thematic instruments such as the European Initiative for Democracy and Human Rights is also supporting CAAC related initiatives in Colombia.

Importantly in country and at the Brussels level there seems to be a good working relationship and coordination between the different arms of the European Commission (RELEX, AIDCO, ECHO).

<sup>133</sup> Council of the European Union, COUNCIL JOINT ACTION 2006/124/CFSP of 20 February 2006 extending the mandate of the Special Representative of the European Union for Afghanistan, *Official Journal of the European Union*, L 49/21, 21.2.2006.

<sup>134</sup> For more information on the Responsibility to Protect agenda see, < <http://www.iciss.ca/menu-en.asp> >

<sup>135</sup> For a discussion and analysis of civilian crisis management missions see, Agnieszka Nowak (ed.) *Civilian crisis management: the EU way*, *Chaillot Paper* No. 90, June 2006.

<sup>136</sup> European Commission. 2007. *Colombia Country Strategy Paper, 2007 – 2013*, E/2007/484, Brussels

<sup>137</sup> European Commission, 2007. *Humanitarian Aid for Conflict affected people and refugees in Colombia and Neighbouring Countries*, Global Plan 2007, Consultation of the Humanitarian Aid Committee by Written Procedure, ECHO/-SM/BUD/2007/01000 Brussels

Colombia however, may not be a typical case for a number of reasons. Firstly as a middle-income country undergoing conflict, development and humanitarian resources can be targeted at this conflict and its victims rather than wider poverty alleviation considerations. Also there is a vibrant civil society with many high capacity local implementing partners to work with and from whom to gain insight. Thirdly the budget line aid to uprooted people has been at the core of much of the EC CAAC programming in Colombia, and that budget line has now been replaced. Fourthly the EC development agenda is not dominated by the war on drugs. While other donors most notably the United States are dominated by such considerations.

In addition to its various programming activities the EU troika did issue a demarche with regards the situation of children affected by armed conflict in Colombia in 2006. While the intervention of the EU in Colombia regarding CAAC is not without its deficiencies (it is a collective EC approach rather than EU) it does represent a good case study where all EC financial instruments and diplomatic instruments are being used to in some way cover CAAC issues at the country level.

### **5.3 Step 3: Implementation Planning**

When the initial decision has been made to engage in CAAC issues, Step 3, specific implementation planning begins. Planning occurs across the areas of diplomatic action, multilateral and bilateral programming, and crisis management. Ensuring implementation planning across these different mandates is a considerable challenge for the EU as there are different timescales, institutions, and processes within each. This challenge affects all programming areas, including CAAC.

#### **5.3.1 Diplomatic Actions**

The planning for diplomatic actions such as political dialogue and demarches requires discussion and consensus-building around options, agreement about the EU language and approach before the implementation by member-states and the relevant EU institution. Diplomatic action planning at both international forums and at the country level is usually led by the EU Troika. Within the United Nations Security Council and General Assembly the EU has consistently acted together on CAAC issues, implementing its approach well. Recently, for example, the *Paris Principles* were championed by the European Union group at the UN General Assembly. At the country level, planning for diplomatic action requires agreement between EU Missions in country, also with the support of the Troika.

The Implementation Strategy on the Guidelines for Children and Armed Conflict mentions specific follow-up on EU action and steps for EU actors to take. The 2006 implementation strategy mentioned such aspects as working with UNICEF to apply pressure in Liberia for the ratification of the CRC Optional protocol, and working with the EUSR and Troika to support the Minister for Women's Affairs and Family Welfare for assistance on the Code for Protection of Children.

#### **5.3.2 Multilateral and Bilateral Programming**

While there are regular reports in COHOM on CAAC issues it is not all clear how information gathered on CAAC issues (such as that contained in UN reports and produced by EU Heads of Mission) actually filters into the planning stages of development and humanitarian processes such as country strategy papers. Despite expectations within the Plan of Action for Implementation of the EU Guidelines on Children and Armed Conflict actual tangible evidence of this information incorporation is distinctly lacking. Even though the 2003 EU Guidelines on CAAC make specific reference to the importance of mainstreaming CAAC issues, evidence of mainstreaming in EC Country Strategies and Mid-Term Review does not seem to occur, lacking

even in most priority countries.<sup>138</sup>

A crucial link between steps has therefore been broken, with CAAC issues appearing in country strategies not because of a formalised information gathering process as envisaged by the EU Guidelines, but via a rather serendipitous analysis process. For example, even for CAAC priority countries, the National Indicative Programmes used by the EC to plan actual programming implementation of Country Strategy Papers contained very little in relation to CAAC issues.<sup>139</sup> Of positive note are the Colombia NIP, highlighting children's rights as a cross cutting issue and including individual projects focused on child demobilisation and the Sri Lanka NIP, focusing on human rights more widely and emphasizing the importance of conflict sensitivity. On the other hand, in Burundi, a CAAC priority country, the only relevant EC project being implemented is a very small EIDHR funded initiative by local NGOs on respecting the rights of the child. In Afghanistan, also a priority country, the only CAAC-related programming area focuses on urban children without specific emphasis on those affected by conflict.<sup>140</sup> It has to be stressed that there are usually multiple calls on bilateral and multilateral programming funds, yet if CAAC is to be a genuine priority then resources should be made available for it. Yet there may be some serious structural barriers to this. With EU donors increasingly encouraged to take on large focal areas and to avoid duplication small niche areas of engagement such as CAAC may suffer. Unless the issue is effectively mainstreamed across the larger focus sectors, there simply may not be the resources to actually undertake programming. This would be despite the fact that the recent joint Africa-EU Strategy specifically calls for long-term predictable financial support for CAAC.<sup>141</sup>

### 5.3.3 Crisis Management

In May 2006, in recognition of the deficiency in the area of child protection and to ensure progress on the issue a Checklist for the Integration of the Protection of Children affected by Armed Conflict was developed for inclusion into ESDP Operations.<sup>142</sup> In addition, the EU concept for DDR makes specific reference to child rights (see box 9) As DDR is often associated with ESDP missions this also is a useful planning tool.

The EU has initiated a total of twenty civilian and military crisis management missions in conflict and conflict prone environments. As of November 2007 eleven of these missions were ongoing. While none were launched in direct response to CAAC issues, the missions in Afghanistan, DRC, and Sudan/Darfur are operating within CAAC priority countries. The new EU mission for Chad/Central African Republic (both countries have serious CAAC issues but are not priority countries) do not make specific mention of CAAC in their legal basis documents.<sup>143</sup> However, UNSCR 1778 covering Chad and the Central African Republic and authorising the EU engagement does make explicit reference to responding to CAAC issues and approaches for response within a UN framework.<sup>144</sup>

<sup>138</sup> Sara Erlandsson, *What CAAC issues appear in the EC NIPs*, internal background analysis for ECDPM Study on CAAC, October 2007. (this paper is available from ECDPM on request).

<sup>139</sup> Sara Erlandsson, *What CAAC issues appear in the EC NIPs*, internal background analysis for ECDPM Study on CAAC, October 2007. (this paper is available from ECDPM on request). Uganda is one country where CAAC issues do appear in the Mid-Term Review.

<sup>140</sup> For a list of current EC funded projects in the CAAC sphere see: <[http://ec.europa.eu/external\\_relations/human\\_rights/child/ac/project\\_table0607.pdf](http://ec.europa.eu/external_relations/human_rights/child/ac/project_table0607.pdf)>. The Afghanistan project does have some support for promoting the Convention on the Rights of the Child.

<sup>141</sup> The Africa-EU Strategic Partnership – A Joint Africa-EU Strategy [2007]. p.13 para 56.

<sup>142</sup> Council of the European Union, *Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations*, 9767/06, Brussels, 23 May 2006.

<sup>143</sup> COUNCIL JOINT ACTION 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic, *Official Journal of the European Union* L 279/21, 23.10.2007 Official Journal of the European Union.

<sup>144</sup> United Nations Security Council, Resolution 1778 (2007) Adopted by the Security Council at its 5748th meeting, on 25 September 2007, S/RES/1778 (2007).



## 5.4 Step 4: Implementation

Implementation, Step 4, involves tangible action by the EU, its member-states, and EU institutions at the international, regional and country levels.

### 5.4.1 Diplomatic Actions

The implementation of diplomatic action related to CAAC involves long-term measures such as the ratification or implementation of existing international legal instruments on child rights, including the Optional Protocol and the Paris Principles. Long-term initiatives may also include monitoring the implementation of these conventions at the country level.

Short-term initiatives include engaging with third country national governments and armed groups regarding responsibilities related to CAAC. In 2006 the EU Troika carried out démarches in Burundi, Uganda, Colombia, Cote d'Ivoire, DRC, Liberia, Nepal and Sudan in relation to CAAC.<sup>145</sup> Some diplomatic action activities are conducted with a degree of confidentiality, especially in the realm of political dialogue. It is therefore not possible to quantify the full extent of political actions in this field. It has been noted that while implementing diplomatic action, for best impact, the EU should implement in accordance with UNSCR 1612 and in a coalition with other willing UN member states.

### 5.4.2 Multilateral and Bilateral Programming

EU member-states and institutions are currently implementing a wide variety of interventions touching on CAAC issues. An inventory dating from the Netherlands' EU Presidency of 2004 lists 278 different bilateral and multilateral projects in 40 countries and 5 regions supported by a total of 15 member-states (including new member-states) plus the Commission, being implemented in accordance with the EU CAAC guidelines.<sup>146</sup> The themes supported cover a wide-ranging set of issues including education, health, demining, juvenile justice, relief, DDR, child rights, and psychosocial support. Activities are implemented in EU priority countries as well as others such as Angola, Bangladesh, Bosnia-Herzegovina, Central African Republic, Congo Brazzaville, Djibouti, East Timor, Eritrea, Ethiopia, Kosovo, Iraq, Lebanon, Occupied Palestinian Territories, Russian Federation, Rwanda, Serbia and Montenegro, Tanzania and Zambia. For example, one of the more comprehensive EC actions with regards CAAC seems to be implemented in Lebanon, which is not currently an EU priority country.

However, a survey conducted by this study found that nearly half of EU missions that responded (predominately EC Delegations) did not have or oversee any programming related to CAAC issues with a small number not knowing if they did. There is undoubtedly some rhetorical re-packaging occurring in which programmes and projects are seen as CAAC-related when they may not be. At the same time, many wider programmes may touch on CAAC issues but not be categorized as specific to CAAC (such as wider human rights programming or nutritional/health interventions). This situation paints a rather confused picture in terms of actual implementation, particularly regarding whether implementation has been systematically planned or prioritised (in relation to the previous step 3) or is merely serendipitously occurring.

<sup>145</sup> Council of the European Union and the European Commission, *EU Annual Report on Human Rights*, (Luxembourg: Office for Official Publications of the European Communities, 2006), p. 31.

<sup>146</sup> A list of these projects can be found in the appendixes of: Transitions International, *Children and Armed Conflict the Response of the EU, A background paper for the UNIDIR Project: European Action on Small Arms, Light Weapons, and Explosive Remnants of War*, April 2005, p. 65-76. A more recently study was also undertaken during the German Presidency. Yet despite some representations it was not made available for the purposes of this study for procedural reasons.

### 5.4.3 Crisis Management

As was previously noted, eleven crisis management missions are currently operational ranging from an EU Police Mission in Bosnia and Herzegovina (EUPM), to a Security Sector Reform mission in Congo (EUSEC RD Congo).<sup>147</sup> While none have a specific CAAC focus, they often touch on CAAC issues. For example children's rights is associated with a significant amount of security sector reform issues in DRC including the needs of children of soldiers. The new mission in Chad/Central African Republic (EUFOR TCHAD/RCA) will certainly have to approach issues of protection and humanitarian access for children. There has been acknowledgement of the need to train on the issue of children for crisis management missions yet it is unclear whether this is happening in current missions such as the EU mission in Kosovo (EUPT Kosovo).<sup>148</sup>

## 5.5 Step 5: Evaluation and Learning

Evaluation is key to ensuring that EU diplomatic, multilateral/bilateral programming and crisis management action in the field of CAAC is actually having an impact and that learning is captured. Evaluation also ensures accountability in terms of progress on EU commitments made in the CAAC field and also addresses the critical issue of ensuring progress and follow-through on implementation. Individual evaluations do exist of specific EC and EU member-states projects and initiatives, and even multi-donor initiatives. For example, the *Independent Evaluation of Special Projects for Child Soldiers in the Democratic Republic of Congo* focused on the Multi Donor Reintegration Programme (MDRP) in the African Great Lakes region (see box 10 for more information on the MDRP programme).<sup>149</sup> Also, NGOs have conducted evaluations of other EU Human Rights instruments such as the EU Guidelines on Human Rights Defenders<sup>150</sup> and the UN has evaluated its use of child protection advisors in UN Peacekeeping Operations.<sup>151</sup> Additionally, the EC evaluation office of EuropeAid has conducted evaluations of a number of initiatives, but it has been years since they have undertaken a comprehensive evaluation in a field closely related to CAAC such as human rights.<sup>152</sup>

The above demonstrates that to date there has been no systematic, all-encompassing evaluation of the EU's approach to CAAC focusing on impact and learning. If the EU wishes to have a collective response it needs a collective evaluation of impact. Given that it is now five years since the EU Guidelines of CAAC were introduced as well as the implementation of other UN commitments and multiple activities (particularly UNSCR 1612), now may be the time to consider planning for such an evaluation initiative. While there is limited precedent for an EU-wide evaluation (rather than one conducted by the EC or an individual member-state), they do exist. Specifically, examples can be drawn from the initiation by the Heads of Evaluation for External Cooperation of the EU Member States and the European Commission of a series of

<sup>147</sup> The actual defining of a mission is a moot point but there are 11 current crisis management missions listed on the Council's website as on-going see: <<http://www.consilium.europa.eu/showPage.asp?id=268&lang=en>>

<sup>148</sup> While the EU CAAC guidelines are mentioned as a key resource on the training website for the EUPT-Kosovo website the training courses listed don't seem to offer CAAC issues, see, < <http://www.eupt-kosovo.eu/training/index.php?id=1>>

<sup>149</sup> Development Alternative Inc (DAI) *Independent Evaluation of Special Projects for Child Soldiers in the Democratic Republic of Congo Final Report Presented to The World Bank's Multi-country Demobilization and Reintegration Program (MDRP) Contract No. 7137037 February 5, 2007. Available:* <<http://www.crin.org/docs/Congo%20child%20D%20and%20R%20evaluation.pdf>>

<sup>150</sup> The Observatory for the Protection of Human Rights Defenders, *First Evaluation of the EU Human Rights Defenders Guidelines "Promoting HRDs best interest"*, Paris and Geneva, May 2, 2006.

<sup>151</sup> Funmi Olonisakin, *Lessons Learned Study: Child Protection The Impact of Child Protection Advisers in UN Peacekeeping Operations*, New York, DPKO Best Peacekeeping Practice Section, May 2007., p. 4. <[http://pbpu.unlb.org/pbpu/Library/LL\\_CPA\\_PBPS\\_May07\\_Final.pdf](http://pbpu.unlb.org/pbpu/Library/LL_CPA_PBPS_May07_Final.pdf)>

<sup>152</sup> While individual projects have been evaluated the last comprehensive thematic EC human rights evaluation was in 2002.

evaluation studies on the extent and impact of coordination, complementarity and coherence in the European Union's development co-operation policies and operations. This evaluation process is known as the 3Cs (coordination, complementarity and coherence) process.<sup>153</sup> Several of those interviewed in the course of this study on CAAC felt that a comprehensive evaluation of the EU approach to CAAC was not only desirable, but also long overdue. If widely publicised, evaluations can also be an important incentive for further implementation. As there is currently an international gap between EU commitments to CAAC and actual implementation of initiatives, conducting a comprehensive evaluation may well help restore confidence in the notion that the EU is committed to seeing continued on the ground progress on this issue.

## **5.6 Implementation Challenges**

It would be incorrect to assert that the EU is not doing a good deal of important work with regards to CAAC, it is clear that it is. Yet, there is a large degree of fragmentation in the approach particularly at the country level. As long as the fragmentation remains the EU will significantly limit its effectiveness. This fragmentation is less the case in international fora such as the UN in New York and Geneva, where the EU has regularly used CFSP mechanisms to act with one coherent diplomatic voice on CAAC issues, yet the same cannot be said for coordinated actions in country in relation to bilateral and multilateral programming, and between diplomatic action and bilateral and multilateral programming. Related to the issue of fragmentation is the need for further mainstreaming of CAAC particularly into bilateral and multilateral programming and the integration of CAAC within crisis management missions. It is also clear that a lack of awareness of the nature and extent of CAAC issues, coupled with limited expertise is hampering EU engagement.

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<sup>153</sup> For information on this comprehensive initiative see, the 3C's website at <<http://www.three-cs.net/>>

## Part III: Proposals

Part III concentrates on proposals as to how the EU response can be made more effective based on issues arising from the background to the issues noted in part I, and the EU's response noted in Part II.

## 6 Options for Improving the EU's Response to CAAC Issues

As seen from the previous sections, the EU has made good progress in terms of policy developments regarding CAAC. The EC has also ensured that CAAC features as a focus area in a number of thematic financial instruments as well as within some individual projects and programmes. Although at the level of member-states some states are clearly more committed to bilateral programming in this area than others. To a lesser extent and with some considerable gaps, CAAC issues also appear in overarching country strategies used by many EU members and EU institutions for bilateral programming. Yet, the EU's approach to CAAC remains highly fragmented across the different instruments (diplomatic, bilateral and multilateral programming and crisis management) and throughout the various steps of the programme cycle as laid out above. There is no real sense of a comprehensive EU strategy for CAAC that utilises bilateral and multilateral programming coherently. Instead initiatives and projects are selected that do not really conform to the 3Cs of coordination, complementarity and coherence and, while worthy in their own right, do not currently maximise the potential impact the EU could have in the area of CAAC. This current situation of a 'strategic deficit' is not unique to CAAC and is one which has been widely noted in relation to diplomatic and multilateral/bilateral programme actions in conflict environments more widely.<sup>154</sup>

### 6.1 Addressing Fragmentation

There is serious fragmentation in the EU's response to CAAC amongst member-states and also EU institutions and mechanisms particularly at the country level. This fragmentation exists between the different priorities, interests and instruments (the link between diplomatic action and multilateral and bilateral programming) and also at the various steps of the cycle described above. It also exists within development cooperation, that is multilateral and bilateral programming. Links between information gathering and initial decision-making, between implementation planning and implementation, and subsequent evaluation are almost non-existent. Any approach seeking to improve the EU's response to CAAC that does not address the issue of fragmentation may further increase these disconnections, thus continuing a piecemeal approach. Fragmentation results from a lack of central, high-level cross-pillar EU leadership on the issue of CAAC straddling the diplomatic action, multilateral and bilateral programming and to a lesser extent crisis management areas. While the current discussion on Action Plan on Children in External Relations is some way an attempt to address this (at least on the EC level) its success is far from assured given the different institutional interests at play. Fragmentation must be addressed at the international level, yet the real focus needs to be the regional and country level.

The idea of an EUSR for CAAC is suggested as a possibility in the EU Guidelines (see section (g) of the EU Guidelines on CAAC for the specific reference).<sup>155</sup> Certainly at the UN level, the appointment of the office of the Special Representative of the Secretary General on Children and Armed Conflict has been useful in raising awareness, galvanising action and providing a

<sup>154</sup> For the seminal study on this particularly topic that was based on a comprehensive evaluation of the EU member-states of the United Kingdom, Germany and Netherlands plus that of Norway see, Dan Smith, *Towards a Strategic Framework for Peacebuilding: Getting Their Act Together Overview report of the Joint Utstein Study of Peacebuilding*, Evaluation Report 1/2004, (Oslo: Ministry of Foreign Affairs, 2004).

<sup>155</sup> Council of European Union, *EU Guidelines on Children and Armed Conflict*, [Brussels], p. 7.

clear institutional focal point. Indeed it would be useful for the UNSRSG on CAAC to have a clear entity to liaise with and push a common agenda rather than a wide variety of EU institutions and working groups that is currently the case. A Commission Coordinator of the Rights of the Child has recently been appointed, but this official's role with regards external relations is currently unclear and they would be EC rather than EU in scope.<sup>156</sup> However, for the EU to implement an EUSR for CAAC, it would need to be clear how such a post (and office) would genuinely improve mainstreaming CAAC in such areas as bilateral and multilateral programming (an area where EUSRs have traditionally struggled to have significant impact) and how they would engage across different EU structures not to mention member-states. There is always the danger that appointing such a post would siphon energy and focus away from such a mainstreaming process.

The Guidelines also suggest convening an expert group on the issue drawn from across the EU. While this function is somewhat covered by COHOM, COHOM has traditionally less direct engagement with bilateral and multilateral programming, which is the preserve primarily of CODEV, nor is it made up of those responsible for geographic programming at the country level. On a positive note, at the EU-wide level, structures are emerging related to the EU Rights of the Child Initiative that provides a forum for different member-states and EU institutional officials to at least have a forum to exchange information and best practice across the areas of diplomatic action, multilateral and bilateral programming and crisis management.

In addition to the above, there are other ways to address fragmentation. Requiring light individual EU wide (rather than EC) country strategies for CAAC covering the five steps described in section 4 would not be an onerous task and would be a way forward. Yet, it is not clear where these strategies would originate (EU troika, member-states). The EU and the development aid community in general have become better about having sectoral/thematic coordination to issues within countries. Yet this is not entirely straightforward, unlike education, justice or health, which have traditionally been the focus of sectoral coordination or sector wide approaches (SWAps) CAAC is a cross-cutting theme.

Another approach to address fragmentation might be a broad-based EU-sponsored initiative on CAAC involving like-minded governments, civil society actors and international organizations, particularly the UN. The initiative should link diplomatic action with earmarked funds and on-the-ground programming. One of the most successful international initiatives in a related field involved landmines, an initiative that included various mechanisms such as banning of landmines at the international also led to individual country strategies with internationally agreed methodologies and standards for developing strategies to deal with landmine clearing and associated physical, social and economic consequences.<sup>157</sup> The EU itself was a significant player along with civil society in this issue.<sup>158</sup>

The issue of priority countries could also be revisited. Priority countries could be used as a model to try innovative approaches to address fragmentation. Rather than trying to address fragmentation on a EU wide scale all at once, more focused attention on priority countries could be mounted. Priority countries where there is already good EU engagement from MS and EC Institutions and also a crisis management approach could utilise further focus. For example

<sup>156</sup> European Commission, *Commission launches comprehensive EU strategy to promote and safeguard the rights of the child*, Press Release, IP/06/92 Strasbourg, 4 July 2006. Despite repeated and sustained attempts to clarify this matter with the official responsible at the European Commission none was forthcoming at this time.

<sup>157</sup> It is worth noting however that landmine actions were often assessed to be the least integrated into other areas of post-conflict peacebuilding, see: Dan Smith, *Towards a Strategic Framework for Peacebuilding: Getting Their Act Together Overview report of the Joint Utstein Study of Peacebuilding*, Evaluation Report 1/2004, (Oslo: Ministry of Foreign Affairs, 2004).

<sup>158</sup> For an overview of this see, Daniela Dicorradò-Andreoni, "Anti-personnel Landmines: A 10-year Review of EU Action", *Journal of Mine Action*, Volume 9, No. 1, 2005. Available: <<http://maic.jmu.edu/journal/9.1/Focus/andreoni/andreoni.htm>> For more recent research on EU action on landmines and explores remnants of war see, UNIDIR, *European Action on Small Arms and Light Weapons and Explosive Remnants of War—Final Report*, (Geneva, UNIDIR, 2006). Available: <[http://www.unidir.ch/bdd/fiche-ouvrage.php?ref\\_ouvrage=92-9045-186-6-en](http://www.unidir.ch/bdd/fiche-ouvrage.php?ref_ouvrage=92-9045-186-6-en)>

Afghanistan and Sudan could be chosen as countries where CAAC issues clearly need to be addressed and there is already significant EC presence but also member-state, EUSR, and a related crisis management mission, not to mention important UN focus. Other potential approaches could be designating a lead EU mission for CAAC within the country (to be effective this would have to run over a longer period than the troika). Countries where the EC has already based most of its engagement on human rights (and its country strategies) such as Sri Lanka and Colombia might also be suitable models for this approach.

## 6.2 Further Mainstreaming of CAAC issues

The need to further mainstream CAAC issues throughout the EU was noted in the GAERC Conclusions in 2005, one of the highest levels of the EU.<sup>159</sup> Mainstreaming, however, is a long-term process, and cannot happen overnight. It involves leadership, a strategy, an operational plan, skills, expertise and, not least, incentives and disincentives to actually push the mainstreaming process. Any mainstreaming process is evolutionary rather than revolutionary. However, the EU has good experience with policy mainstreaming, particularly related to children's rights and disarmament, demobilisation and reintegration (see box 9). Specific CAAC issues already appear in commitments to address conflict prevention, situations of fragility, post-conflict peacebuilding and within a range of development instruments. Member-states such as Belgium have made child rights a mandatory cross-cutting theme in its development cooperation (see box 8 below). Austria has stipulated in its Development Cooperation Act and the Three-Year Programme on Development Policy that the needs and rights of children must be taken into consideration in all activities.<sup>160</sup> Yet, the European Union and its member-states still have some way to go regarding CAAC mainstreaming, at the institutional, regional and country levels (in particular within country strategies and programming) and also within thematic strategies (such as those developed for security sector reform, health, education, etc.).

### Box 8: Member-state action on mainstreaming children's rights

In 2005, Belgium amended its legislation on international development co-operation to include children's rights as a fundamental cross-cutting theme along with gender equality, social economy, and respect for the environment. In 2006, it began a related mainstreaming process involving the Directorate General for Development Cooperation, Belgium Technical Cooperation, NGOs, universities and other associated experts. The goal of this process was to engage stakeholders and expertise to develop a strategy paper for integrating children's rights into Belgium's development cooperation. While this process is not specifically related to CAAC, it is notable because it involves children's rights (which are fundamentally related to CAAC), engages outside expert consultation, and seeks to develop a comprehensive strategy across all aspects of Belgium development cooperation. A policy paper from this process will also be submitted to the Belgian parliament in 2007.<sup>161</sup>

<sup>159</sup> Council of the European Union, *General Affairs and External Relations – General Affairs*, 2700th Council Meeting, Brussels, 14960/05 (Presse 317), 12th of December 2005. Available: [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/hr/news47.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news47.pdf)

<sup>160</sup> Austrian Development Agency, *Focus on Children as Partners of ADC*, Austrian Development Cooperation, Vienna, December 2005.

<sup>161</sup> For further information see, 19 JUILLET 2005. - Loi modifiant l'article 8 de la loi du 25 mai 1999 relative à la coopération internationale belge, en ce qui concerne l'attention aux droits de l'enfant., and Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation DGDC - Directorate-General for Development Cooperation, *DGDC Annual Report 2006*, Brussels, p. 7 – 8. Available: [http://www.dgdc.be/documents/en/annual\\_report/2006/dgdc\\_annual\\_report\\_2006.pdf](http://www.dgdc.be/documents/en/annual_report/2006/dgdc_annual_report_2006.pdf)

**Box 9: Effective policy mainstreaming with EU Disarmament, Demobilisation, Reintegration**

In December 2006, the Commission and the Council approved the *EU Concept for Support to Disarmament, Demobilisation and Reintegration (DDR)*.<sup>162</sup> This document effectively mainstreams CAAC issues. The issue stemmed from a request within the COHOM CAAC Implementation Strategy to mainstream CAAC within EU SSR and DDR concepts. The EU DDR concept specifically refers to international legal instruments and also gives clear guidance on the type of activities that should be funded. It specifically recognises that all children associated with fighting forces should be eligible for DDR, not just those who engaged in combat. It also notes the differentiated impact on girls and boys, and indicates that children's DDR should start immediately even without a formal peace agreement. Indeed, one of its key points is that EC-funded DDR should not be constrained. "One-size-fits-all approaches should be avoided as children need to benefit from programmes specifically designed to address their particular needs". It also regularly refers to and draws upon the EU Guidelines on Children and Armed Conflict.

Of course, the real test of the effectiveness of any thematic policy is how it actually informs and changes implementation in practice in the various geographical settings in which the Commission and member-states engage in DDR. As the policy has only been in existence since December 2006, it is too early to assess its impact. Yet as a model of good, cross-pillar CAAC mainstreaming at the EU level it is worthy of study and replication to other areas of diplomatic action and multilateral and bilateral programming.

In following through on this commitment, under the Investment in People thematic program the European Commission intends to substantially fund the International Training Centre of the International Labour Organization (ILO) to undertake a related project. This project will intend to focus on prevention and rehabilitation measures addressing children associated with armed forces and groups in conflict or post-conflict situations, specifically through creating economic opportunities for those children under 18 at risk of being, or already have been, associated with armed groups.

At the collective EU level and within policies of the European Commission there has been much progress in ensuring that CAAC and/or children's rights issues are reflected or at least mentioned in most relevant policy pronouncements. Yet there is always a danger that 'paper mainstreaming' may actually inhibit rather than promote mainstreaming. In other words, CAAC issues may appear as a concern in strategies, but result in very little or no programming. Some examination is needed regarding why CAAC mainstreaming is not progressing as expected within the EU given successive analyses and policy commitments. This research seems to indicate that this limited mainstreaming progress stems from a lack of awareness, leadership, expertise, focus and a realistic plan.<sup>163</sup> Another factor is the reluctance by officials for further mainstreaming and a general 'mainstreaming fatigue' particularly in the development sector, which has seen calls for mainstreaming rights based approaches, gender, environment issues, sustainability, governance and conflict sensitive approaches to name only a few of many issues. Many EU officials are simply overwhelmed.

### **6.2.1 Mainstreaming CAAC Within Country Meta-Development and Humanitarian Strategies**

In recent years, overarching development and humanitarian frameworks have been developed to promote alignment, coherence, complementarity and coordination as well as, in some cases, ownership. The case for further 'mainstreaming' or integration of CAAC into existing macro-frameworks for development and humanitarian assistance deserves further attention by the

<sup>162</sup> Commission and Council, *EU Concept for support to Disarmament, Demobilisation and Reintegration (DDR)* Brussels: Approved by the European Commission on 14 December 2006 and by the Council of the European Union on 11 December 2006. Available: <[http://ec.europa.eu/external\\_relations/human\\_rights/child/concept\\_ddr\\_1206.pdf](http://ec.europa.eu/external_relations/human_rights/child/concept_ddr_1206.pdf)>

<sup>163</sup> For further discussions on processes of mainstreaming and the challenges of undertaking this see, Andrew Sherriff, "Mainstreaming Small Arms and Light Weapons, Explosive Remnants of War and Landmines within Development and Humanitarian Processes and Institutions" Peace-Building, Conflict Prevention and Development - EU Program on SALW and ERW, (Geneva: United Nations Institute for Disarmament Research, December 2005), <<http://www.unidir.org/pdf/3-PeacebuildingForView25-11-05.pdf>>

EU.<sup>164</sup> CAAC could be integrated into development frameworks such as Poverty Reduction Strategy Papers (PRSPs and their interim versions), Post-Conflict Needs Assessments (PCNAs), the UN Common Country Assessment (CCA) and the United Nations Development Assistance Framework.<sup>165</sup> Given the all-encompassing nature of CAAC issues, the need for a comprehensive approach is self-evident. The PRSPs and their interim versions (I-PRSPs) are often the first mechanism cited as the most appropriate framework for mainstreaming any issue, especially given that they are widely understood and known. However, the PRSP process is led by national governments and sponsored by the World Bank. It is primarily focused on large-scale long-term development projects and critically, PRSPs are not conducted in many conflict settings.

In many post-conflict or on-going conflict settings there are instead other meta-frameworks such as Post-Conflict Needs Assessments (PCNAs), sponsored by the World Bank and the overarching United Nations Development Group (UNDG). The UN also usually initiates a Common Country Assessment (CCA) and United Nations Development Assistance Framework. When these processes are well-managed and comprehensive they can provide a useful source of information and a mechanism to assist the EU in CAAC actions. They also usually provide a wealth of information needed to make informed CAAC decisions.

In humanitarian settings the UN Consolidated Agencies Appeals Process (CAP) is a useful approach which the EC and EU member-states regularly utilise to ensure that humanitarian needs are met in a comprehensive manner. To ensure further coordination and complementarity, the UN has also introduced the 'cluster system', where different UN agencies are given sectoral coordinating responsibilities for funding and responses to issues such as nutrition (UNICEF), protection (UNHCR), and health (WHO).<sup>166</sup> This system is currently being carried out and piloted in a number of countries, including EU CAAC priority countries such as Liberia, DRC and Uganda. While the cluster system seems to make logical sense the transaction costs of undertaking so much 'coordination' will have to be carefully watched. Some NGOs feel that UN systems such as the CAP and clusters do not integrate NGOs sufficiently, and certain EU officials feel that the UN is not the most efficient or cost effective or appropriate mechanism in every circumstance. However, it would be remiss of the EU not to ensure that these already existing mechanisms for coordination and complementarity, which already receive substantial resources from the EC and EU member-states are sufficiently supported and utilised to pursue CAAC goals.

While ultimately a comprehensive CAAC-specific, EU-wide country strategy for development programming would be the most appropriate approach to mainstreaming CAAC, actually completing this task is hampered on a number of fronts. While EC Country Strategy Papers currently exist and many EU member-states have similar approaches, there is no EU-wide country strategy. Notably, this has been proposed as a 'Joint Multi-annual Programming Framework' in the Communication from the Commission on *EU Aid: Delivering more, better and faster*.<sup>167</sup> And, the EU Code of Conduct on Complementarity and the Division of Labour in Development Policy envisage EU-wide response strategies for fragile states.<sup>168</sup> This has also

<sup>164</sup> The United Nations comprehensive review of CAAC "the Machel Review" of 2007 specifically recommends "mainstream[ing] children and armed conflict concerns", United Nations General Assembly, Report of the Special Representative of the Secretary-General for Children and Armed Conflict – Item 68 (a) on the provisional agenda – Promotion and protection of the rights of children, 13 August 2007, A/62/228.p. 35. Available: <[http://www.un.org/children/conflict/\\_documents/machel/MachelReviewReport.pdf](http://www.un.org/children/conflict/_documents/machel/MachelReviewReport.pdf)>

<sup>165</sup> For a brief overview of these processes and their strengths and weaknesses see, International Peace Academy and Center for International Cooperation, *Meeting Note: Seminar on Integrated Peacebuilding Strategies*, [New York], 1<sup>st</sup> March 2007.

<sup>166</sup> For more details on the UN cluster system see, <<http://www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-6MJQU9?OpenDocument>>

<sup>167</sup> Commission of the European Communities, *EU Aid: Delivering more, better and faster*, Brussels, 02.03.2006, COM(2006) 87 final.

<sup>168</sup> Council of the European Union, *EU Code of Conduct on Complementarity and Division of Labour in Development Policy – Conclusions of the Council and of the Representatives of the Governments of the Member States meeting within the Council*, 9558/07, DEVGEN 89, ACP 94, RELEX 347, Brussels, 15 May 2007.



been followed up by recent Council conclusions so it may well occur in certain situations. It is unlikely that a comprehensive CAAC-specific meta-strategy will ever exist, despite its desirability, given that this would lead calls for meta-strategies in other areas. Therefore, it is necessary to assess what existing meta-development and humanitarian strategies and programming approaches already exist to determine whether they could be adapted by the EU to be more inclusive of CAAC concerns, while exploring whether relatively light EU wide-strategies for CAAC could be developed and piloted. The recent Council conclusions of 19<sup>th</sup>-20<sup>th</sup> November noted the need to work towards, “more coherent and coordinated action at the country level, in particular by making use of all possibilities for joint analysis and for joint programming as provided for in the Common framework for Country Strategy Papers (CFCSP).<sup>169</sup>

EU member-states could also revisit and make use of opportunities when creating individual country or regional strategies for conflict affected areas. A ‘CAAC lens’ could be applied within these processes to determine how CAAC could be introduced or supported in existing areas of programming (health, infrastructure, education, socio-economic development, humanitarian response) and/or where opportunities for new areas of programming could be introduced. Despite reference to CAAC in recent years in higher level policy documents, (including in the EU Guidelines which specifically refers to country strategies and mid-term reviews) progress has been slow to non-existent in most cases at the country level. This issue needs to be re-examined with renewed vigour, as with the issue of gender, which generally has been mainstreamed in many strategies to a much greater extent than CAAC through a process of constant focus, benchmarks and awareness raising and capacity building.

**Box 10: Using innovative collective funding mechanisms to promote EU coherence, coordination and complementarity while mainstreaming CAAC within a regional approach.**

Launched in 2002, the Multi-Donor Reintegration Programme (MDRP) is a regional planning and fundraising network focusing on demobilisation and reintegration in those countries affected by conflict in the Great Lakes Region of Africa. Over 294,951 ex-combatants have been demobilized, and 173,617 assisted by reintegration programmes. In the Democratic Republic of Congo the MDRP programme has supported over 27,000 children associated with armed groups, 12% of which are girls.<sup>170</sup> This work is primarily implemented by the Belgian Red Cross, CARE International, International Rescue Committee, the International Foundation for Education and Self-Help, Save the Children UK and UNICEF. These agencies work with children associated with armed groups and provide food, shelter and psychological and medical assistance and support as children to return to civilian life. Reuniting families where possible is a priority, and once the children return home support is provided in the form of vocational training for socio-economic and psycho-social activities to assist reintegration.

The EU collectively is overwhelmingly the largest donor to the MDRP. Belgium, Germany, the UK and the Netherlands are substantial donors to the MDRP giving at least US\$10 million. Support has also been received from Denmark, Finland, France, Italy, Ireland, and Sweden. The European Commission has contributed more than US\$22 million.<sup>171</sup>

This example is interesting as the mechanism promotes EU (and wider) coherence, coordination and complementarity. It is regional in scope and it integrates children’s rights perspectives as an integral part of a wider program. The programme has not been without its critics (particularly its lack of a link to processes of security sector reform, management problems in implementation and its relationship to wider political processes), but is broadly a positive example upon which to draw.

<sup>169</sup> Council of the European Union, 2831st General Affairs and External Relations External Relations 15240/07, Brussels, p. 47.

<sup>170</sup> MDRP, *News and Noteworthy*, No. 21, October, 29th, 2006., p. 1.

<sup>171</sup> MDRP, *Program Overview: Multi-Country Demobilization and Reintegration Program (MDRP)*, August 2007, p. 2. Available at: <http://www.mdrp.org/>

### 6.3 Improving EU CAAC Expertise, Knowledge and Personnel Capacity

Without expertise, knowledge and capable personnel, any EU CAAC engagement is likely to fail. A July 2007 progress report on the implementation of the *EU Programme of Action on the Prevention of Violent Conflict* by the Presidency of the European Council to the GAERC noted that the EU must strengthen its expertise in CAAC issues.<sup>172</sup> In addition, the *DAC-OECD Peer Review of EC aid* notes that there is no central repository of information, knowledge and experience regarding conflict issues and situations of fragility generally.<sup>173</sup> This same issue limits the development of an effective approach to CAAC issues across the EU. Because the EC and EU are unable to draw on and effectively share the rich information and experience it already has about CAAC, mistakes are likely to be made again and the response will be inefficient.

A lack of progress on CAAC issues can at times also be attributed not so much to a lack of EU willingness to engage, but by a lack of awareness and understanding of the full scope of the rights, needs and the programming options that are both necessary and available. Generally, across EC and EU member-states, officials responsible for CAAC programming have little specialist knowledge and experience in the field of CAAC or even child rights more generally. In the course of this study, it was found that many of those with some responsibility for CAAC issues at the country or regional level within EU institutions or member-states' donor institutions have little specialist CAAC or child rights knowledge.

Expertise is required not only at the headquarters level but also at the country level. In a survey administered by this study it was found that within EC Delegations there is rarely anyone designated to lead on CAAC issues (although there are some reporting requirements placed on EU Heads of Mission). As noted above, CAAC is a cross-cutting issue. Designating a lead person within EU Missions would help ensure that progress is met at the country level. It would certainly be a step forward if there were at least one specialist child protection officer or CAAC specialist assigned to at least one EU Mission in each of the EU CAAC priority countries. While asking this official to 'coordinate' other actions of EU members may be inappropriate, at least having a focal point at the country level would be an improvement to the current situation.

The need for specialist child protection officers has, for example, been noted by the United Nations, which required any future mission to Nepal to contain such specialist skills.<sup>174</sup> In recent years the United Nations has placed child protection advisers within some peacekeeping missions and developed specific guidance on this theme. By January 2007, the UN had appointed sixty child protection advisers in its peacekeeping missions.<sup>175</sup> This experience has generally been perceived as a positive step in improving the UN and UN peacekeeping mission approach to CAAC.<sup>176</sup> Notably, the EU has added an adviser on human rights including children in armed conflicts to the EUSEC RD Congo and EUPOL RD Congo missions, which is a step forward on the crisis management side.<sup>177</sup>

<sup>172</sup> Council of the European Union, *Presidency report to the European Council on EU activities in the framework of prevention, including implementation of the EU Programme for the Prevention of Violent Conflicts*, 11013/07, CIVCOM 322, PESC 799, COSDP 540, RELEX 499, JAI 340, PROCIV 110, DEVGEN 115, Brussels, 19 June 2007.

<sup>173</sup> OECD-DAC, *Development Assistance Committee Peer Review of the European Community*, (Paris: OECD, 2007), p. 66. See: <<http://www.oecd.org/dataoecd/57/6/38965119.pdf>>

<sup>174</sup> The Secretary General's report on the situation of children and armed conflict in Nepal (S/2006/1007).

<sup>175</sup> For more info on this theme see, Funmi Olonisakin, *Lessons Learned Study: Child Protection The Impact of Child Protection Advisers in UN Peacekeeping Operations*, New York, DPKO Best Peacekeeping Practice Section, May 2007., p. 4. <[http://pbpu.unlb.org/pbpu/Library/LL\\_CPA\\_PBPS\\_May07\\_Final.pdf](http://pbpu.unlb.org/pbpu/Library/LL_CPA_PBPS_May07_Final.pdf)>

<sup>176</sup> For more info on this theme see, Funmi Olonisakin, *Lessons Learned Study: Child Protection The Impact of Child Protection Advisers in UN Peacekeeping Operations*, New York, DPKO Best Peacekeeping Practice Section, May 2007.

<sup>177</sup> Council of the European Union, *Presidency report to the European Council on EU activities in the framework of prevention, including implementation of the EU Programme for the Prevention of Violent Conflicts*, 11013/07, CIVCOM 322, PESC 799, COSDP 540, RELEX 499, JAI 340, PROCIV 110, DEVGEN 115, Brussels, 19 June 2007.

**Box 11: Integrating gender within EUFOR RD Congo – A model for CAAC?<sup>178</sup>**

Given that the ESDP checklist on children and CAAC are new it is not possible to assess their impact. However, the comprehensive effort to integrate gender work within the EUFOR RD Congo crisis management mission could provide a useful model for addressing CAAC issues within crisis management missions and more widely. The integration of gender concerns throughout the EUFOR RD Congo was generally seen as a great success by the EU and external observers. This approach had a number of innovations including:

1. Gender issues were taken into account at the planning stage and were incorporated into the operational plan.
2. Training was provided in DR Congo by experts in the languages of force personnel and included topics such as the purpose of integrating gender into the operation the particular situation of gender and women in the DR Congo.
3. Every soldier carried a card detailing what constituted Sexual Exploitation and Abuse (SEA)
4. A force Gender Adviser was appointed and gender focal points within different units were appointed that developed into a network.
5. Clear support, direction and guidance were given by the Operational Commander and Force Commander on the issue of gender.
6. The EUFOR RD Mission sought to link with MONUC and other UN agencies as well as local authorities such as the Minister of Women and the Family and local women's organizations.

While there were certainly unresolved issues and areas for improvement, generally the integration of gender issues improved the impact of the mission and its perception by the DRC population at large. This approach effectively mainstreamed gender throughout the entire mission, created the specific mechanisms necessary and invested in the specialist personnel needed to make it happen. This approach and the innovations implemented above could also be used in relation to CAAC.

**6.4 Improving Awareness and Guidance at the Operational Level<sup>179</sup>**

Guidance on how to make programming choices and implement at the operational level is needed in the development cooperation area. Lack of awareness about the EU's commitments to CAAC, the importance of CAAC, and how to effectively strategise, programme and/or mainstream CAAC is one of the biggest impediments to more effective EU action. A survey conducted within this study showed that only a couple of the EC delegations have a good awareness of the Guidelines. 75% responded that they had not received any training in CAAC issues, and only one person indicated that s/he had received any operational guidance that had been useful in terms of programming in the area of CAAC<sup>180</sup>. Operational guidance is a key aspect of awareness-raising and implementing better practice within the EU's response to CAAC in development cooperation and also more widely. Operational guidance helps raise awareness of the importance of an issue and indicates clearly how policy commitments can be implemented in programming. It also acts as a reminder to EU officials who are dealing with multiple priorities. All development cooperation agencies use operational guidance in a number of fields and it is particularly important in terms of assisting those that are not specialists make informed decisions in any field. Operational guidance is best harmonized and linked to wider processes of awareness-raising and capacity building such as training.

One example of good operational guidance is the comprehensive CAAC framework and possible responses developed by the Canadian International Development Agency (CIDA).<sup>181</sup>

<sup>178</sup> Information primarily drawn from interviews and: EU Operation Headquarters, *Final Report on Gender Work inside EUFOR RD Congo*, Potsdam, 15th December 2006.

<sup>179</sup> Operational level should not be confused with ESDP 'operations', it refers to the level of programming, at the planning, implementation and evaluation stages.

<sup>180</sup> The document referred to was a note for the attention of Heads of EC Delegations on EU Guidelines on HR dated 27/06/2007, which s/he considered very good.

<sup>181</sup> Geeta Narayan, *Children Affected by Armed Conflict: Programming Framework*, (Hull: Canadian International Development Agency - CIDA, 2002), available at: <[http://www.reliefweb.int/rw/lib.nsf/db900SID/JDAB-5P3CBQ/\\$FILE/cida-childrenarmedconflict-jul02.pdf?OpenElement](http://www.reliefweb.int/rw/lib.nsf/db900SID/JDAB-5P3CBQ/$FILE/cida-childrenarmedconflict-jul02.pdf?OpenElement)>

Another example is ECHO's policy guidance regarding children affected by humanitarian crisis that also covers sectors, activities and indicators for engagement, but this is still on a higher level rather than specific operational guidance for field managers planning operations.<sup>182</sup> Similar CAAC guidance has been proposed to the EU by independent consultants.<sup>183</sup> There also exists an EC Programming Guide for Strategy Papers around mainstreaming guidelines on Children Rights (but not specifically CAAC).<sup>184</sup> At present the general EU operational guidance on CAAC is limited, with the EU guidelines offering certain suggestions at the higher level but it does not include operational programming advice.

**Box 12: Toolkit on Mainstreaming Gender Equality in EC Development Cooperation - An Appropriate Model for CAAC?**

An interesting case study in developing capacity and raising awareness via a comprehensive mainstreaming process is the development of a Gender Equality Toolkit by the EC.<sup>185</sup> The EC recognised that it needed to make progress on the issue of EC gender mainstreaming. Despite more than a decade of policy commitments, progress in actual individual strategies and programming was lacking. The resulting toolkit specifically illustrates how gender can be mainstreamed with different sectors such as food security, health, education, and trade. The development of a specialised toolkit by DG EuropeAid was complemented by strategically timing training and the creation of a help desk to assist EC officials think through how to use the training and toolkit in actual programming situations. The toolkit and its planned role had a useful impact on making gender mainstreaming a reality within the practice of programming. In many other areas of programming, such as conflict prevention and governance, member-states have utilised similar help desks to complement training and tools.<sup>186</sup> Ensuring that toolkits in the CAAC field are appropriately localised and supported with tailored training and helpdesks would better guarantee that they are adopted by end users, impact implementation choices and improve the quality of programming.

In recognition of the need for further operational guidance, the EC Development Cooperation Instrument's thematic program *Investing in People*, will support the development of a comprehensive toolkit to address children's rights in development cooperation and government programming. This will be undertaken by UNICEF. This toolkit will include CAAC issues and the initiative will also include training to ensure appropriate understanding and uptake. The toolkit is not EC specific and therefore could engage a wide range of EU donors and other EU-related and, importantly, national stakeholders. Indeed 'rolling out' the toolkit would provide a useful opportunity to address the lack of awareness existing about CAAC issues and the EU Guidelines at the country level. There is no need for the EU to reinvent the wheel and better use should be made of already existing operational guidance in specialist fields. For example, the UN has already developed operational guidance and training around integrated DDR processes that includes detailed information on children and DDR.<sup>187</sup> Also, in the EU context, the development of the Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations represents a significant step forward.<sup>188</sup> Indeed the

<sup>182</sup> European Commission – Humanitarian Aid Office (ECHO), *Policy guidelines regarding children affected by humanitarian crisis*, ECHO /4 D(2004), Brussels, July 2004. ECHO is currently working on a new paper on children in emergencies which includes significant elements of CAAC.

<sup>183</sup> Transitions International, *Children and Armed Conflict the Response of the EU, A background paper for the UNIDIR Project: European Action on Small Arms, Light Weapons, and Explosive Remnants of War*, April 2005, p. 62-64.

<sup>184</sup> J. Garay Amores, *Programming Guide for Strategy Papers: Mainstreaming guidelines on Children Rights*, European Commission, January 2006, Available:

<[http://ec.europa.eu/development/How/iqsg/docs/fiches\\_pdf/F51\\_children\\_rights\\_en.pdf](http://ec.europa.eu/development/How/iqsg/docs/fiches_pdf/F51_children_rights_en.pdf)>

<sup>185</sup> European Commission, *Toolkit on Mainstreaming Gender Equality in EC Development Cooperation*, (Brussels: EuropeAid Cooperation Office, 2004). For further info on gender mainstreaming see:

<[http://ec.europa.eu/europeaid/projects/gender/resources\\_en.htm](http://ec.europa.eu/europeaid/projects/gender/resources_en.htm)>

<sup>186</sup> SIDA utilises a helpdesk approach in relation to conflict and development issues. DFID has the Governance and Social Development Research Centre that provides up to date information on the latest research, expertise and training tailored to the specific needs of its staff. See <<http://www.gsdr.org/>>.

<sup>187</sup> United Nations, *Integrated Disarmament, Demobilization and Reintegration Standards*, ([New York], DPKO) 1 August 2006. Available <<http://www.unddr.org/iddrs/05/30.php>>.

<sup>188</sup> Council of the European Union, *Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations*, 9767/06, Brussels, 23 May 2006.

Implementation Strategy for the guidelines notes that the ESDP checklist could be utilised as a mainstreaming tool in other areas.

In addition to toolkit training, other workshops in the areas of human rights, conflict prevention, and specialist topics such as security sector reform and DDR should also contain a CAAC element.<sup>189</sup> Training is a central component of the EU Guidelines and its Implementation Strategy but very few EU officials contacted within this study had participated in any training on CAAC. Yet EC trainings have been organised on CAAC within general DG RELEX trainings on human rights including one session in 2007 organised in conjunction with Save the Children. A more specific training by DG RELEX on CAAC is planned in 2008 with UNICEF and Save the Children. While different member-states and EU institutions run different trainings, there is also the possibility to use EU wide training systems for this purpose rather than rely on individual member-states or individual EU institutions.

Any EU-wide training workshop should make use of external expertise amongst organisations with CAAC track records such as UNICEF, United Nations Development Programme (UNDP), International Labour Office (ILO), United Nations Office of the High Commissioner for Human Rights, those associated with the Brussels based Child Protection Network, and the European Peacebuilding Liaison Office.<sup>190</sup> Also the European Group on Training (EGT), having already trained more than 1,000 people across the EU for crisis management missions, is an existing EU-wide mechanism that could be utilised to provide training as envisaged within the 2006 EU Implementation Strategy for Guidelines on CAAC.<sup>191</sup> It is important, however, to ensure that training is open to a variety of stakeholders, particularly since many, including those from new member-states such as the Together Foundation in Slovenia, have a wealth of expertise to share. Training workshops should as much as possible be based on real experiences of children affected by armed conflict within a rights-based approach situated within wider capacity building in the human rights, development and peacebuilding fields. A concern also expressed by those EU officials interviewed for this study was that they struggle to absorb so many guidelines, directives and regulations in relation to diplomatic action, bilateral and multilateral programming and crisis management.

## ***6.5 Bringing a CAAC Focus to New Areas and Extending it in Traditional Development Areas***

There are many areas in which development cooperation can provide relevant programming to CAAC (see box 13). Since the mid-1990s, there has been a growing recognition of the impact development cooperation can have on new areas of programming in the wider peacebuilding sphere. Small arms and light weapons (SALW), security sector reform, disarmament, demobilisation and reintegration, and transitional justice are all areas that have come to prominence in recent years, with EU member-states often at the forefront of cutting-edge practice within these areas. Yet a child rights and child protection perspective has not yet been effectively mainstreamed into these new sectoral areas. Also, over the past few years there has been significant learning based on experience that can be effectively utilised by the EU to ensure that there is better practice in these areas at the level of policy and operational guidance. For example, UNICEF and the International Center for Transitional Justice are currently working on operational guidance for involving children in transitional justice programmes. In addition, organizations such as the International Action Network on Small

<sup>189</sup> Many specialist trainings on these topics already contain a child rights perspective

<sup>190</sup> The Brussels based Child Protection Network counts, Human Rights Watch, Save the Children, Plan, Amnesty International, Coalition to Stop the use of Child Soldiers amongst its members. The European Peacebuilding Liaison Office has 22 members and is active in the new EC Peacebuilding Partnership which also can provide a vehicle for EU to acquire specialist expertise that exists outside its own institutions.

<sup>191</sup> The future of EC funding for the EU Group on Training is currently under discussion. For more information about the group, its members across EU states and the type of training it has undertaken see, <<http://www.eutrainngroup.net/>>

Arms and its members have undertaken work on the issue of children and SALW.<sup>192</sup> Integrating children (including girls) into DDR processes is an area where EC institutions, particularly ECHO, plan to increase and enhance its engagement.

**Box 13: What types of development cooperation areas could support CAAC?**

The number of programming areas for the EU to support CAAC is vast and the areas mentioned in this box do not in any way provide a comprehensive overview of the options. It is often more important that a child 'lens' is placed on existing areas of programming rather than developing CAAC specific programming. Consultation, ownership, accountability and good information are as relevant principles for programming in CAAC as they are in all other areas of development cooperation.

Traditional areas of development cooperation sectors that are particularly relevant are health and nutrition, water and sanitation, psycho-social support, education, community development, livelihood support/creation, IDP support, tracing and reuniting of families, assistance with child headed households.

New areas of development cooperation programming in the governance and security sectors that also should be child aware are small arms and light weapons, DDR, safety security and access to justice, transitional justice and reconciliation, security sector reform, youth programming, civil society development, post-conflict reconstruction, gender and child based violence programmes, peacebuilding and good governance more generally. Capacity building within government ministries and agencies should also be in the area of children's rights, even in conflict situations.

Given limited development cooperation resources the areas of intervention should be based on joint analysis and ideally a common EU strategy. As has been noted by the European Commission, EU aid is frequently un-strategic, with certain sectors and countries receiving more attention and resources than others.<sup>193</sup>

As well as broadening out CAAC to new areas of engagement in the peacebuilding, reconciliation and security sector spheres, there is still a need to re-visit traditional areas of development cooperation. In the health, education, and humanitarian spheres more could be done to ensure that these issues address the rights of children affected by armed conflict. Indeed in the sphere of education it would seem that there are currently a number of interesting initiatives being undertaken by EC institutions and member-states. Even though DFID, the UK government development cooperation Ministry, already engages significantly on the issue of education it recognised the need to further prioritise and target work with children in countries affected by armed conflict (see box 14).

**Box 14: Member-state activities on education needs of children in conflict affected countries**

The UK Department for International Development (DFID) recently acknowledged that more needs to be done to meet the educational needs of children in countries affected by armed conflict and fragility. It sees increased support in these areas as both meeting the Millennium Development Goals and adopting an innovative approach to ensuring that education is available even in the most difficult of circumstances. Interestingly, DFID provides support both in terms of financial assistance to key partners and programmes as well as, crucially, expertise. Specific measures include<sup>194</sup>:

- A £20m grant to UNICEF to deliver education in emergency, conflict and post-crisis countries and to support the UN humanitarian cluster for education
- A new rapid response capability to deploy skilled education professionals in humanitarian emergencies
- Financial support for education in conflict and post-conflict states, including Nepal (£60m to 2015),

<sup>192</sup> For a useful overview of the literature and operational guidance in relation to children and small arms and light weapons see, South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, *Review of Key Literature on Children, Youth and Small Arms*, SEESAC, Belgrade, 2006. Available: <<http://www.seesac.org/reports/SALW%20and%20Youth%20Literature%20Review1.pdf>>

<sup>193</sup> European Commission, *Communication from the Commission to the Council and the European Parliament – EU Code of Conduct on the Division of Labour in Development Policy*, COM(2007) 72 Final, Brussels, 28.2.2007.

<sup>194</sup> See, <<http://www.dfid.gov.uk/news/files/pressreleases/education-beyond-borders.asp>>

- Burundi (£6m over 3 years), Sierra Leone (£9m over 4 years) and Somalia (£9m over 3 years)
- Support for the education recovery programme in Liberia, via the multi-donor Fast Track Catalytic Fund
  - If conditions permit, £50m for education in the Democratic Republic of Congo, where there is an urgent need to restore confidence in the political process and democracy
  - Further support to education in Afghanistan via the Afghanistan Reconstruction Trust Fund; and
  - Support to the Fast Track Initiative (FTI) to ensure that support is delivered effectively and flexibly to fragile, conflict and post-conflict states

## 6.6 *Partnership, Ownership, Capacity Building and a Long-Term Approach*

An immediate humanitarian response to CAAC issues is of course still required and relevant. As is recognizing that in some circumstances governments in third countries may be unwilling to prioritise or engage in CAAC or active participants in abusing children's rights. Yet this cannot be the default approach of the EU, particularly as development cooperation offers the possibility of ensuring a genuine partnership and building national capacity to deal with CAAC issues, whether these be related to jurisdiction, livelihood, health or access to justice, to name but a few. By working with government ministries, local governance structures and non-state actors the EU can ensure that its work has significant impact over the longer term. Yet often the default approach of the EU is to work with international actors, whether they be UN agencies and NGOs primarily on service delivery. In situations of protracted crisis a long-term approach to building and supporting national institutional capacity (that may not show 'quick impacts') is the most appropriate response. The EU should also be humble about the knowledge and experience it brings, versus the knowledge and vast experience that usually exists within conflict settings surrounding the best ways to protect and empower children.

## 7 Recommendations

As described above, there is no lack of EU policy commitment, endorsement or support for international legal instruments in the area of CAAC. There is active commitment by EU development policy and the financial instruments at the disposal of EU institutions and member-states for enhancing its engagement in the issue of CAAC. Therefore, the most significant challenge lies in the strategic and comprehensive implementation of commitments at the country and regional level. It is at the level of a strategic approach to implementation and evaluation of this, rather than thematic policy development that the challenge to improve the EU's response to CAAC lies. This is related to development cooperation policy and more widely across diplomatic action, bilateral and multilateral programming and crisis management response.

- **Leadership** in addressing the commitment-implementation gap and the extensive **fragmentation** in the EU's response in the EU CAAC field (particularly in relation to development programming) requires further attention. The solution need not necessarily be the appointment of an EUSR for CAAC (which ultimately would have little impact on development cooperation programming). Yet should result in some form of permanent task force of officials with geographic and thematic responsibility across EU institutions and member-states utilising expertise and insight from NGOs and the UN at the Brussels level possibly in connection with on-going proposed initiatives such as the Commission subgroup on children in external relations and the European Forum on the Rights of the Child. This would provide a focal point for external actors (including the UN) to engage with. There also needs to be leadership at the country level that spans diplomatic action, and bilateral and multilateral programming (and crisis management if appropriate). In this a lead EU mission (and/or individual within it) could be designated to be the focal point. A joint EU CAAC framework for priority countries that would be more than simply sharing information

of existing initiatives, but move towards genuine coordination, complementarity and coherence would be a significant step forward. This could be undertaken through pilot country strategies (see below on integrated EU CAAC strategies).

- **Awareness-raising** on the nature and extent of CAAC issues and their **relevance** to development and humanitarian programming and EU diplomatic action is necessary. Efforts in this area can be combined with awareness-raising (particularly at the country level) about the existence of the EU Guidelines on CAAC, other EU CAAC commitments, practical guidance on how development cooperation could support CAAC, and the mechanisms that can be utilised for programming (particularly the new EC financial instruments but also those of member-states). This could be an initiative that is mounted in collaboration with the development of operational guidance such as the EC funded toolkit being undertaken by UNICEF. The Action Plan of the Africa-EU Strategy also indicates the need for awareness raising activities on CAAC with African and European civil society engagement and a tangible action in this area should be planned (that would have a wider engagement that just engaging those already familiar with the issues. Awareness raising should be linked to practical action, available resources and options for response, rather than a goal in itself.
- Continue to **mainstream** CAAC across all relevant EU policy frameworks and development cooperation instruments but particularly within country level strategies. The inclusion of CAAC issues within EU's approach to DDR provides a good model that should be adopted in other sectoral areas, whether they be in the health, education, rehabilitation, or post-conflict socio-economic reconstruction. Set benchmarks for progress in this area that progress can be assessed against. Ensure that CAAC mainstreaming makes use of experience from other EU mainstreaming processes (particularly gender) and insight gained from country level engagements particularly in priority countries. Mainstreaming of CAAC should also be targeted at on-going UN and other-meta planning processes, such as CAP, UNDAFs, PCNA and PRSPs. An audit or mechanism of reviewing new CSP (both EC and member-states) to check for their inclusion of CAAC could be utilised, while it would be useful to have this on a formal EU basis, an informal mechanism would be better than no mechanism at all. Also individual budget lines (not only of the EC but its member-states) when covering relevant areas such as human development, conflict prevention, democracy and human rights, and humanitarian programming should also include specific reference to children rights or CAAC if it can be proved to be a relevant issue in any programming context.
- It is at the country level where the necessity for action exists, and if the EU cannot undertake some form of action to improve country level implementation then its commitment to CAAC can be questioned. The EU should choose from the list of EU priority countries 2-3 countries in which to pilot truly **integrated EU CAAC strategies** across diplomatic action, multilateral and development programming, and where appropriate crisis management. It should see that CAAC is represented within Country Strategy Papers of both the EC and its member-states. A focal point among EU missions (EC delegations and member-state missions) in the country should be nominated to lead the process. The approach should link the 5 steps of the cycle described above: 1. Joint information gathering on the extent of CAAC projects, 2. Initial decision-making on priority areas for intervention and to ensure that there is no overlap, 3. Implementation planning, 4. Implementation, and 5. Evaluation. These processes should make use of external expertise, build local capacity, and involve all relevant EC and EU member-state institutions. This could either be a stand alone process or related to the 'Country and Thematic Teams' proposed by the Council conclusions in relation to situations of fragility. Strategy implementation of this approach could then be evaluated to determine whether the approach is an appropriate model for other countries or rolled out on a wider basis. This need not be a costly bureaucratic exercise with a heavy administrative burden, and would best be coordinated at the country level by an EU Mission



that has an interest and expertise in the issue of CAAC and a history of some engagement on the topic.

- Consider engaging in a process of instituting a large-scale, **comprehensive (cross-EU and member-state) evaluation** of the impact of EU support to CAAC (across the field of diplomatic action, bilateral and multilateral support and where appropriate crisis management). This would not only provide significant learning on the challenges of implementation but also where EU action has shown the most promise and impact and where further synergy can be exploited. The potential of the EU (unlike other actors that are merely diplomatic or development cooperation) is that it crosses these areas. At the moment the nature of the EU's collective impact is unclear, therefore initiatives to improve this may be misplaced or not sufficiently based on EU best practice and learning. The EU if it undertook this would be doing a considerable service to the wider international community, bearing in mind that the need to focus on the area of monitoring and evaluating impact was identified in the most recent *Machel Review*.
- The EU in its development cooperation programming should seek to move beyond supporting service delivery by international agencies to **building local capacity with national actors** so that they can deal with CAAC more effectively over the longer-term. This type of approach is best undertaken with flexible resources for institution building undertaken in a partnership with interested national government ministries, local government and non-governmental actors.
- Undertake further work on how the EU can manage an effective engagement on **Gender, Peace and Security**. There is some overlap between gender, women and children affected by armed conflict issues (in relation to women as caregivers) and the specific needs of girls and young women. It would however be a considerable retrograde step if the issue of CAAC and women and conflict were conflated with children in all circumstances. This would contribute in many cases to disempowerment, perpetuation of misunderstandings, and illusions of progress. Ensuring progress on the implementation UNSCR 1325 including national action plans, and the development of an action plan within the Commission and within individual EU member-states is an important but certainly not the only step required to further, women, peace and security issues across the European Union.

## Annex 1: EC Financial Instruments and their reference to CAAC

Instrument	Regulation establishing instrument reference to CAAC related issues
Instrument for Stability <sup>195</sup>	<p>Article 3 Assistance in response to situations of crisis or emerging crisis</p> <p>(f) support for civilian measures related to the demobilisation and reintegration of former combatants into civil society, and where appropriate their repatriation as well as measures to address the situation of <b>child soldiers and female combatants</b>;</p> <p>(j ) support for measures to ensure that <b>the specific needs of women and children in crisis and conflict situations</b>, including their exposure to gender-based violence, are adequately met;</p> <p>(k) support for the rehabilitation and reintegration of the victims <b>of armed conflict, including measures the specific needs of women and children</b>;</p> <p>2. Non-state actors eligible for financial support under this Regulation shall include: non-governmental organisations, organisations representing indigenous peoples, local citizens' groups and traders' associations, cooperatives, trade unions, organisations representing economic and social interests, local organisations (including networks) involved in decentralised regional cooperation and integration, consumer organisations, women's and <b>youth organisations</b>, teaching, cultural, research and scientific organisations, universities, churches and religious associations and communities, the media and any non-governmental associations and private and public foundations likely to contribute to development or the external dimension of internal policies.</p>
European Instrument for Democracy and Human Rights <sup>196</sup>	<p>Article 2 Scope</p> <p>vi) the <b>rights of the child</b>, as proclaimed in the Convention on the Rights of the Child and its Optional Protocols, including the fight against child labour, child trafficking and child prostitution, and the recruitment and use of child soldiers;</p>
Development Cooperation Instrument (DCI) <sup>197</sup>	<p>(iii) the promotion of high quality basic education, with particular focus on access for girls, <b>children in conflict-affected areas</b> and children from marginalised and more vulnerable social groups to education programmes;</p>
European Neighbourhood and Partnership Instrument <sup>198</sup>	<p>Article 2 Scope of Community assistance</p> <p>(i) supporting policies to promote social development, social inclusion, gender equality, non-discrimination, employment and social protection including protection of migrant workers, social dialogues, and respect for trade union rights and core labour standards, including on <b>child labour</b>;</p>
Pre-Accession Assistance <sup>199</sup>	None

It should be noted that while European Development Funding (EDF) is not a new financial instrument it constitutes significant funds that can be devoted to CAAC in accordance with Articles 11 and 26 of the Cotonou Partnership Agreement. In the up-coming 10<sup>th</sup> EDF round new members will participate for the first time.

<sup>195</sup> REGULATION (EC) No 1717/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 November 2006 establishing an Instrument for Stability <<http://www.europarl.europa.eu/oel/file.jsp?id=5206222>>

<sup>196</sup> REGULATION (EC) No 1889/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide <<http://www.europarl.europa.eu/oel/file.jsp?id=5363482&fromfiche=286&mailer=>>>

<sup>197</sup> REGULATION (EC) No 1905/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 December 2006 establishing a financing instrument for development cooperation <<http://www.europarl.europa.eu/oel/file.jsp?id=5204742&fromfiche=287&mailer=>>>

<sup>198</sup> REGULATION (EC) No 1638/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument <<http://www.europarl.europa.eu/oel/file.jsp?id=5205332>>

<sup>199</sup> REGULATION (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA) <[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l\\_210/l\\_21020060731en00820093.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_210/l_21020060731en00820093.pdf)>

## **Annex 2: List of Individuals Consulted**

### **Council Secretariat**

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### **European Commission**

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 A. Nicolaj, DG RELEX (Sri Lanka Desk Officer)  
 C. Wiesner, DG RELEX (Relations with Andean Community)  
 Davide Zaru, DG RELEX (Human Rights and Democratisation)  
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 Michèle Lebrun, DG ECHO  
 Isabelle Combes, DG ECHO  
 Michele LeBrun, DG ECHO (Desk Officer, Strategy Policies and thematic funding)  
 Gavin Evans, DG DEV (Desk Officer – Sudan)  
 D. Diccorado, DG DEV (Head of Sector, Conventional Disarmament & Human Security)  
 A.S. Houée, DG DEV (Desk Officer, Democratic Republic of Congo)  
 Juan Garay, DG DEV (Human and Social Development Unit)  
 A Debongnie, DG AIDCO (Cross-cutting themes)  
 D. Rofi, DG AIDCO (Cross-cutting themes)  
 D. Hounbedji, DG AIDCO (Cross-cutting themes)  
 Jose Manuel Villagra Barrio, DG AIDCO (Colombia)

### **European Parliament**

Gérard Quille, Policy Department, European Parliament Researchers  
 Armelle Douaud, Policy Department, European Parliament, Researchers  
 Veronique De Keyser, MEP  
 Irena Belohorská, MEP  
 Ernst Gulcher, European Parliament advisor to the Green Group

### **Ministry of Foreign Affairs – Slovenia**

Ambassador Marija Adanja, Head of International Development Cooperation and Humanitarian Assistance  
 Dubravka Šekoranja, Minister Plenipotentiary, Division for International Development Cooperation  
 Ana Novak, Deputy Head, Division for Asia, Africa and Pacific  
 Alenka Košir, Second Secretary, CIVCOM Deputy  
 Martina Skok, First Secretary, Development Cooperation Deputy  
 Mirko Cigler, Minister Plenipotentiary, Political-Military Affairs  
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## **United Nations**

Stephane Vandam, World Health Organisation  
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## **NGOs / Experts**

Tanya Cox, Save the Children Alliance  
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Yvonne Bogaarts, World Population Foundation (WPF)  
Mascha Matthews, DSW  
Susi Dennison, Amnesty International  
Martin Nagler, The Coalition to Stop the Use of Child Soldiers  
Sian Platt, World Vision  
Lotte Leicht, Human Rights Watch  
Ed Bell, International Alert (London)  
Karen Barnes, International Alert (London)  
Nicolas Beger, European Peacebuilding Liaison Office (EPLO)  
Stephanie Broughton, European Peacebuilding Liaison Office (EPLO)  
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\*Stephane Kolanowski, International Committee of the Red Cross (ICRC)

\*those marked were consulted via telephone or e-mail

## **Annex 3: Survey Results**

### **Children affected by armed conflict**

### **Survey of EU missions/delegations**

#### **Report**

**ECDPM, Maastricht (Netherlands), 20 November 2007**

Analysis by Sara Erlandsson of ECDPM

### **1 Introduction/methodology**

The issue of children affected by armed conflict is one of the priorities outlined in the 18 month trio programme 'Strengthening the European Union's Role as a Global Partner for Development' as jointly agreed by the three Presidencies of Germany, Portugal and Slovenia. The European Centre for Development Policy Management (ECDPM) was commissioned by the Slovenian Ministry of Foreign Affairs to undertake a study on children affected by armed conflict and the European Union's response. In particular the study was interested in how to enhance the development cooperation dimension of the issue and to add possible development linkages to the European Union's approach. This survey is part of this study, and aimed at getting opinions on the topic by people working with the issue in the field. Additionally, the study also included face-to-face and telephone interviews with officials from EU institutions, EU member-states, NGOs, UN, and other specialist organisations, which are not covered by this survey report.

The questionnaire was sent to officials in all countries defined as 'priority countries' for children affected by armed conflict issues by EU and by UN, except for Burma/Myanmar as the timing coincided with recent disturbances. In addition, it was sent to 6 countries which are not considered as priority countries but which are affected by armed conflict or have been in the last ten years.

The questionnaire was sent to 22 EC delegations (see list below). It was also sent to the missions of one member state (hereafter MS) in the same 22 countries. This was done in order to be able to compare results and especially verify whether any coordination was taking place between the two. While the response rate from the former was good, unfortunately the rate from the latter group was too low to allow for any separate conclusions to be drawn.

According to the EU Guidelines for children affected by armed conflict (from hereon EU Guidelines) the head of delegation/mission is responsible for reporting on the issue, and therefore the questionnaire was addressed to these. They were then asked to forward the request to anyone they found suitable within the delegation/mission.

To ensure full and frank feedback the questionnaire was issued on a confidential basis with respondents being guaranteed anonymity.

The questionnaire was set up in a web-based survey tool, 'Survey Monkey', and an invitation was sent on 1 October 2007. Three reminders were sent until the survey closed on 22 October. One person experienced problems with the survey tool, so a document with the questions was also made available.

The questions were sorted according to six themes, plus an initial section requesting information about the respondent and a final section concluding the survey. The type of questions varied between yes/no, multiple choice and open-ended questions. After each theme the respondents were encouraged to add further comments. The six themes were the following:

1. Information on respondents
2. General Children affected by armed conflict
3. Mission awareness and response
4. Aid Strategy and programming
5. Capacity building, expertise and instruments
6. Internal and EU coherence

This report is structured according to the same themes as the questionnaire, and you will find the survey questions under each chapter below. This report is a shortened version of the full survey report, which can be distributed upon request.

#### List of 22 countries to which the questionnaire was sent.

	Questionnaire sent to:	EU Priority List (Oct 07)	UN Priority List
1	Afghanistan	x	x
2	Burundi	x	x
3	Chad		x
4	Colombia	x	x
5	Cote d'Ivoire	x	x
6	Democratic Republic of Congo	x	x
7	Haiti		x
8	Lebanon		Lebanon and Israel
9	Liberia	x	x
	-	Burma/Myanmar	Burma/Myanmar
10	Nepal	x	x
11	Occupied Palestinian Territory / Israel		x
12	Philippines	x	x
13	Somalia	x	x
14	Sri Lanka	x	x
15	Sudan	x	x
16	Uganda	x	x
17	Angola		
18	Central African Republic		
19	Iraq		
20	Sierra Leone		
21	Nigeria		
22	Congo - Brazzaville		

## 2 Information on respondents

The survey was completed by 20 respondents. 16 of these came from 13 EC delegations, and 4 came from 4 MS missions.

This report focuses on the responses received by the EC delegations, since the MS responses were too few to draw any general conclusions. If not stated otherwise, all tables are based on only the EC figures.

The survey tool used presents the results in real numbers as well as percentages. Since the actual number of respondents is small, the percentages given in the aggregated tables should be seen as rough indications, rather than as exact figures.

	EC	EC EU priority countries	EC Not EU priority countries	MS	MS EU priority countries	MS Not EU priority countries	Total
<b>No. of delegations/missions contacted</b>	22	12	10	22	12	10	44
<b>Total no. of responses</b>	16	10	6	4	4	0	20
<b>No. of delegations/missions responded</b>	13	8	5	4	4	0	17
<b>Response rate (by contacted delegation)</b>	60%	66%	50%	20%	33%	0	45%

The people responding held varying positions; most were development attaches (6) and 2 were Heads of mission/delegation. Other included various programme and operations officers.

Most of the respondents were responsible for 'human rights', 'programme management or assistance' or 'development policy'. Of the 16 EC respondents, only 5 said they were responsible for CAAC issues. These 5 all worked in countries that are defined as priority countries in the EU CAAC Guidelines. The respondents responsible for CAAC were to 80% also responsible for 'human rights', 'development policy' and 'programme management of assistance'. 60% were also responsible for 'gender issues'.

## 2.1 Conclusion

- Only a few of the delegations had appointed someone as responsible for CAAC.
- Only half of the priority countries had appointed someone, which shows that there are no incentives from headquarters to appoint someone as responsible.
- Out of the 5 appointed their roles and functions in the delegations vary.

## 3 General Children affected by armed conflict

Three questions were posed under this heading:

1. Currently how important would you rate the issues surrounding children affected by armed conflict in the country in which you are based?
2. Is the country of your Mission/Delegation defined as a European Union (EU) 'priority' country for Children and Armed Conflict?
3. From your basic knowledge, what kind of children affected by armed conflict issues are important in the country that you are based?

### 3.1 Is CAAC an important issue?

13 out of 16 responded that CAAC is important, very important or essential in the countries in which they are based. Especially children as direct or indirect victims are considered as important issues.

<b>From your basic knowledge, what kind of children affected by armed conflict issues are important in the country that you are based? Please mark all that are relevant.</b>		
<b>answer options</b>	<b>Response %</b>	<b>Response Count</b>
Children as direct victims of violence associated with conflict	67%	10
Children as indirect victims of violence associated with conflict	100%	15
Children as combatants associated with armed groups (child soldiers)	73%	11
Children as future 'war-makers' / peacemakers	47%	7
<b>answered question</b>		<b>15</b>
<b>skipped question</b>		<b>1</b>

Open responses suggest that the issue needs more attention, and also describes the seriousness of the issue:

“Although X is a priority country for children and armed conflict we have not received any specific funding for this, nor has it been taken on as a specific priority in our European development or budget line funding. So it is a priority country in name only, not in action.”

“Use of children by various armed groups has increased lately. Children are considered to have better chances to get through undetected for transporting arms, explosives etc; or planting them.”

The MS responses show similar figures.

### 3.1.1 Conclusion

- There is a general conception that CAAC is an important issue that needs attention in order to improve the situation in countries in conflict.
- Even though the staff in the delegations find the issue important they are restricted by limited means to effectively implement the guidelines, especially considering that there are no specific budget lines for the EU CAAC Guidelines.

## 3.2 Priority countries

5 out of 16 responded that they worked in an EU priority country for CAAC, 5 answered that they didn't and 6 that they didn't know. Of the 6 that answered 'don't know' 2 are EU priority countries. Of the 5 that answered 'no', 3 were incorrect, and two of these were responsible for CAAC issues.

All of the MS responses came from priority countries, but only one knew that this was the case. One thought it wasn't and two didn't know. The person who thought incorrectly that his/her country was not a priority country is responsible for CAAC issues.

### 3.2.1 Conclusion

- The impact of the EU guidelines in the work of the delegations is limited. This is illustrated especially by the insufficient awareness among delegation staff on the basic question as to whether their country is a priority for CAAC or not. (Where 9 out of 16 answered 'don't know' or were incorrect – for the MS 3 out of 4)
- Some countries have appointed people as responsible for CAAC issues, but not even these supposedly specialists are aware that their country is a priority country according to the



CAAC guidelines. From a total of 8 appointed people, both EC and MS, 3 responded incorrectly that they did not work in a priority country.

#### 4 Mission awareness and response

Four questions were posed under this heading:

1. How would you rate your Mission's general awareness of children affected by armed conflict issues?
2. Where does your mission focus its response regarding children affected by armed conflict?
3. How would you rate your Mission's general awareness of the 2003 EU Guidelines on Children and Armed Conflict?
4. How useful have you found the EU Guidelines on Children and Armed Conflict to making informed decisions on your action in the field of children affected by armed conflict?

##### 4.1 Awareness of CAAC

Half of the EC respondents consider their delegation's general awareness of children affected by armed conflict issues as good or very good. 2/16 as very limited.

60% (9 out of 15) consider their Mission's awareness of the EU CAAC Guidelines as 'some awareness', and 20% (3 out of 15) as 'very limited awareness'. Only 3 as good or very good. There is no notable difference between all responses and those from EU priority countries. In the countries where there is a person responsible for CAAC issues the awareness seems to be slightly less.

The responses on whether the EU CAAC Guidelines are useful are more positive, but not exceptional:

How useful have you found the EU Guidelines on Children and Armed Conflict to making informed decisions on your action in the field of children affected by armed conflict?			
	EC All (15 responses)	EC EU priority countries (9 responses)	EC EU priority countries with CAAC responsible (5 responses)
<b>Very useful</b>	7%	11%	
<b>Useful</b>	13%	22%	20%
<b>Somewhat useful</b>	40%	56%	60%
<b>Of limited use</b>	20%	11%	20%
<b>Not useful</b>	7%		
<b>No awareness of them/can't comment</b>	13%		

A positive example was added:

"The guidelines have contributed to some targeted interventions in programming for Northern X."

The MS responses suggest the same, that the awareness is good or very good about the issue, but not of the EU CAAC Guidelines.

### 4.1.1 Conclusion

- There is limited awareness raising and training on the EU CAAC guidelines and how they can be used in practice.
- People are in general aware that CAAC is an important issue, but this is most probably not a result of the EU CAAC Guidelines. They might have received information on UN work on CAAC or through NGOs.
- There is not sufficient awareness raising about the EU CAAC Guidelines, even in the countries defined as priorities.
- The people responsible for CAAC issues in the delegations do not seem to be using the EU guidelines as much as they could.

## 4.2 Mission response

On the question 'Where does your mission focus its response regarding children affected by armed conflict?' the respondents were given several options:

- Political/diplomatic response to human rights incidents
- Political/diplomatic promotion of international human rights standards and norms
- Human rights monitoring
- Human rights programming relevant to children affected by armed conflict
- Humanitarian programming relevant to children affected by armed conflict
- Development programming relevant to children affected by armed conflict
- Peace and reconciliation programming relevant to children affected by armed conflict

The answers showed that the missions respond to CAAC in several ways, but none of them were prominent. All the options given were selected by 5-8 respondents.

Two of the respondents indicated that their mission had no response to CAAC. One of these is an EU priority country for CAAC, and the other was of the opinion that CAAC is not an issue in the country any more, since the conflict ended several years ago.

Of the priority countries a small majority responded that their mission focused on 'development programming relevant to children affected by armed conflict' (6 out of 10) and/or 'human rights programming relevant to children affected by armed conflict' (5 out of 10).

### 4.2.1 Conclusions

- Four years after the EU CAAC Guidelines were endorsed the implementation at the country level is still sporadic, and in some cases non-existent. This includes in the countries defined as priorities for actions in the guidelines.

## 5 Aid Strategy and programming

Two questions were posed under this theme:

1. Does analysis of issues related to children affected by armed conflict appear DIRECTLY in your Country Strategy (or other multi-annual strategy document) used to focus your development assistance intervention?
2. Does your Mission have OR oversee any programming related to children affected by armed conflict issues?
  - If yes, then what type of programming (very brief explanation of size and type if known)?
  - If yes, then why did this programming arise?
  - If not, then why?

11 out of 16 responded that CAAC issues do NOT appear in the CSPs.

In the EU priority countries half responded that CAAC issues do not appear in the CSPs, 1 answered 'Yes, quite significantly but not throughout' and 4 answered 'Yes, in a limited fashion'.

## 5.1 Programming

Nearly half responded that their mission has or oversees programming related to CAAC, and nearly half that it did not (7 out of 16 each). 2 out of 16 responded that they did not know.

On why this programming had arisen 2 responded 'need identified locally', 1 'inspired from EU guidelines', 4 'other':

1. Part of overall DDR programme
2. Need identified locally by NGO's
3. part of Thematic Programmes and Regional Strategy Papers
4. Replies to Calls for Proposals

Of the no-answers, most claimed that CAAC was not an issue in the country. 2 responded 'other agencies / countries are programming in this area'.

### 5.1.1 MS

Of the MS responses 3/4 responded that CAAC issues did not appear in the CSP nor in the programming. One person responded that CAAC appeared in a limited fashion in the CSP, and in the programming for reintegration. The need for this programme was identified locally.

### 5.1.2 Conclusions

- CAAC figures poorly in the CSPs (in only 31% of the countries, and only 50% of the priority countries), but slightly more in the programming. Nearly half of the delegations have some kind of programming, of varying kinds.
- The programming is sporadic, single projects and not seen as a mainstreaming issue.
- That CAAC figures poorly in the CSP indicates that there is limited interest in the issue in the national governments / that the issue is not discussed with the national governments.
- One reason why only half had CAAC in their programming could be that in other cases it falls under other instruments (human rights instrument, humanitarian assistance) and does not have specific programming.
- NGOs are mentioned both as implementing programmes and as identifying the issue.
- Perception that CAAC is only relevant where there is direct conflict. No understanding that armed conflict has long-lasting effects, and that children affected by armed conflict can be relevant in post-conflict situations (ie trauma, orphans, lack of infrastructure (schools) etc). This also illustrates the lack of linking humanitarian assistance and development aid. And again lack of awareness of the issue.

## 6 Capacity building, expertise and instruments

Eight questions were posed on this topic:

1. How much knowledge and expertise does your Mission have on issues related to children affected by armed conflict?
2. Have you received specialist training on the following issues?
3. What 'operational guidance' for specific strategising and programming have you found useful in terms of programming in the area related to children affected by armed conflict?

4. How would you rate this operational guidance?
5. Do you receive information on issues related to children and armed conflict?
6. Are the range of financial instruments / avenues for funding at your Mission's/institution's disposal at the headquarters and country level sufficient to respond to the issue of children affected by armed conflict in your country?
7. Do you have any additional comments on the nature of financial instruments / avenues for funding?
8. How would you rank each area listed below to ensure more effective Mission impact in the area of children affected by armed conflict?

## 6.1 Training

Nearly 75% of the respondents replied that they have not received any training in children or women related to armed conflict. Furthermore a large majority has not received training in conflict sensitivity and nearly half have not received training in conflict prevention or peace building in general. The training in human rights and gender seem to be more comprehensive. Of the 5 people responsible for CAAC only 1 has received limited training in CAAC issues.

Only one person indicated that they had received any 'operational guidance' for specific strategising and programming that had been useful in terms of programming in the area related to children affected by armed conflict.

Only 2 out of 16 indicated that they get sufficient information on CAAC, 8 said the information was insufficient and 6 that they didn't get any information at all. In the priority countries only one person gets sufficient information, one gets none and the majority (8 out of 10) receive insufficient information. More than half gets this information from headquarters. Other sources indicated are international NGOs and local NGOs. Only one person mentioned information from UN agencies. No-one responded that they got information from other EU missions.

### 6.1.1 MS

From the MS, the responses are more positive about training in Conflict prevention and conflict sensitivity. One person has also received comprehensive training in CAAC.

2 out of 3 responded that they received sufficient information about CAAC from three sources:

1. UN special representative on children and armed conflict
2. International NGOs
3. Coalition to stop the use of child soldiers - Global Report

### 6.1.2 Conclusion

- There is limited training in issues related to conflict, which is remarkable since all countries in the survey are or have recently been in conflict.
- The training in CAAC issues is meagre, even for those appointed as responsible for CAAC in the delegations.
- There is little or no guidance from headquarters on implementing the CAAC Guidelines.
- There is very little information from headquarters on CAAC issues.
- There is no in-field cooperation between EU missions or UN agencies on CAAC issues. (As shown by that they don't even share information on the issue)

## 6.2 Funding

<b>Are the range of financial instruments / avenues for funding at your Mission's/institution's disposal at the headquarters and country level sufficient to respond to the issue of children affected by armed conflict in your country?</b>			
	<b>EC</b> All (15 responses)	<b>EC</b> EU priority countries (10)	<b>MS</b> (3 responses)
<b>Sufficient</b>	27%	20%	33%
<b>Somewhat sufficient</b>	40%	50%	33%
<b>Insufficient</b>	27%	30%	
<b>Don't know</b>	6%		33%

The respondents find the financial instruments available only somewhat sufficient to respond to the CAAC Guidelines. This is also true for the priority countries. As one of the respondents from a priority country explains:

I have never received any operational guidance on this issue. As previously stated I have currently no financial instruments available to address the issue of children associated with armed conflict. There was one multi-donor initiative programme that addresses this issue. There was a shortfall in funding and I followed several 'avenues' to find additional funding but to no avail.

Another, also from a priority country, hopes for improvements in the new instruments:

We hope that with the new financial instruments, the Delegation will have more flexibility in using funds in order to address different aspects of the issue

One respondent from a MS thought that the World Bank financial support should be observed seriously.

## 6.3 How to improve mission impact

The areas which respondents have suggested as most important in order to ensure more effective Mission impact in the area of children affected by armed conflict are the following (in this order):

1. Clear priorities from headquarters on the issue
2. Better sectoral coordination amongst EU members (on for example, education, health, governance, disarmament, demobilisation and reintegration issues)
3. Greater complementarity between political/diplomatic and development/humanitarian response
4. Staff training in children affected by armed conflict issues
5. Better mainstreaming of CAAC issues into sectoral areas

A couple of additional comments were made:

You cannot just concentrate on one issue, though it may be important; it must be part of wider approach including Human Rights, Rule of Law and similar issues

Training is nice, but having time for it is even better. In a country where this is not a central issue it is difficult to devote any resources, including reading time, to it.

Clear priorities from headquarters are the means which respondents consider as most important. Means which are not considered that important include reducing the number of other thematic priorities and reducing regulations generally.

### 6.3.1 Conclusions

- Guidance from headquarters in CAAC is essential.
- Coordination, and complementarity is essential.

## 7 Internal and EU coherence

Four questions were posed under this heading:

1. Does your mission have good synergy between its diplomatic/political actions with regards children and armed conflict and its ability to target development/humanitarian programming in this area?
2. How would you rate coordination and complementarity between different EC and member state diplomatic actions (political dialogue / demarches etc) related to children affected by armed conflict issues?
3. How would you rate coordination and complementarity between different EU missions on development/humanitarian programming on issues related to children affected by armed conflict?
4. Are there any specific instances on issues relating to children affected by armed conflict where there has been good coordination between EC and member states that you are aware of? If so what have these been?

Responses indicate that there is some synergy between the delegations' diplomatic/political actions with regards children and armed conflict and its ability to target development/humanitarian programming in this area (3 out of 16 answered 'good' or 'very good' on both questions, and 2-3 answered 'adequate').

There is limited knowledge about any coordination and complementarity between different EC and MS diplomatic actions as well as on its ability to target development /humanitarian programming in the area (8-0 out of 16 answered that they didn't know). Interestingly the 'very good' and 'good' responses are from priority countries, but not from the ones with people appointed as responsible for CAAC. All respondents from non-priority countries replied 'don't know/can't comment' in both questions.

Some examples were given of specific instances on issues relating to children affected by armed conflict where there has been good coordination between EC and member states (the way the question was formulated implies that the other 11 were not aware of any such cases):

Yes, joint drafting of background paper on Child Soldiers during the Finnish Presidency in 2005-06

Regular meetings with member states under the Human Rights Working Group; UN OCHA meetings;

A number of member states fund the MDRP programme so through this programme there is good coordination as it creates a forum for different member states (though not all) to share specific issues.

## 7.1 Conclusions

- There is limited coordination and complementarity between EU missions on CAAC.
- The coordination and complementarity between EU missions is not increased in the countries with people appointed as responsible for CAAC.

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