



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 December 2010

17488/10

LIMITE

**COHOM 281
DEVGEN 388
CIVCOM 809
RELEX 1070
CONUN 121**

NOTE

from:	Working Party on Human Rights
to:	Political and Security Committee
Subject:	Revised Implementation Strategy of the EU Guidelines on Children and Armed Conflict

1. The Council adopted the revised EU Guidelines on Children and Armed Conflict in 2008 (doc. 10287/1/08 REV 1 and 10019/08). On that basis, and taking into account recent international policy developments concerning children and armed conflict, the Council Working Group on Human Rights (COHOM) prepared a revised implementation strategy for the guidelines.

2. PSC is invited to:
 - a. adopt the revised implementation strategy;
 - b. task the relevant Council Working Parties (notably COHOM, CIVCOM and PMG) and invite CODEV to follow up on the strategy;
 - c. invite all other relevant players, as mentioned in the revised implementation strategy, to follow it up;
 - d. regularly review progress made on the implementation of the strategy.

Revised Implementation Strategy of the EU Guidelines on Children and Armed Conflict

1. Rationale and objectives of the review

In 2003, the EU adopted the Guidelines on Children and Armed Conflict (CAAC), which were updated in 2008. In order to effectively execute the objectives of the Guidelines, the EU adopted in 2006 a specific Implementation Strategy. The implementation of the Guidelines has focused on 19 priority countries¹. Apart of the general Implementation Strategy, each priority country has an individual implementation strategy.

While many issues addressed in the 2006 Implementation Strategy are still valid, numerous major developments have taken place since its adoption both in the European Union and internationally (see Annex). It is vital to align the Strategy with these developments to put in place a more comprehensive and holistic approach as well as to further advance the EU's response in this field while supporting efforts of other relevant actors².

In order to review the Implementation Strategy, consultations with relevant stakeholders were conducted. Firstly, EU Delegations in priority countries organised between July and September 2010 meetings with local and international NGOs as well as relevant UN agencies. Secondly, an expert workshop took place on 15 October 2010 in Brussels with the UN Secretary General's Special Representative for Children and Armed Conflicts, representatives of NGOs, international organisations, academics, EU Member States, relevant European Institutions and EU Delegations. This revised CAAC Implementation Strategy will be fully taken into account in the context of the envisaged country-specific human rights strategies (Rationalisation initiative).

¹ Afghanistan, Burundi, Chad, Colombia, Côte d'Ivoire, Democratic Republic of Congo, Haiti, Iraq, Lebanon, Liberia, Myanmar, Nepal, OPT/Israel, Philippines, Somalia, Sri Lanka, Sudan and Uganda.

² In particular the UN Secretary General's Special Representative for Children and Armed Conflicts, UNICEF, DPKO, DPA, ILO, UNHCR and OHCHR as well as civil society.

2. Overarching principles and focus areas of action

The EU's policy on the rights of the child is based on the UN Convention of the Rights of the Child, in particular its guiding principles. In the context of the EU's actions on CAAC, the Optional Protocol to the UN CRC on Children in Armed Conflicts, the UN Security Council Resolutions 1612 and 1882 and the Paris Principles and Commitments are of particular importance. The implementation of the Strategy will be conducted in cooperation with relevant stakeholders, including international organisations and civil society.

a) Overarching principles:

Long-term approach: Implementation of the EU policy on CAAC is a long-term process. In particular, demobilisation and reintegration programmes for children should extend over a period of several years and require sufficient funding early in the process to build capacity, especially in the community to which children return. Smooth transition from short-term to long-term interventions as well as complementarity between pre-conflict, conflict and post-conflict response should be ensured.

Specialised approach: EU response should give particular attention to the specific needs of child survivors as distinct from those of adults. All stages of programme assessment, planning, implementation and evaluation activities should include the active participation of communities concerned, including children.

Inclusive approach: Conflicts harm all children, whether they have been recruited or not to armed forces or groups. An inclusive approach that provides support to all conflict-affected children should be adopted to prevent further recruitment, encourage reintegration and avoid stigmatisation. The focus must include all children, especially those who are at risk of recruitment or demobilisation without any official processes. The views of children as well as the families and the communities should be sought.

Differentiated child centred approach: CAAC initiatives must address the individual needs of children. Emphasis should be put on the particular situation of girls in general, orphans, children out of school, children with disabilities, children who do not benefit from official programmes, children separated from armed forces and groups and not reintegrated into society. All relevant actors, including the EEAS, EU Delegations/Embassies, EUSRs and CSDP missions and operations will take account of the *different impacts of armed conflict on girls and boys* in their assessments and recommendations for action.

b) Focus areas of action

Prevention: Armed conflicts are often rooted in extreme poverty, marginalisation, discrimination and struggles over scarce resources – to a great extent the very same reasons that push children to joining armed forces or groups. There is a need to protect children in their direct context as intensively as possible during conflicts to prevent violations and protect all basic rights. There is also a need to ensure as smooth transition as possible towards the post-conflict phase of development cooperation activities. Prevention in the post-conflict phase should aim at avoiding a renewed outburst of the conflict, through tackling the conflict's root causes. The prevention of child recruitment as well as of sexual violence and killing and maiming of children is an essential aspect.

Protection: EU response to child protection during conflicts is based on the principles and provisions of International Human Rights and Humanitarian Law. The EU response in this field is also linked to the overall EU policy on the promotion and protection of the rights of the child and to the implementation of the EU Guidelines on International Humanitarian Law as well as the Guidelines on Protection of Civilians in CSDP Missions and Operations.

Rehabilitation and reintegration: The EU should ensure that release and reintegration strategies and activities are in line with the EU Concept for support to Disarmament, Demobilisation and Reintegration, the Paris Commitments and Principles, as well as Integrated Disarmament, Demobilisation and Reintegration Standards.

Specific Actions	Responsible organisations	Deadline/ Periodicity
1. Organise joint COHOM-CODEV discussions on the links between development assistance, humanitarian aid and CAAC, including with the view of programming new financial instruments post 2013.	COHOM, CODEV, European Commission, MS	Annually
2. Ensure that funding on CAAC is adequately included in the new financial instruments .	EEAS/COM Units in charge of the programming Relevant Council Working Groups	Discussions on the programming
3. Ensure that a child needs assessment is conducted prior to or during country-level programming of EU funds, particularly EDF, in the focus countries.	EU Delegations MS Embassies	During programming
4. Update the mapping of EU funding on CAAC projects, including funding by Member States	EEAS in cooperation with EU Delegations MS CSDP missions and operations	By 1 June 2011

<p>5. Consider CAAC in the implementation of Security Sector Reform (SSR) and Disarmament, Demobilisation and Reintegration (DDR) programmes:</p> <p>5.1 Seek expertise from relevant UN entities and NGOs on the integration of child protection issues in EU-funded programmes and activities of MS and CSDP missions concerning specific countries and situations.</p> <p>5.2 Make sure special attention is paid to children in DDR and reintegration programmes in accordance with integrated Disarmament, Demobilisation and Reintegration Standards, and with special emphasis to the particular challenges faced by girls.</p> <p>5.3 Give particular attention to children in the implementation of Security and Justice programmes, including the setting up and strengthening of juvenile justice systems, and the reinforcement of standards, capacity and expertise in the judiciary and law enforcement in line with international standards.</p>	<p>EU Delegations MS Embassies COM EEAS CSDP missions and operations</p>	<p>Ongoing action</p>
<p>6. Actively engage in local child protection networks and working groups where they exist and encourage the establishment of such networks where they do not yet exist</p>	<p>EU Delegations, MS Embassies CSDP missions and operations</p>	<p>Participation in meetings Substantive support Reporting to HQ</p>

3. Monitoring and reporting

3.1 Monitoring and Reporting mechanism (MRM) provided for in UNSC resolution 1612

The EU will cooperate closely with UN bodies in taking forward the Monitoring and Reporting mechanism (MRM) provided for in UNSC resolution 1612 on the collection, verification, analysis and reporting of information on the impact of conflict on children and violations of their rights. The EU will in this context also follow the UNSC resolution 1882, which expands the triggers for the implementation of the existing monitoring and reporting mechanism on grave violations committed against children caught up in conflicts.³

Action	Responsible organisations	Deadline/ Periodicity
7. Send an information package to EU Delegations, MS Embassies and CSDP missions and operations on the UN MRM together with a note giving instructions to cooperate closely with and support the UN bodies.	EEAS	By 1 June 2011
8. Conduct meetings with UN Country Teams, Peacekeeping Operations and existing Task Forces on Monitoring and Reporting to discuss how best the EU can support the implementation of UNSC resolution 1612 locally, coordinate and complement actions.	EU Delegations and MS Embassies	By 1 September 2011
9. Regularly engage with the work of the Task Forces on Monitoring and Reporting in order to support their work and to be fully informed on key concerns for the protection of children.	EU Delegations and MS Embassies	Regular meetings, conclusions included in reporting

³ Notably, the following six grave violations are covered: the killing and maiming of children, the recruitment and use of child soldiers, attacks against schools and hospitals, rape and other forms of sexual violence, abduction of children, and denial of humanitarian access

<p>10. Cooperation with the UN at New York level:</p> <p>10.1 Regularly consult on the state of implementation of the MRM and to propose appropriate steps by the EU to ensure progress in this regard.</p> <p>10.2 Regularly engage with the UN SRSG/CAAC and UNICEF, ensure the support of the EU and Member States for the continued engagement of the Security Council and its Working Group on Children and Armed Conflict.</p>	<p>EU Delegation and MS Embassies in New York</p>	<p>Ad hoc requests and reports, annual reports by 1 July each year</p>
<p>11. Support the country work of the UN SRSG CAAC by organising EU meetings during her country visits</p>	<p>EU Delegations and MS Embassies</p>	<p>On the occasion of country visits of the UNSR</p>

3.2 Reporting and monitoring by EU

EU Delegations in all countries affected by armed conflict (not just the 19 priority countries) should include reporting on CAAC in their regular monthly reports and specialised human rights reports. Moreover, HoMs should provide additional reporting where developments on the ground merit this.

Action	Responsible organisations	Deadline/ Periodicity
12. Explicit reference, in the template for human rights country strategies , to the guidelines on CAAC under a specifically dedicated heading.	EEAS	According to reporting schedule
13. Inclusion of CAAC in the portfolios of human rights focal points . Setting up of a list of the focal points concerned for easy communication.	EU Delegations MS Embassies CSDP missions and operations	By 1 February 2011
14. Include in relevant analytical reporting information on the situation of children affected by armed conflict. ⁴	EU Delegations	E.g. monthly reports on political situation
15. Send reminder to EU Delegations about the above-mentioned reporting	EEAS	By 1 September each year
16. Provide feedback on monitoring and reporting to EU Delegations	EEAS	Within one month from receiving the report
17. Monitor the situation of CAAC, and suggest appropriate EU action . COHOM and regional working groups will keep the situation of CAAC in the focus countries and others under review.	EU Delegations COHOM Regional Council Working Groups	COHOM review of situation in focus countries once a year

⁴ This information should consider in particular the Concluding Observations of the Committee on the Rights of the Child under the Convention on the Rights of the Child and its Optional Protocol on Children and Armed Conflict.

4. EU Special Representatives

The EUSRs should play a key role in the implementation of the Guidelines on CAAC, particularly with regard to reporting and the formulation of policy recommendations. They can also act as important catalysts to make sure that local and international actors in their region or country of action take CAAC into account.

Action	Responsible organisations	Deadline/ Periodicity
18. Children affected by armed conflict included in the mandates of all EUSRs in countries affected by armed conflict when they come up for renewal.	EEAS EUSRs Council Working Groups	At renewal of EUSR mandates
19. Send letters to all EUSR pointing to the EU Guidelines on CAAC, the revised implementation strategy and on key issues of relevance to EUSR.	EEAS	By 1 June 2011
20. EUSRs to include in their reporting and presentations to PSC and other Council Working Groups information and recommendations on the protection of children. Discussion with EU SR on the EU Guidelines on CAAC conducted with this respect.	EUSR	Regularly in reporting and presentations

5. Political dialogue

Political dialogues between the EU and third countries and regional organisations⁵ will, where relevant, include children affected by armed conflicts, including in post-conflict situations.

Action	Responsible organisations	Deadline/ Periodicity
<p>21. Political dialogues will cover, but will not be limited to:</p> <ul style="list-style-type: none"> - Follow up to UN recommendations, e.g. Security Council WG on CAAC, UN SR on CAAC - Encourage to grant humanitarian access to all areas in the country - Urge unconditional release of all children associated to armed forces and groups and a stop to recruitment by all armed forces and groups - Intensification of efforts to prosecute perpetrators of crimes committed against children and to fight impunity - Ratification of international instruments, such as the Optional Protocols to the UN Convention on the Rights of the Child, ILO Convention 182 and the Rome Statute. - Development and strengthening of basic social services, including education, health, child and social protection systems 	<p>EEAS EU Delegations MS Embassies</p>	<p>Political dialogue at all levels</p>

⁵ Specific human rights dialogues, political dialogues under Cotonou agreement article 8, political dialogues under specific partnerships etc.

6. Demarches and public statements

EU will make démarches and issue public statements urging third countries to take effective measures to ensure protection of children from the effects of armed conflict, to end the use of children in armed forces and armed groups and to end impunity. The EU will consider, on a case by case basis, demarches on children and armed conflict in response to urgent action appeals.

Action	Responsible organisations	Deadline/ Periodicity
22. Implement a demarche round in the priority countries on the revised implementation strategy and possibilities of cooperation on CAAC issues according to the specific situation in each country.	EEAS EU Delegations	By 1 September 2011
23. Consider demarches after the issuing of a country report/recommendation by the UNSG, the UN SRSG CAAC or the SC Working Group conclusions.	EEAS EU Delegations UNICEF to inform EEAS regularly.	After the issuing of the reports and conclusions.
24. Follow up to urgent action appeals . Results of demarches and need for further action to be assessed regularly.	EU Delegations COHOM	Regularly
25. Issue an EU Statement on the International Day against the Use of Child Soldiers (12 February) and accompany the statement by local action (statement, meetings with NGOs, etc.)	EEAS EU Delegations NGOs UNICEF	Annually

7. Training and awareness-raising

The review process revealed a lack of awareness on CAAC across the EU institutions and partners, thus efforts to raise awareness should be stepped up.

Action	Responsible organisations	Deadline/ Periodicity
26. Continue the annual training provided by the EEAS on the rights of the child ⁶ with a comprehensive component on children and armed conflicts.	EEAS	Annually
27. Training for EU Delegations and CSDP missions and operations at the local level in priority countries.	In cooperation with Save the Children and other partners	To be defined
28. Cover child protection issues in Member States' national training programmes , in particular for military and civilian personnel deployed in CSDP missions ⁷ .	MS	Regularly
29. Awareness-raising at local level to increase knowledge on EU policy on CAAC, inclusion of information on EU Delegations' and MS' Embassies web pages, information sessions in human rights working groups and corresponding structures.	EU Delegations MS Embassies	To be defined by the Delegations and Embassies
30. Provide the information package and the Toolkit on the Rights of the Child to all actors involved and put them on the EEAS website.	EEAS	By 1 July 2011 re information package; By 1 July 2012 re Toolkit

⁶ This training is open to all EU institutions, EU Delegations and Member States, as well as staff from CSDP missions and operations.

⁷ They can use the standard training module that is being prepared.

8. Coordination

The EU will actively seek to coordinate among the different stakeholders involved to advance the implementation of this Strategy.

Action	Responsible organisations	Deadline/ Periodicity
31. Dedicated CAAC discussions by EU HOMs with local stakeholders , including NGOs and international organisations	EU Delegations MS Embassies	At least annually
32. Use the joint COHOM-CODEV discussions (ref. Action 1) to coordinate policy orientation on CAAC and development assistance	COHOM/ CODEV	At least annually
33. Discussions on the EU implementation of its CAAC policies in PMG, CIVCOM and PSC , with the support of the UN where deemed useful	PMG, CIVCOM, PSC	Annually

9. CSDP

The Guidelines on CAAC have been translated into a specific Checklist for the Integration of the Protection of Children affected by Armed Conflict into CSDP Operations (9822/08). Its implementation should be stepped up. The present document will not repeat the actions foreseen in the Checklist.

Action	Responsible organisations	Deadline/ Periodicity
34. COHOM (in cooperation with PMG and CIVCOM) to follow up the implementation of the Checklist by: 34.1 Including the Checklist implementation as an item in its discussions on CAAC 34.2 Receiving briefings by CSDP missions and operations (Heads of Missions or Commanders, or specific advisors)	COHOM Chair + PMG and CIVCOM	
35. Annual review of the implementation of the Checklist by CSDP missions and Operations by the relevant Working Groups, particularly PMG and CIVCOM.	PMG CIVCOM CMPD CPCC	Annually
36. Mainstreaming CAAC into discussions at PSC, notably through briefings to PSC by relevant actors such as the UN SR CAAC, EUSRs, CSDP HoMs and Operational Commanders	PSC CMPD CSDP missions and operations EUSRs	Briefings at least once every semester As part of CSDP HoMs and OpCmdr as well as EUSR briefings
37. Inclusion of CAAC aspects in the Council conclusions on CSDP	CMPD	Once per semester

10. Follow-up

The EU should retain the list of priority countries as a point of reference and update it periodically taking into account the UN list of priority countries and country situations listed in the annexes to the Secretary-General's reports on this issue as point of reference. However, these priority lists should not be seen as exhaustive and flexibility will apply to allow the monitoring and reporting of situations of concern.

Action	Responsible organisations	Deadline/ Periodicity
38. Evaluate the revised implementation strategy after two years	COHOM	Biannual
39. Circulate the Revised Implementation Strategy to the Chairs of all relevant Council working groups and other actors involved in its implementation , drawing particular attention to the actions to be undertaken by them, inviting them to appropriate follow-up and offering guidance and support to this end.	COHOM Chair	By 1 June 2011

List of acronyms:

CAAC	Children and Armed Conflict
CIVICOM	Civilian Crisis Management Committee
CMDP	Civil Military Planning Department
CODEV	Council of the EU Working Party on Development Policy
COHOM	Council of the EU Working Party on Human Rights
COM	European Commission
CPCC	Civilian Planning and Conduct Capability
CSDP	Common Security and Defence Policy
DDR	Disarmament, Demobilisation and Reintegration
EEAS	European External Action Service
EUSR	European Union Special Representative
HoM	Heads of Missions
MRM	Monitoring and Reporting Mechanism
MS	European Union Member States
NGO	Non-governmental Organisation
PMG	Politico-Military Group
PSC	Political and Security Committee
SSR	Security Sector Reform
UN CRC	United Nations Convention on the Rights of the Child
UNSR CAAC	United Nations Special Representative on Children and Armed Conflicts

Annex:The review takes into account the following developments at the EU level:

- European Commission Communication “A Special Place for Children in EU External Action” together with an Action Plan and Commission Staff Working Document “ Children in Emergency and Crisis Situations” in 2008
- Study “Enhancing the EU response to children affected by armed conflict” mandated by the Slovenian Presidency in 2008
- Seminar on “Increasing the Impact on the Ground: NGO and EU Collaboration in the Thematic Area of Children Affected by Armed Conflict” organised by the Slovenian Presidency in 2008
- “Checklist for integration of children affected by armed conflicts into the European Security and Defence Policy, in particular in its missions abroad” adopted in 2006 and reviewed in 2008
- Evaluation of the implementation of the EU Guidelines on Children and Armed Conflicts in 13 original priority countries in 2009/2010
- Recommendations of the EU-NGO Human Rights Forum on “Combating Violence against Children” in 2009
- Implementation of CAAC-targeted

Additionally, the review considers the following international developments:

- Paris Commitments and Principles of 2007
- UN Integrated DDR Standards published in 2006 and expanded in 2009
- Security Council resolution 1882 of 2009
- 10-Year Strategic Review of the Machel Report in 2009
- Conference “Reintegration and Rehabilitation of War-Affected Children” organised by the University of Antwerp, the Catholic University of Leuven, and the Centre for Children in Vulnerable Situations in 2009
- Reports of the UN Secretary General’s Special Representative for Children and Armed Conflicts
- Conclusions and Working Documents of the Security Council Working Group on Children and Armed Conflicts
- The work of the International Criminal Court Documents aimed at the development of knowledge on CAAC, the production of various guidelines and tools, including addpublications of the UNICEF Innocenti Research Centre and of the ILO.