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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Draft Council Conclusions on the Update of the EU Guidelines on Children and Armed Conflict

Delegations will find in the annex the draft Council Conclusions on the update of the EU Guidelines on Children and Armed Conflict, as agreed by the Working Party on Human Rights (COHOM) on 14 June 2024.

Draft Council Conclusions on the Update of the EU Guidelines on Children and Armed Conflict**[with update in Annex]**

1. Recalling the 2012 EU Strategic Framework on Human Rights and Democracy, the 2020 EU Action Plan on Human Rights and Democracy, the 2021 EU Strategy on the Rights of the Child, Article 3(3) of the Treaty on European Union and the Charter of Fundamental Rights of the EU, the Council reaffirms that the respect, protection and fulfilment of the rights of the child is a key objective of the European Union's internal and external policies and action.
2. Based on its 2008 EU Guidelines on Children and Armed Conflict and the June 2022 Council Conclusions on the strategy on the rights of the child, the EU is particularly active in protecting children's rights in conflict or crisis situations and providing protection, assistance and support to children.
3. The Council is gravely concerned about the rise of violations of children's rights related to armed conflict, exacerbated by the proliferation of conflict, including Russia's war of aggression against Ukraine and its unlawful deportation and transfer of Ukrainian children, the spiralling violence in Sudan, and the escalating conflict in the Middle East, particularly the catastrophic humanitarian situation in Gaza and its disproportionate effect on civilians, particularly children. The Council deplores that grave violations against children¹ – killing and maiming, recruitment and use as soldiers or in other non-combat roles, abductions, rape and other forms of sexual and gender-based violence, attacks on schools and hospitals, and the denial of humanitarian access – have grown significantly over the last decade.

¹ <https://www.unicef.org/children-under-attack/six-grave-violations-against-children>

4. In nearly all the world's conflict zones, from the Sahel, Central and Eastern Africa to the Middle East and Asia, children represent as much as half of the affected population. Children are disproportionately affected by and are primarily victims of armed conflicts. The Council is alarmed that the changing nature of conflicts, of tactics and weaponry used, have multiplied the risks for civilians, notably children, at a time when the grave, harmful and long-lasting impact of violations and abuses on victims has become ever clearer. However, the Council also recognises that children can be incredibly resilient and, with the adequate and timely support, that they can recover from extreme situations and thrive. Their protection, recovery and reintegration are essential to long-term peace and security as well as sustainable development.
5. The Council adopts these revised EU Guidelines on Children and Armed Conflict to strengthen its contribution to the respect, protection and fulfilment of rights of children. This update takes into account developments within the EU and brings the Guidelines fully in line with the framework established by the United Nations Security Council through successive resolutions, notably the six grave violations against children during times of armed conflict enumerated therein. The EU also seeks hereby to reinforce alignment and cooperation with the mandate of the UN Secretary-General and the Special Representative on Children and Armed Conflict, not least its broadened focus on the wellbeing of children affected by armed conflict, humanitarian access and prevention.

6. The EU will further step up efforts to combat all forms of violence against children, to protect children, and to promote their rights, including their physical, mental and psychosocial health and their access to basic services. The EU will work with international organisations and partner countries to develop comprehensive policies and actions to respect, protect and fulfil the rights of all children without any discrimination, and to increase opportunities for children to be responsible and resilient members of society. In light of the evolving nature of conflict and protracted humanitarian crises, the EU will further improve the linkage of its work on the humanitarian, development and peace dimensions of such crises, more closely aligning conflict prevention, crisis management, and humanitarian relief with development assistance and investments into education in emergencies and social protection across the world. The protection of conflict-affected children must continue to be a central pillar of the human rights, peace and security, peacebuilding, development, and humanitarian agendas.
7. The EU will continue to ensure the full realisation of the obligations in the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict, including with regard to the definition of the child as every human being below the age of 18, and promote their transposition into national legislation. In addition, the EU recognises the value of global initiatives such as the Paris Principles and Commitments, Vancouver Principles, the Safe Schools Declaration and the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas (EWIPA), and will continue to encourage all states to further their commitments by considering endorsement of these initiatives.

8. Underlining the importance of further mainstreaming of the issue of Children affected by Armed Conflict throughout the EU's external policies, the Council invites all instances of its decision-making, EU services and agencies, civilian and military missions and operations, the special representatives and envoys, and other bodies to redouble their efforts to ensure effective implementation of these Guidelines. The Council underlines the importance of fully mainstreaming CAAC into the EU's Common Foreign and Security Policy, which includes the Common Security and Defence Policy, including the EU's crisis management missions and operations. In this vein, the Council welcomes the updated Checklist for the Integration of the Protection of Children affected by Armed Conflict into EU Common Security and Defence Policy Missions and Operations (CSDP Checklist). The Council tasks the relevant Working Parties to regularly review and report on the implementation of these guidelines, with a view to identifying lessons learned and disseminating best practice.
9. The EU and its Member States will use the full range of their instruments, in all areas of external action, to focus on and further strengthen global awareness raising, actions and effective programming, as well as cooperation in this area. The Council also invites partners across all regions, including international and regional organisations, civil society organisations, and private actors, to unite and step up conflict resolution and the prevention of and response to grave violations against children as well as the respect, protection, and fulfilment of their rights and protection under international humanitarian and human rights law with a renewed sense of urgency. For every child, everywhere.

ANNEX

UPDATE 2024

EU Guidelines on Children and Armed Conflict (CAAC)

1 - INTRODUCTION

The situation of children, particularly those affected by armed conflict, has been a priority of the European Union for decades. The EU and its Member States have played a crucial role at the United Nations, significantly contributing to the development of the UN's CAAC agenda and the development of its global mandate. In 2003, the EU adopted its first Guidelines on Children and Armed Conflict, which were subsequently updated in 2008 to bring together its policy in a practical tool to guide action. In view of the significant evolution of the global policy and developments within the EU since then, a further update to the EU's Guidelines is necessary to support continued effective EU action in line with a more comprehensive and holistic approach.

Children, and girls in particular, are especially vulnerable in situations of armed conflict. Armed conflict and situations of violence impose immense suffering on children, who, because of their age, physical and psychological maturity, dependency and legal status are more vulnerable to the risks, destitution, violence, and neglect that conflict dynamics impose on people. A child is any human being below the age of 18 years, as laid down in the UN Convention on the Rights of the Child (UNCRC).

Children represent up to half of the population in most countries affected by armed conflicts. Globally, millions live in or are fleeing from conflict-affected zones. They are thus disproportionately affected.

Children are being targeted in armed conflict and other situations of armed violence by state and non-state actors, including terrorist organisations and organised criminal groups, and their safety and security is often jeopardised to serve military objectives, to further criminal activities, or for other illicit gain. Killed and maimed, recruited and used in various capacities by armed groups and armed forces, abducted and subjected to rape and other forms of sexual violence and exploitation, with schools and hospitals attacked, children are subjected to grave violations and other serious violations or abuses. Disabilities acquired as a result of war, physical and mental, affect millions. Even those not directly involved in armed conflicts endure other types of conflict-related consequences, such as malnutrition, lack of shelter and access to education and healthcare, discrimination, as well as violence and persistent psychological trauma. Increasingly, denial of humanitarian assistance leads to more deaths from hunger and disease than the direct impact of the violence itself. Many of the harms from armed conflict to children do not come directly from the fighting, or end when the fighting stops. The impact on global peace and security and sustainable development is profound and long-lasting. The enduring harm inflicted on children and their families in armed conflict perpetuates cycles of violence and poverty has lasting intergenerational effects undermining individual and societal resilience, and hinders the development of peaceful societies.

Other growing areas of concern regarding children in conflict and post-conflict situations include: the aggravating role of climate change on the existing risks and vulnerabilities faced by children; the indiscriminate use of explosive weapons in populated areas; the increased targeting of schools and their use for military purposes in violation of international humanitarian law; the specific impact of armed conflicts on children with disabilities; the gender dimension of grave violations against children; the worsening effects of poverty and inequalities; children on the move and in internally forcibly displaced and refugee settings; children in institutions or deprived of family care; child labour, human trafficking and sexual slavery; the challenges posed by the emergence of new technologies, such as the online recruitment of children and the proliferation and illicit arms-trafficking as well as the impact of landmines, explosive remnants of war (ERW) and improvised explosive devices (IEDs).

A strengthened focus on national and international criminal justice is necessary, including access to justice for children. Holding perpetrators accountable for grave violations against children in armed conflict, as mandated by international law and international humanitarian law, the Rome Statute of the ICC, and the Geneva Conventions, is crucial to combat a climate of impunity for those committing crimes against children, deter future abuses and foster accountability and promote a culture of respect for children's rights.

The European Union, in its humanitarian, development, peace, security and diplomatic engagement, and collectively with its Member States, is committed to prioritise children's protection, wellbeing and empowerment, addressing their specific needs and vulnerabilities without discrimination on any grounds,

2 - PURPOSE

The European Union prioritises the promotion and protection of children's rights within its human rights policy framework. This is not only because children are vulnerable victims of conflict today, but because they shape the future. The EU recognises their inherent rights, enshrined in the EU Charter of Fundamental Rights, the Convention on the Rights of the Child and its Optional Protocols, as well as other international human rights instruments, as well as the special protection they are granted under international law.

The UN Security Council has identified six grave violations² based on their egregious nature and their severe impact on children's wellbeing:

- killing and maiming of children,
- recruitment or use of children in armed forces and groups,
- rape and other forms of sexual violence against children,
- abduction of children,
- attacks against schools and hospitals,
- denial of humanitarian access to children.

² Definitions are specified in the Field Manual accompanying the Guidelines on the Monitoring and Reporting Mechanism on Grave Violations against Children in Situations of Armed Conflict (DPKO, OSRSG Children and Armed Conflict, UNICEF, 2014)

The EU strives to raise awareness of this critical issue both internally and internationally. We are committed to addressing the short, medium, and long-term impacts of armed conflict and other situations of armed violence on children in an effective and comprehensive manner, through actions to prevent and respond to various violations of the rights of the child. By utilising a variety of tools at its disposal and building upon existing initiatives, the EU aims to engage third countries and non-state actors. This includes encouraging them to implement and respect and promote international law, including human rights norms, standards and instruments and international, refugee and humanitarian law and norms, and take effective measures to protect children from the effects of armed conflict and ensure accountability for crimes against them.

These Guidelines are intended to serve as a practical tool to direct and assist EU actors throughout the world in their work on children and armed conflict, including other situations of armed violence by state and non-state actors, such as terrorist organisations and organised criminal groups.

Recognising the interconnectedness of various policies, the EU emphasises the importance of continuous and coordinated efforts across different areas, including foreign and security policy, development assistance, peacebuilding and humanitarian assistance. This comprehensive approach strengthens our collective response to the plight of children in armed conflict and thus contributes to long-term peace and security and sustainable development.

3 - PRINCIPLES

The EU is founded on the values of liberty, democracy, respect for human dignity and fundamental freedoms, equality and the rule of law and the respect of human rights. The protection and promotion of the rights of the child is a core objective of the European Union's work at home and abroad. It is enshrined in the Charter of Fundamental Rights of the EU, which guarantees the protection of children's rights by all European institutions and bodies when implementing Union law. The Strategic Framework on Human Rights and Democracy adopted in 2012 sets out principles, objectives and priorities designed to improve the effectiveness and consistency of EU policy, noting that the respect for human rights, democracy and rule of law underpin all aspects of the EU's internal and external policies. The EU's action plan on human rights and democracy sets the level of ambition and defines the priorities of the EU and its Member States in this field in relations with third countries, and lays out specific tasks for the EU to undertake. Additionally, EU Human Rights Guidelines, including particularly the EU Guidelines for the Promotion and Protection of the Rights of the Child provide practical tools and guidance for the implementation of these human rights commitments. Together with the EU Strategy on the Rights of the Child (2021), these policies promote and safeguard the rights of the child and mainstream them in the European Union's internal and external policies.

Promoting and Protecting Children's Rights

Guided by the following core principles, the EU should strengthen its work to ensure the protection of children affected by armed conflict:

- **Human rights-based approach:** In line with the United Nations Convention on the Rights of the Child (UNCRC), a child is any human being below the age of 18 years. All children are recognised as independent rights holders under international human rights law with special protection granted under international law, including international humanitarian law. Although children may be victims, they are also survivors and actors in their own right. They should not be treated or viewed solely as passive actors. Children should be made aware of their rights. Their voices must be heard, in accordance with their age and maturity, and their needs addressed.
- **The right to life, survival and development:** In line with the UNCRC, the EU will prioritise the holistic well-being, protection, and reintegration of all children affected by armed conflict, ensuring their survival, development, and full realisation of their rights.
- **Non-discrimination and inclusion:** Protection and assistance are provided without discrimination in any form including multiple and intersecting forms of discrimination.. Leaving no child behind and ensuring equitable access to protection, particular attention should be directed to the specific care and protection needs of all children in vulnerable situations, including girls, children with disabilities, indigenous children and those belonging to national minorities, unaccompanied children, migrants, refugees, asylum seekers, internally forcibly displaced and stateless children, children deprived of family care, such as street-connected children or children in institutions, in line with international human rights obligations under international law and standards, and through existing policy and legislative frameworks.

- **Best interests of the child:** the best interests of the child is the primary consideration in the implementation of EU action, in line with the UNCRC. All decisions and actions must prioritise the well-being, protection, and safety of children.
- **Differentiated approach:** The EU recognises different needs and vulnerabilities, and aims to tailor its interventions to address each child's unique situation, providing holistic and sustainable solutions; as set out in the study of the SRSO CAAC Office on the “Gender Dimensions of Grave Violations against Children in Armed Conflict”, all children need protection, yet their needs and vulnerabilities, in the context of armed conflict, can vary depending on their age, maturity, sex, sexual orientation and gender identity, disabilities, belonging to minorities, specific circumstances, and on the nature of the conflict as well as their perceived or real association with parties to conflict.
- **Protection of children associated with armed forces or armed groups:** Children associated with armed forces or groups (CAAFAG) must always be considered primarily as victims of the six grave violations under international human rights law (IHRL) and international humanitarian law (IHL). A child perspective, founded in the best interest of the child and focusing on the protection of boys and girls against the six grave violations during conflict is central to Disarmament, Demobilisation and Reintegration (DDR) and DDR-related processes. Therefore, the unconditional and immediate protection, release, and (re)integration of CAAFAG with their family and community should be planned for and prioritised at all times, irrespective of the armed group's designation, in line with IHRL and IHL. Specific attention should be paid to challenges faced by children born within armed groups as well as to those recruited as children and demobilised as adults. Children at the age of criminal responsibility, and who are suspected of having committed a serious crime, shall be handed over to civilian actors, and justice should be provided within juvenile justice frameworks. Children should not be detained solely based on their association with armed groups.

- **Child and victim-centred:** The focus is on the child's well-being and needs. This means actively involving children in identifying their needs and priorities whenever possible, and ensuring that their voices are heard, they are not re-traumatised, and their well-being and safety are prioritised. The EU prioritises addressing the specific harms children experience in armed conflict settings.
- **Age and gender-responsive:** Children's needs and vulnerabilities change as they age. The EU recognises this and shapes its interventions accordingly. Additionally, girls and boys often experience conflict differently and have specific vulnerabilities. The EU considers these age and gender-specific needs in order to ensure all children receive appropriate protection and support.
- **Trauma-informed:** Armed conflict can have a profound psychological impact on children. The EU's approach acknowledges this and aims to provide support that is sensitive to the trauma children may have experienced, including from sexual and gender-based violence, and their needs for access to mental health and psychosocial support services promoting healing and recovery
- **Accountability, access to justice and juvenile justice:** The EU supports child-focused monitoring, investigation, and prosecution of crimes and violations against children. Perpetrators must be held accountable. The development of child-friendly justice systems for all children in contact with the law and deprived of liberty is crucial, as well as their access to legal aid and involvement in transitional justice initiatives.

- **Participation and empowerment of children and youth:** The EU promotes, supports and ensures the meaningful inclusion and active participation of children and youth in decisions that affect them at all levels, including in situations of conflict, particularly through the Youth Action Plan in EU external action (YAP).
- **Do No harm, child safeguarding conflict-sensitive approaches:** The EU promotes that all policies and actions systematically prevent potential harmful consequences on children and their rights caused by activities or personnel involved, and do not exacerbate conflict dynamics.

International Collaboration

In its work, the EU is guided by relevant international and regional norms and standards on human rights and humanitarian law, including those contained in Annex I. The EU actively collaborates with and supports the work of relevant actors, in particular:

- The UN Secretary General
- The Special Representative of the Secretary-General for Children and Armed Conflict and their office

- The Special Representative of the Secretary-General on Violence against Children and their office
- The UN Country Task Force on Monitoring and Reporting (CTFMR) or their equivalent in country situations of concern
- UN Offices, Departments and Agencies such as UNICEF, DPO, DPPA, DCO, UN Women, UNODC, UNFPA, OHCHR, UNHCR, UNDP, ILO, OCHA, UNESCO and WHO (at headquarters and regional/local level)
- The Working Group of the UN Security Council on Children and Armed Conflict
- Regional/ local Group of Friends of CAAC or equivalent ad-hoc groupings of likeminded partners
- The Committee on the Rights of the Child
- The Human Rights Council
- The Social, Humanitarian & Cultural Issues (Third Committee) of the UN General Assembly
- The International Criminal Court and, as appropriate, special international tribunals
- UN Special Procedures and UN-mandated investigative bodies
- The UN Inter-Agency Working Group on DDR and other similar fora
- The International Committee of the Red Cross (ICRC)
- The Council of Europe
- The African Union and other regional organisations
- OSCE/ODIHR

- Local and international non-Governmental organisations, including child-led organisations, human rights defenders and child human rights defenders and community-based organisations and networks
- other relevant actors

The EU pro-actively contributes and works with these actors to ensure that existing international safeguards to the rights of the child are strengthened and effectively implemented.

4 - ADDRESSING THE CHALLENGES OF CHILDREN IN ARMED CONFLICT

The past two decades have witnessed a dramatic shift in warfare; tactics like indiscriminate and disproportionate aerial bombardments, shelling and drone strikes, siege and blockade to deny the delivery of relief supplies to civilians, the persistence of unexploded ordnance and mining of civilian areas, put children at grave risk of being killed or maimed.

The targeting of schools, hospitals, and other critical civilian infrastructure such as water and energy systems pose an increasing risk to the survival and development of children. In some instances, armed groups or forces actively oppose girls' access to education and healthcare, hindering access to these vital services. Even in the absence of direct targeting, the general insecurity of conflict zones discourages children, teachers, and medical personnel from attending school or providing medical help.

The abduction of children has risen steeply in situations on the children and armed conflict agenda, whether to terrorise communities, target specific groups, specifically girls and their access to education, to force the participation of children in hostilities or for human trafficking and sexual slavery or other exploitative purposes. Even when released or if they manage to escape their captors, abducted children continue to face major challenges and stigma impacting their reintegration and rehabilitation in their communities.

Sexual violence is increasingly a characteristic of conflict and is often perpetrated against girls and boys in a rule of law vacuum. Children who experience sexual violence and exploitation suffer from long-term psychological trauma, health consequences including transmitted infections such as HIV/AIDS and early pregnancies. Harmful gender norms and practices, such as female genital mutilation, female infanticides, child, early and forced marriage, stigmatisation for not abiding by gender stereotypes and discriminatory social norms and discrimination place girls at particular risk.

Denial of humanitarian access, including deliberate attacks against humanitarian workers, remains a major obstacle to protecting children. Lack of essential humanitarian aid can lead to severe malnutrition, stunting, lack of access to education and essential medical care that have long-term developmental consequences for children. Engaging with parties to conflict to enable access whilst ensuring accountability for violations is essential. The use of children by armed groups, in combat or in supporting roles, is a continuing concern.

The forced recruitment of children under the age of 18 and their use in hostilities by both armed forces and armed groups is illegal and one of the worst forms of child labour. Furthermore, the recruitment of children under 15 constitutes a war crime. It places an inhumane burden and long-term detrimental consequences on these children, who remain primarily victims and often face stigma and rejection. Arresting and detaining children associated with armed groups, whether because they are perceived as a threat to national security or because they have allegedly participated in hostilities, further victimises them.

Their unconditional and immediate protection, release and (re)integration with their family and community, irrespective of the armed group's potential designation, in line with IHRL and IHL, should be prioritised. Should there be children at the age of criminal responsibility, and who are suspected of having committed a serious crime, they must be handed over to civilian actors, and justice should be provided within child justice systems, where they exist.

The EU will support the negotiation, adoption and implementation of action plans between the United Nations and parties to conflict to end and prevent the six grave violations against children as well as handover protocols by parties to conflict, to swiftly transfer children allegedly associated with armed groups to civilian child protection actors for reintegration.

Challenges impacting effective action

Significant obstacles hinder effective humanitarian, development and protection support to children by the EU and other actors working in conflict zones. Such challenges include the complex and ever-changing nature of modern conflicts, limitations on access to affected territory and populations due to ongoing violence or restrictive administrative impediments, and a lack of capacity among local actors to adequately address the needs of children.

Effective action to tackle violations against children affected by armed conflict is complicated by data gaps and insufficient early warning indicators, hindering efforts to prevent grave violations from occurring in the first place. Resource limitations and the difficulty of coordinating funding from multiple sources also complicate effective action.

Furthermore, weak legal frameworks and a lack of accountability for crimes against children create climate of impunity where violations go unpunished. Addressing the long-term socio-economic impacts of conflict, poverty, the lack of educational opportunities for children, especially girls, limited resources for health services (including mental health and psychosocial support), and the persistence of harmful cultural norms and practices all pose significant obstacles to avoiding recurrence and achieving lasting peace and protecting children.

Opportunities for effective EU action

In order to strengthen its efforts to protect children caught up in armed conflict, the EU will **build stronger partnerships** and foster the following:

- **Supporting prevention:** Greater investment in the prevention of armed conflicts and child rights violations, in particular the six grave violations against children are needed. Implementing early warning systems, addressing risk indicators and data gaps, can help identify potential threats to children before violations occur, allowing for preventative action to be taken. Conducting regular conflict analysis and child rights and needs assessments is crucial for designing effective and timely preventive actions. Investing in quality, conflict-sensitive, risk-informed, age and gender-sensitive, inclusive education can also mitigate the recurrence of conflict and reduce the risk of abuse and exploitation of children.

- **Strengthen the Humanitarian-Development-Peace nexus approach:** The EU resolves to ensure that humanitarian, development, and peacebuilding needs are addressed in a coordinated manner to address protracted and predictable crises, including both immediate needs and long-term solutions. Supporting the creation of a protective and sustainably supportive environment for children before, during and after conflict requires sustained and adequate funding to scale up interventions and sustain long-term programmes for child protection, including allocating resources for social protection, education, housing, psychosocial support, healthcare, and protection services tailored to the diverse needs of children. The support, including adequate financial resources, of the functioning of the UN monitoring and reporting mechanisms on the ground is crucial.
- **Investing in integrated child protection systems:** The EU should support age- and gender-responsive, disability-inclusive, community-based integrated social and child protection systems in fragile countries and countries affected by conflict to help prevent, mitigate, recover and respond to the violation of children's rights and to ensure the continuum of care for children, in a holistic and multi-stakeholder way, including reintegration, rehabilitation, educational opportunities, including vocational and technical training, child protection services, family reunification where applicable, adequate health care, including sexual and reproductive health care, mental health and psychosocial support services (MHPSS) and other critical aspects.

- **Disarmament, Demobilisation and Reintegration (DDR), Security Sector Reform and Justice support programmes:** Integrating child protection considerations into disarmament, demobilisation and reintegration programmes or other related programmes, security sector reform, counter-terrorism efforts and programmes combatting organised crime networks, and child-friendly justice programmes (ensuring child-friendly access to justice, free legal aid and effective remedy), and supporting tailor made child-focussed reintegration initiatives. Supporting reintegration as a component of a broader child protection system and considering the goals and principles of the Sustainable Development Goals (SDGs) ensures more inclusive, more comprehensive, long-term action.
- **Cooperation and advocacy on the ground:** The EU should foster closer collaboration with UN entities and agencies, national governments and local authorities of conflict-affected countries, international and national non-governmental organisations and local civil society organisations working directly with children on the ground (including Group of Friends on CAAC). Building on regular dialogue on the child protection objectives and principles with international partners, national governments, parties to conflict and local organisations, close cooperation with and support to UN Security Council-mandated monitoring and reporting mechanism and UN Country Task Forces on Monitoring and Reporting (CTFMR) and their equivalent working groups should be further strengthened.
- **Training and Support:** Investing in capacity building for all actors working on child protection is crucial. Providing training and support will improve regulatory and policy frameworks, programmes and interventions at all levels through equipping those responsible, both duty bearers and rights holders, with the skills and resources needed to effectively address the specific needs of children at national and local levels. Enhanced regular training is needed for EU and other staff, especially those in direct contact with children and those engaged in decision-making, which affects children.

- **Supporting local solutions:** Recognizing and supporting child-led and community-driven initiatives for peace and protection empowers local voices and allows for culturally appropriate solutions.
- **Child participation:** ensuring the active, equal, meaningful and effective participation of children in line with the UNCRC in decision-making affecting them, including notably in the design of reintegration programmes. The EU will also seek to make use of the Youth Sounding Board advising the Commissioner and the Directorate-General for International Partnerships (DG INTPA) and the Youth advisory structures providing advice to EU Delegations set up under the Youth Action Plan in EU external action 2022-2027.

By implementing these comprehensive objectives, the EU can significantly enhance its engagement in protecting children affected by armed conflict. A collaborative and holistic approach that invests in local capacity and prioritises preventative measures and comprehensive assistance can contribute to a safer and brighter future for children caught in the crossfire of war.

5 - IMPLEMENTATION AND OPERATIONAL TOOLS

A) EU Tools for Action:

The EU has a range of tools at its disposal to address CAAC issues, building upon existing initiatives:

- **Political Dialogue:** The human rights aspects of political dialogue with third countries will include the well-being and rights of children in pre-conflict, conflict, and post-conflict situations.
- **EU Special Representatives (EUSR):** The EUSR for Human Rights has an important advocacy role with regard to global adherence to child rights standards. Geographic EUSRs should also take on specific actions and outreach on issues related to children and armed conflict in priority countries covered by their mandates. They should include CAAC in their presentations to Council Working Groups. The issue of children affected by armed conflict should be included in the mandates of EUSRs in priority countries when they come up for renewal.

- **Démarches and Public Statements:** EU will urge relevant third countries to take effective measures to ensure protection of children from the effects of armed conflict and grave violations and to end impunity. Recalling the important role the EU and its Member States can play in supporting dialogue with all parties to conflict over which they may have influence toward ending and preventing grave violations of children. The UN Secretary-General's annual report and his country-specific reports on children and armed and the accompanying conclusions of the UN Security Council Working Group on Children and Armed Conflict should guide EU outreach. The EU Special Representatives and Heads of Mission will be tasked to continue to address the matter with non-state actors where relevant. Where appropriate, the EU will also react to positive developments that have taken place. The EU will continue to advocate for the universal ratification of international human rights conventions, in particular the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict (OPAC) and the International Labour Organisation's Convention No. 182 on the Worst Forms of Child Labour. The EU will continue to encourage all states to further their commitments by considering endorsement of international instruments and commitments to protect conflict-affected children, including the Paris Principles and Commitments, Vancouver Principles, the Safe Schools Declaration and the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas (EWIPA). The EU will encourage all States to ratify the Rome Statute and to cooperate with the International Criminal Court and other international and regional tribunals and accountability mechanisms, including in the execution of arrest warrants.
- **Multilateral Cooperation:** The EU is engaged in funding projects relating to children and armed conflict and through humanitarian assistance and development cooperation. The EU will explore possibilities for extending support, considering the nexus between humanitarian, development, and peacebuilding needs.

- **Bilateral Cooperation:** The EU is engaged to support and fund programmes aiming at the protection and promotion of rights of children through bilateral cooperation with third countries and at regional level in the wider framework of international partnerships and humanitarian assistance. Member States will also reflect these priorities in their bilateral cooperation projects.
- **Support to the international, national and local non-governmental sector:** The EU continues to support non-governmental and civil society organisations involved in the protection of children and their rights in armed conflicts and other contexts of violence. This should include institution-building and strengthening of child protection initiatives, including child-friendly justice systems, juvenile justice administration, legislative reform, training and advice for local police and armed forces, penitentiary and justice administration officials, strengthening the capacity of local child rights NGOs; child-conscious Disarmament, Demobilisation and Reintegration (DDR) and Security Sector Reform (SSR).
- **Crisis management missions and operations:** The protection of children will be appropriately addressed and mainstreamed in the planning processes, documents and in the conduct of operations, in line with the updated Checklist for the integration of the protection of children affected by armed conflict into CSDP missions and operations. Mandates and operational plans will consider children's specific needs and child protection concerns, particularly those of girls, when possible, given the mandates and capabilities of the EU mission and operations. Training and advice on child protection will be should be provided for deployed military and civilian personnel of CSDP missions and operations.

- **Cooperation with partners:** Participation in local and regional Children and Armed Conflict Groups of Friends and equivalent working groups, as well as regular exchanges on monitoring and reporting with UN country task forces, the Office of the Special Representative for Children and Armed Conflict, UNICEF, DPO and DPPA.
- **Other measures:** The EU may consider targeted measures, including restrictive measures if appropriate, or review agreements with third countries based on their record on children's rights, particularly concerning CAAC.

Making use of the range of tools at its disposal, the EU will seek to ensure that the rights and specific needs of children will be taken into account in early warning and preventive approaches as well as ongoing conflict situations, peace negotiations, peace agreements, post-conflict phases of reconstruction, rehabilitation, reintegration and long-term development and ensure that grave violations committed against children be excluded from all amnesties. The EU will seek to ensure that the local community, including children, is involved in the peace process. In this context, the EU will take advantage of and build on experience gained within the UN system and regional organisations

B) Implementation:

Monitoring and Reporting

- **EU Heads of Mission, CSDP Heads of Missions and Military Commanders in priority countries:** Include analysis of conflict's impact on children in their regular reports, ensuring integration of CAAC in local EU Human Rights and Democracy country strategies and foster regular coordination on the ground with EU Delegations, EU Member States missions, CSDP missions and operations, UN Resident Co-ordinators and their Country Teams, UN Country Task Forces on Monitoring and Reporting (CTFMR) or their equivalents, other donors, NGOs and the private sector.

- **The Commission:** Draw the Council and Member States' attention to relevant reports and information on EU-funded projects related to CAAC, as well as ensure that adequate financial resources for the protection of children affected by armed conflict are allocated in priority countries, including to support the functioning of the monitoring and reporting mechanisms on the ground, and that EU-funded actions are in line with the Guidelines.
- **Member States:** Contribute information on relevant bilateral projects and diplomatic engagements related to CAAC, including in coordination on the ground in priority countries.

Council: Implementation and Follow-up

- PSC to oversee the implementation of EU actions under these guidelines and develop modalities for mainstreaming CAAC into relevant EU policies and actions, collaborating with other EU security and development bodies..
- COHOM to regularly review, update and publish the list of priority countries based on information from relevant sources, including the UN Secretary-General's report and briefings and ensure collaboration between relevant working groups.
- Relevant geographic Working Groups to formulate recommendations for action in their respective priority country situations.
- COHOM to review and evaluate the implementation of these guidelines in coordination with relevant actors and identify possible gaps and needs in close co-ordination with the relevant working groups, Special Representatives, Heads of Mission, Heads of Mission of civilian missions and EU Military Commanders (through the chain of command).
- COHOM to explore further cooperation with the UN, other international organisations, NGOs, and the private sector.

- The EEAS to report annually to the PSC on progress made towards fulfilling the objectives of these guidelines, especially in priority countries, and facilitate briefings by the UN SRSG on Children and Armed Conflict to the PSC.
- Chairs of relevant thematic and geographic working groups to include as relevant the issue of CAAC in their deliberations, including by organising joint discussions between working groups and facilitating external briefings from UN partners and civil society experts.

Additional Advocacy and Outreach Activities

- The High Representative will issue a statement on the International Day against the Use of Child Soldiers (12 February), jointly with the UN SRSG for Children and Armed Conflict on a biannual basis.
- The EU should raise awareness about CAAC issues on the occasion of the International Day to Protect Education from Attack (9 September) and World Children's Day (20 November), and explore further opportunities to raise awareness about CAAC issues.
- The EEAS should provide an information pack on children's rights in conflict zones for all new Heads of Delegations, CSDP Heads of Missions and Military Commanders, mission focal points, and human rights focal points at the start of their mandate.
- EEAS and Commission should organise regular, dedicated training on child protection and children and armed conflict in collaboration with UN partners, relevant Commission services, and NGOs, including on children and DDR or DDR-related processes.

6. CONCLUSION

These updated Guidelines on Children and Armed Conflict (CAAC) underscore the EU's resolve to prioritise the rights and well-being of children during times of war and instability.

To ensure the effectiveness of these guidelines, the EU will monitor and report on progress made. Regular reporting will be conducted, including to identify areas for improvement and adaptation, with a view to ensuring that the EU's response to the evolving challenges faced by children in armed conflict remains comprehensive and impactful.

By working collaboratively with UN agencies, national governments, local organisations, and civil society, the EU can create a safer and more hopeful future for children affected by armed conflict.

ANNEXES to the updated Guidelines

Annex 1 - Non-exhaustive list of international norms, standards and principles the EU may invoke in contacts with Third Countries concerning children affected by armed conflict

I. UN HUMAN RIGHTS INSTRUMENTS

Treaties and protocols

- Universal Declaration of Human Rights (1948)
- Convention on the Rights of the Child (1989)
- Optional Protocol II to the Convention on the Rights of the Child on the involvement of children in armed conflict (2002)
- Optional Protocol I to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2002)
- ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999)
- Convention relating to the Status of Refugees (1951)
- International Covenant on Civil and Political Rights (1966)
- International Covenant on Economic, Social and Cultural Rights (1966)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)

Security Council Resolutions

- Resolutions on children and armed conflict: 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014), 2225 (2015), 2427 (2018), 2601 (2021)
- Resolutions on women, peace and security: 1325 (2000), 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013), 2242 (2015), 2331 (2016), 2467 (2019)
- Resolutions on youth, peace and security: 2250 (2015), 2419 (2018), 2535 (2020)

Resolutions by the General Assembly related to Children and Armed Conflict

Resolutions on the rights of the child introduced by the EU, jointly with GRULAC, in the Human Rights Council and Third Committee of UN General Assembly on a bi-annual basis. These resolutions contain paragraphs on children and armed conflict.

II. INTERNATIONAL HUMANITARIAN LAW, REFUGEES AND IDPS

- Geneva Convention relative to the Treatment of Prisoners of War (1949)
- Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949)
- Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) (1978)
- Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) (1977)
- Convention relating to the Status of Refugees (1951)
- Protocol relating to the Status of Refugees (1967)
- Guiding Principles on Internal Displacement (1998)
- Customary International Humanitarian Law

III. INTERNATIONAL CRIMINAL LAW

- Rome Statute of the International Criminal Court (2002)

IV. OTHER RELEVANT INTERNATIONAL COMMITMENTS AND INSTRUMENTS

- Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles) (2007)
- Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict (2014)
- Safe School Declaration (2015)
- Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers (2017)
- Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas (EWIPA) (2022)

Annex 2 – EU policy and instruments

CFSP and crisis management instruments

- EU Action Plan on Human Rights and Democracy (2020-2024)
- EU Strategic Compass for Security and Defence (2022)
- Civilian CSDP Compact (2023)

- European Union's Human Rights and International Humanitarian Law Due Diligence Policy on Security Sector Support to third parties (2023)
- Joint Communication: an EU strategic approach in support of Disarmament, Demobilisation, and Reintegration of former combatants (2021)
- UN-EU strategic partnership on peace operations and crisis management: Priorities (2022-2024)
- Updated Checklist for the integration of the protection of children affected by armed conflict into CSDP missions and operations (2024)
- European Consensus on Humanitarian Aid (2008)
- EU-UNICEF Child Rights Toolkit: Integrating Child Rights in Development Cooperation (2014)
- Commission Staff Working Document on Humanitarian Protection – Improving protection outcomes to reduce risks for people in humanitarian crisis (2016)
- Commission Staff Working Document on Education in Emergencies in EU-funded Humanitarian Aid Operations (2019)
- Commission Communication on Education in Emergencies and Protracted Crises (2018)
- Commission Staff Working Document on Gender in Humanitarian Aid: Different Needs, Adapted Assistance (2013)
- Concept on EU Peace Mediation (2020)
- Peace Mediation Guidelines, EEAS (2020)
- EU Stabilisation Concept, WK 13776/2022 INIT (2022)

Community policy and instruments

- EU Child Rights Strategy (2021)
- EU Youth Action Plan in external action (2022-2027)
- EU Guidelines for the Promotion and Protection of the Rights of the Child (2017)
- Commission recommendation on integrated child protection systems (2024 tbc)
- Joint Communication: An EU strategic approach in support of Disarmament, Demobilisation, and Reintegration of former combatants (2021)
- Joint Communication: Elements for an EU-wide strategic framework to support Security Sector Reform (2016)

Annex 3 – Relevant UN reports and guidance documents

Reports of the United Nations Secretary-General

United Nations. Annual reports (2000–present) and country-specific reports (2006–present) on children and armed conflict.

Reports of the Special Representative

United Nations. Reports of the Special Representative to the General Assembly (1998–present) and to the Human Rights Council (1998–present).

Security Council and Working Group on Children and Armed Conflict

- Conclusions of the Working Group on the Secretary-General's country-specific reports on children and armed conflict: www.un.org/securitycouncil/subsidiary/wgcaac/sgreports.

- Resolutions and presidential statements on children and armed conflict:
www.un.org/securitycouncil/subsidiary/wgcaac/resolutions.
- Letters from the President of the Security Council to the Secretary-General on children and armed conflict: www.un.org/securitycouncil/subsidiary/wgcaac/letters.
- Terms of Reference of the Working Group on Children and Armed Conflict and the “toolkit”: www.un.org/securitycouncil/subsidiary/wgcaac/reference.

Publications and Guidance Notes by the Office of the SRSG CAAC

- The Six Grave Violations against Children During Armed Conflict: the Legal Foundation. New York, 2009 (updated 2013)
- Children and Justice During and in the Aftermath of Armed Conflict (2011)
- Guidance Note on Security Council 1998 (2014)
- Guidelines and Field Manual - Monitoring and Reporting Mechanism on Grave Violations against Children in Situations of Armed Conflict (2014)
- 20 Years to Better Protect Children Affected by Conflict (2016)
- Practical Guidance for Mediators to Protect Children in Situations of Armed Conflict (2020)
- Impact of the COVID-19 Pandemic on Violations against Children in Situations of Armed Conflict (2021)
- Guidance Note on Abductions (2023)
- Gender Dimension of Grave Violations Against Children In Armed Conflict (2022)
- Towards Greater Inclusion: A Discussion Paper on the CAAC Mandate and Children with Disabilities in Armed Conflict (2023)
