

Human Rights Council (18th session, 12 – 30 September 2011)

Item 3: Promotion and Protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Interactive dialogue with the SRSG on Children and Armed conflict

Thank you Mrs. President,

Defence for Children International would like to thank the SRSG on children and armed conflict for the presentation of her report to the Human Rights Council. We welcome the fact that substantive issues are mentioned in this report and warmly encourage the Special Representative to replicate and develop such scheme in her future reports. We also welcome the launch of the working paper on "Children and Justice During and in the Aftermath of Armed Conflict".

We welcome the special attention given to children and justice during and in the aftermath of armed conflict. As stated by the SRSG, in contemporary armed conflicts, it is often difficult to assess whether a child is a victim or a perpetrator and sometimes it can be both. We therefore appreciate that the report notes that "access to justice" as the "ability to obtain just and timely remedy for violations of rights as put forth in national and international standards", essential. In this context, it is important to ensure that the recruiters of child soldiers are held accountable

As an organisation fighting violations of rights of children in conflict with the law, we appreciate that the Special representative places special emphasis on the issue of the **accountability of children involved in armed conflict**. In this regard, we agree with the SRSG on the emerging concern of detention of children for alleged association with armed groups or other threats to security in several conflicts scenarios.

Like the SRSG, we believe that when prosecuting and detaining a child who is or was associated with an armed force, States should take into consideration the International juvenile justice standards, starting with the article 37 of the CRC and other rules and guidelines. The promotion of rehabilitation and reintegration of the child should also be a priority taking into consideration the principles and guidelines on Children Associated with Armed Groups.

➤ We would like to encourage **the Special Representative** to:

- Consistently address this issue with the national authorities of the countries she visits;
- To refer to the principles of a "child-friendly justice", as a justice that is "accessible, age appropriate, speedy, diligent, adapted to and focused on the needs and rights of the child, respecting the rights of the child including the rights to due process, to participate in and to understand the proceedings, to respect for private and family life, and to integrity and dignity."

➤ We call upon the Human Rights Council to:

- Consistently address this particular issue when it monitors the human rights situation of Member States in the UPR; and

- Finally, DCI would like to reiterates its commitment to continue lobbying and advocating for the universal ratification of the two Optional Protocols to the CRC, in particular the one on the involvement of children in armed conflict

Thank you Mrs President