



Children and Justice in times of armed conflict : the Middle East experience

Side-Event 7 June 2013, HRC23, 1-3 pm, room XXV

Dear Moderator,

Dear panellists,

Ladies and gentlemen,

It is my pleasure to be here with you today and to associate my country, Luxembourg, with this important side-event. First and foremost let me thank Defence for Children International for the excellent initiative and the very interesting topic they have chosen.

Before entering into the heart of the matter, I would like to stress Luxembourg's commitment to protecting and advocating the rights of children during armed conflict.

Luxembourg tries to advance the goal of protecting children during armed conflict through its humanitarian and international development cooperation activities as well as its support to NGOs advocating for child rights like DCI.

Since January 2013 my country is chairing for a period of two years, the Security Council Working Group on Children and Armed Conflict. This subsidiary organ of the United Nations Security Council was established in 2005 pursuant to Resolution 1612, in order to promote the protection of children in armed conflict. The Working Group reviews for example reports on children in armed conflict in specific country-situations and makes recommendations to parties to conflict, Governments and donors, as well as United Nations actors, in particular the Security Council, on measures to promote the protection of war-affected children.

I am happy to inform you that in 10 days from now, on the 17th of June, a debate on children and armed conflict and, more specifically, on the annual report of the Secretary-General on children and armed conflict, that should be published today, will be held in the Security Council. As Chair of the Working Group, and thus as "penholder" on the subject, Luxembourg works currently on a Presidential statement to be adopted on the occasion of this debate. The Luxembourg Presidency of the Security Council, in February 2014, will be a further opportunity to hold an open debate on children and armed conflict and adopt a new thematic resolution on the subject.

According to the Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui, and I quote, “children are the primary victims of all armed conflict. They are both its targets and increasingly its instruments. Their suffering bears many faces, in the midst of armed conflict and its aftermath” (end of quote). Children are killed or maimed, abducted, deprived of education and health care, recruited and used as child soldiers and submitted to acts of rape and other sexual violence.

Three weeks ago, during her official visit to Luxembourg, the Special Representative of the Secretary-General for Children and Armed Conflict highlighted once more the importance for the international community to intensify its efforts to ensure that perpetrators of the aforementioned violations and abuses against children are held accountable before national and international courts.

Sadly enough, those most responsible for committing violations and abuses against children during armed conflict receive very often no punishment for their crimes. Without justice, children and their communities can never completely heal. Without the very real promise of punishment, there is no deterrent for potential perpetrators.

In this regard, I wish to stress the exemplary work that is being done by both the civil society and the international community to fight against impunity and to address the needs of conflict-affected children.

I would also like to seize this opportunity to welcome the dedicated leadership of the Prosecutor of the International Criminal Court in addressing the issue of children and justice in armed conflict.

Let us not forget and underestimate the difficulty for victims to come forward in judicial proceedings where they will have to face their harrowing memories and their assailants.

For children, justice includes far more than punishing a perpetrator. Equally important are the restoration of their rights and dignity. Reparations addressing the fact that they lost their childhood, family, education and livelihood, are also indispensable. Courts should include reparations in their judgments and sentencing hearings and provide victims with assistance in the form of physical rehabilitation, education, and psycho-social support.

Even if over the past 20 years, the international community has set up a number of new accountability mechanisms with the aim of ending impunity for violations and abuses against children, much more needs to be done.

Given that today’s side-event is focusing on the Middle East, please allow me to stress our concerns on the severity of violations and abuses committed against children in the Middle East.

More specifically, Ms Leila Zerrougui noted in her contribution to the Security Council debate on 14th April 2013, today, more than three million children in Syria suffer from the consequences of the on-going conflict. Thousands of children have been killed in their homes and schools, many have died trying to reach hospitals or while hiding in shelters. To quote Ms

Valerie Amos at the launching this morning of the side Syria Humanitarian Appeal, a whole generation of Syrian children have been traumatized by the experience of violent conflict and violence, including sexual violence.

In addition, cluster munitions have resulted in the mutilation of hundreds of children. The indiscriminate and disproportionate use of force in residential areas has put children in harm's way.

Children are allegedly being used as human shields by Governments forces, while children as young as ten are recruited and used by armed opposition groups for military purposes, including as porters, messengers and combatants.

Following a visit to Syria by Leila Zerrougui late last year, the Government of Syria and the Free Syrian Army have both agreed to cooperate with the United Nations on child protection. However, flagrant child rights violations and abuses continue to be reported, and the international community must thus continue to pressure both parties to abide by their commitments. My Government remains committed to raise its voice and to support collective efforts to put an end to the bloodshed in Syria, and to ensure accountability for the victims. We call on all parties to respect the international humanitarian law, including the protection of and the access to schools and medical facilities. Luxembourg has thus called repeatedly for the referral of the situation in Syria to the ICC.

If I have concentrated on the present issues concerning children in the context of the Syrian crisis, we should of course not neglect serious challenges elsewhere in the Middle East. I am confident that our different panellists will contribute crucial information on these different situations.

Let me now, once again, thank you for having organized this side-event. Let us now listen to our honourable speakers and experts around the table to present their views.