
Protecting Children in Armed Conflict

A CONVERSATION WITH
RADHIKA COOMARASWAMY

FLETCHER FORUM: *How has your work on the Sri Lankan Human Rights Commission and as the former Special Rapporteur on Violence Against Women shaped your views as the Special Representative of the Secretary-General for Children and Armed Conflict?*

COOMARASWAMY: My background is in human rights. Women's and children's issues have always been looked at through the eyes of rights, whether it concerns women who are victims of violence or now children who are victims of armed conflict. Part of that rights agenda is, of course, asserting and empowering people, but it's also fighting impunity for crimes of violence. That perspective has informed my work with children and armed conflict as much as it has on violence against women.

Radhika Coomaraswamy, a lawyer by training and formerly the Chairperson of the Sri Lanka Human Rights Commission, is an internationally known human rights advocate who served as Special Rapporteur on Violence against Women from 1994-2003. Ms. Coomaraswamy was appointed chairperson of the Sri Lanka Human Rights Commission in May 2003. She was also a director of the International Centre for Ethnic Studies in Sri Lanka, leading research projects in the field of ethnicity, women, and human rights. She has served as a member of the Global Faculty of the New York University School of Law and has published widely, including two books on constitutional law and numerous articles on ethnic studies and the status of women. Ms. Coomaraswamy was appointed by United Nations Secretary-General Kofi Annan as under-secretary-general, special representative for children and armed conflict in April 2006. She was reappointed by the UN Secretary-General Ban Ki-moon in February 2007. In this capacity, she serves as a moral voice and independent advocate to build awareness and give prominence to the rights and protection of boys and girls affected by armed conflict.

FLETCHER FORUM: *Why are we seeing an increase in attacks on education, and especially on girls' education? What can increased global awareness do to mitigate this threat, and are there other ways we can work towards safeguarding education during conflict?*

COOMARASWAMY: Schools have traditionally been targets for recruiting children for armed forces. Armed groups go into schools and forcibly recruit or sometimes entice children to join them. Schools are also used by militaries; they occupy schools and prevent children from attending classes because they're the only buildings in town that can be used. But in recent years, groups are against educating girls and against curriculums, if not on a religious basis, then for ideological reasons. This accounts for the increase in attacks on schools. What we find is that there is awareness at different levels. On the international level, reporting to the Security Council through the 1612 mechanisms is critical. But we're also raising awareness at the community level and have had some successes where we've managed to rebuild schools and to raise awareness among elders in that community who have escorted girls to school. We find also that there is a decline in attacks on schools in Afghanistan, which I think has a lot to do with the fact that the communities are mobilizing, telling the perpetrators that they won't tolerate these attacks against their communities.

FLETCHER FORUM: *Over the past decade the number of children participating in armed conflict has decreased, but this decrease might be due to the cessation of conflicts, not the cessation of recruitment. The Coalition to Stop the Use of Child Soldiers wrote in its 2008 report that, "When armed conflict exists, children will almost inevitably become involved as soldiers."¹ Do you agree? Is protecting children in armed conflict an unwinnable battle?*

COOMARASWAMY: No, I do not think it is inevitable that children will become soldiers. There have been wars in which children were not soldiers. There have also been many good commanders who have turned child soldiers away. The fact that commanders have a choice in recruiting or not recruiting children, that is the basis for these war crimes, because we feel it is a choice that commanders have and that they make, for which they are criminally accountable.

FLETCHER FORUM: *Has there been progress in stopping child recruitment and if so to what factors do you attribute this progress?*

COOMARASWAMY: There has been progress, mainly due to the use of accountability mechanisms like the International Criminal Court, which has sent out a real deterrent signal by making its first case, the Thomas

Lubanga Dyilo case, against child soldiers. Also, the Security Council now sponsors the threat of sanctions against the recruitment and use of child soldiers. I think the strength of accountability and increasing general awareness that this is wrong has affected recruitment. Of course, the two great wars of Africa that used child soldiers, Liberia and Sierra Leone, are over. But there are still issues in Central African Republic, Congo, Sudan, and Chad.

FLETCHER FORUM: *As someone who has clearly brought women’s and girls’ rights forward, what are the areas in your work now that you think most need a gendered analysis and approach?*

COOMARASWAMY: One of the issues we can talk about is girls in combat; we haven’t looked at it enough. Also, as was my submission to the ICC in the *Lubanga* case, we need to look at the fact that girls have a particular status in many of these wars. On one hand, they’re combatants, on the other, they’re sex slaves or domestic aides. They play these multiple roles and I don’t think enough analysis has been done on that aspect of girls’ involvement in armed conflict.

FLETCHER FORUM: *What other areas of child protection do you think are less visible or under-addressed by the international community?*

COOMARASWAMY: To me, the issue emerging as a real concern is the changing nature of the ways wars are fought and the impact it has on children. We are finding in Afghanistan, Somalia, and Iraq the beginning of the phenomenon of child suicide and victim bombers, where children are being used to detonate bombs on their bodies or people detonating them from afar. This is a horrific development. Children also are victims when public places are attacked by terrorists. We face large numbers of children being detained because they are suspected of being close to some of the armed groups. Aerial bombardment and new technologies and their impact on

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women and children are additional areas regarding the changing nature of conflict that have not been raised. The second area of concern is that

more and more children are coming before the justice system as victims or witnesses and therefore have to give evidence in these new cases of war crimes and crimes against humanity. In the *Lubanga* case, the first witness recanted the moment he saw *Lubanga*. This highlights the kind of issues that are faced when you have a child testify in war crimes cases. The United Nations System and others only believe that children should come before the justice system as a last resort if they are perpetrators. We should divert them away from the justice system to be rehabilitated rather than punished.

FLETCHER FORUM: *Your office suggested standard operating procedures (SOPs) for protecting children during military operations, viewed as especially necessary as warfare shifts to aerial attacks, drone attacks, bombardments, and night raids. How much progress have you made in getting the SOPs accepted, and how realistic is it that militaries and armed groups would accept external procedures that could hinder their operations?*

COOMARASWAMY: Well, standard operating procedures can be successful with recognized armed forces of states. I don't know how successful they will be with armed groups. We have had some successes with the Ugandan People's Defense Force for example in fighting the Lord's Resistance Army (LRA); we managed to get them standard operating procedures for what they should do if they come across LRA children in the midst of their military operations. We also know that the American military, as well as ISAF (International Security Assistance Force) in Afghanistan, has produced standard operating procedures in regards to aerial bombardment, which has somewhat lessened civilian casualties. So, these do work with regards to recognized militaries.

FLETCHER FORUM: *After more than five years in your current position, what trends have you seen that you think we should most be aware of in the next five years to address the impact of armed conflict on children?*

COOMARASWAMY: We've focused a lot on accountability and monitoring and reporting and I think that emphasis should continue. But now we also have to start to think about prevention, and putting in place systems that would prevent the recruitment of children before we get to the point where they're being violated. More thinking and more programs have to go into that and so that will be the next phase. ■

ENDNOTES

- 1 *Child Soldiers; Global Report 2008*. London: Coalition to Stop the Use of Child Soldiers, 2008.