

Refugee children



Introduction

On the 16<sup>th</sup> of September 1999 the UN Secretary General Kofi Annan made a statement to the Security Council on the subject of 'The protection of Civilians in Armed Conflict'. In his statement he commented that since January 1999 conflicts have erupted or re-ignited, in Angola, Columbia, Sierra Leone, Kosovo and East Timor. During the past decade Kofi Annan states that many millions of civilians have been killed in conflict and that over 30 million have been displaced. In particular he comments that more than just victims of crossfire we now see civilians themselves becoming targets in today's conflicts.

In August 1999 the Security Council passed resolution 1261 which condemned in particular the targeting of children in situations of armed conflict. The resolution included references to killing, maiming, sexual violence, abduction and forced displacement, recruitment and the use of children in armed conflict in violation of international law.

As we approach the end of the century, Kofi Annan observes that this century has seen the creation and refinement of much of what we know as international law yet never before have civilians seemed so vulnerable. As we approach the new millennium, he reports that international law and human rights law is being disregarded by combatants and only sporadically reinforced by the international community.

These resolutions and other information have a lot to tell us about the characteristics of today's conflicts. Olara Otunnu, the Special Representative of the Secretary-General for Children and Armed Conflict reports that conflicts are widespread. Focusing on children, he estimates that children are suffering the effects of conflict in approximately 50 countries with a resulting 20 million children displaced by war both within and without their countries. Conflicts today are civil in nature. The combatants are from the same country and more often from the same village or neighbourhood. With conflict comes widespread social breakdown and lawlessness. Social networks are disrupted or torn apart. The familiar becomes unfamiliar and unwelcome and civilian groups take the law into their own hands. Within these conflicts there are no clear groups of combatants, instead we see multiple armed groups or militia. Their allegiance and support is unclear and the subject of much conjecture. These groups target civilian populations. Rounding up family groups, separating men from families, raping women and creating an environment of terror. Social structures such as churches, mosques, libraries, hospitals and schools are deliberately destroyed and family homes burnt to the ground.

As Kofi Annan said, all of this occurs in defiance of international law and human rights.

Focusing on children in conflict and the instruments that refer directly to them it is important to look to the UN Convention on the Rights of the Child, the Geneva Conventions and the Additional Protocols. The convention on the Rights of the Child is the most widely ratified human rights treaty in history (UNICEF, 1999). It was unanimously adopted by the UN General Assembly in 1989 and it has been ratified by all States with the exception of two: Somalia and the USA. Despite this powerful instrument the generally held view is that the impact is thin. The challenge for the next millennium is to shift from the elaboration of norms to application and respect of the instruments on the ground. Refugee children and the Rights based approach.

The CRC has helped us to reconceptualise refugee children. Where previously they were seen as having needs that should be met they are now conceptualised as having legal rights. This has resulted in a shift in the way children are now thought of. An example of this is that in recent years in refugee work children have been defined as a 'vulnerable group' within the refugee population. This has been extraordinary given that children actually constitute the majority of the world's refugees. More commonly children are now thought of as children in difficult life circumstances. The vulnerability results from the situation rather than childhood alone. In addition there is now a recognition that children move between categories, street children become child soldiers, become refugee children, become internally displaced over time. Within the CRC there are four categories of rights: survival rights, development rights, protection rights and participation rights. The benefits of having these rights enshrined in a Convention are that the CRC has created a unifying structure for action and advocacy. It has provided a frame of reference in guiding assessments of the situation of children and it has provided a normative framework of reference in defining standards and objectives for action on behalf of children. The rights based approach has also helped incorporate family and community in addressing children's situation.

## Refugee children

Maryanne Loughry RSP University of Oxford

# Security Council Resolution 1261-25/8/1999

- The Security Council strongly condemned the targeting of children in situations of armed conflict including:
- killing and maiming
- sexual violence
- · abduction and forced displacement
- · recruitment in armed conflict

## Olara Otunnu

- Special Representative of the Secretary-General for Children and Armed Conflict
- In approximately 50 countries children were suffering the effects of conflict and its aftermath. 20 million have been displaced by war with and without their countries and 300,000 under the age of 18 were currently being exploited as child soldiers.

# Anwarul Karim Chowdhury Bangladesh

- No other issue has the same urgency and long-term impact on problems relating to international peace, security and development as that of children in conflict.
- It not only robbed children of childhood but also destroyed the productive human potential for generations. (sic)

## Chowdhury's recommendations

- A co-ordinated response to post-conflict situations
- Rehabilitation of children should constitute a central element of peace building programmes
- Governments should incorporate forceful child protection elements in domestic and foreign policies

## Recommendations continued

- In conflict, facilities like schools should be considered as free zones.
- Children should be conceptualised as 'zones of peace'

## Today's conflicts

- Civil wars
- Widespread social breakdown and lawlessness
- · Multiple armed groups
- Villages and civilian populations are the primary target

# International humanitarian and human rights instruments

- Impressive number including UN Convention on the Rights of the Child, The Geneva Conventions and Additional Protocols
- · Impact is thin
- Efforts need to be put into shifting from the elaboration of norms to application and respect on the ground

# The Rights-Based Approach

- Until recently children were thought of 'as having needs that should be met, rather than as having legal rights'
- In refugee work they were often defined as a 'vulnerable group' within the refugee population. Extraordinary when they actually constitute the majority of the world's refugees.

# CRC

- 1989 Convention on the Rights of the Child is ratified.
- The CRC offers the highest standard of protection and assistance for minors of any international instrument.

## Categories of CRC Rights

- <u>Survival Rights</u>: The right to life and the needs most basic to existence
- <u>Developmental Rights:</u>The rights for children to reach their fullest potential
- Protection rights: Necessary for safeguarding children against all forms of abuse, neglect and exploitation
- <u>Participation rights</u>: Allowing children to take an active role in their community

# Principles of CRC

- 1. Best Interests (Article 3)
- 2. Non-discrimination (Article 2)
- 3. Participation (Article 12)

### Benefits of CRC

- CRC has created a unifying structure for action and advocacy
- CRC provides a frame of reference in guiding assessments of the situation of children
- CRC provides 'a normative frame of reference' in defining standards and objectives for actions on behalf of children

### Benefits (cont.)

- The rights based approach has helped put a perspective on difficult life circumstances for children rather than descriptive categories such as 'street children' or 'refugee children' alone.
- The rights perspective has helped incorporate family and community in addressing the child's situation

# Concerns about the CRC

- Concern about the notion of children having rights
- 'Globalisation' of childhood-this is seen as problematic as universally agreed norms and standards may be at odds with local customs and beliefs

#### ŝ

# Concerns about Child development

- Concepts about childhood and adolescence differ by place and context
- 'under the age of 18' may not fit with beliefs and customs

## A psychosocial perspective

Maryanne Loughry RSP University of Oxford

# Definition of psychosocial

- Close relationship between psychological and social. The one type of effect continually influences the other.
- Psychological-those experiences which affect emotions, behaviour, thoughts. memory and learning ability.
- Social-experiences which alter people's relationships to each other.

# Psychosocial well-being

• Psychosocial well-being consists of healthy emotional, cognitive, social and spiritual development. It includes social integration, sense of economic and physical security, and a sense of identity.



## Large scale interventions

- Large scale interventions: build trust, tolerance, human rights, hope, social participation and security.
- Programmatically:Shelter, health care,food security, economic and developmental opportunity, constructive mass media, promoting social participation

## **Community Interventions**

- Community interventions: efforts to promote healing, solidarity, social integration and effective social institutions.
- Programmatically:Reunification of separated children with families, support for single parents, activities for youth, crime prevention, education

### Specialised clinical interventions

- Specialised clinical interventions: for those psychologically traumatised or severely affected
- Programmatically:Counselling in groups or 1:1, psychotherapy, drug therapy, PTSD treatment

# The aims of psychosocial programming for children

- · to improve children's well-being;
- to restore the normal flow of development;
- to protect children from the accumulation of distress and harmful events;
- to enhance the capacity of families to care for children;
- to enable children to be active agents in rebuilding their community.

## Child development

- Child development is linked with the social and cultural fabric of their environment. A holistic view of development is necessary.
- The child is conceptualised as being part of a dynamic social system
- The focus is on the child interacting with the social system, family, community, ethnic group etc

# Child psychosocial programming

 Fundamentally psychosocial programming consists of structures activities designed to advance children's psychological and social development and to strengthen protective factors that limit the effects of adverse influences

# Programs specifically for children

- tracing and reunification
- early stimulation programs for infants
- · early child development programs
- · positive parenting programs
- violence prevention and peace education
- · social reintegration of child soldiers
- · awareness training on child rights

### Overall

- Programs need to be:
- respectful of local culture
- supportive of local capacities to assist children
- · based on partnership
- strengthening of family and community supports