Pierce-The American College of Greece Model United Nations | 2022

Committee: Security Council (SC)

Issue: The issue of repatriation and reintegration of children affected by armed

conflict

Student Officer: Efi Charalampopoulou

Position: Deputy President

PERSONAL INTRODUCTION

Dear Delegates,

My name is Efi Charalampopoulou, I am a student in the 10th grade of CGS and it is my utmost honor and pleasure to be serving as a Student Officer in the 5th ACGMUN conference. MUN has, undoubtedly, been one of the most edifying experiences of my life, so far, leading to my great passion for it. Personally, I consider MUN to be a one-in-a-lifetime chance for us, teenagers, since it is the way of directly expressing our views on influential matters. Furthermore, the Security Council has always been specially captivating to me and thus I am beyond thankful for the opportunity I have been given. The UN Security Council tackles some of the most urgent international issues and conflicts, aiming to ensure international security and peace, through binding measures.

This study guide touches upon the issue "The issue of repatriation and reintegration of children affected by armed conflict". This study guide provides you with essential information in various aspects of the issue, since a variety of them must be considered, in the process of coming up with ideas to resolve the issue. Despite the fact that this study guide approaches several facets of the issue, it should not be used as the only source in research. As a result, you are highly encouraged to conduct your own extensive research upon the topic, in order to gain a holistic understanding, both on the topic, as well as your country's perspective towards it. Should you have any questions and need any further clarifications, do not hesitate to contact me in the following email, as it always remains open for you: efisofi.xaralampopoulou@gmail.com

I am looking forward to meeting you all in April,

Efi Charalampopoulou

TOPIC INTRODUCTION

The issue of repatriation and reintegration of children affected by armed conflict is vastly important to address. The multiple and ongoing conflicts have detrimental effects on societies and as a result the role and use of children in those is worth investigating. Militarization and recruitment, child labor, prostitution and immigration are some of the possible scenarios that children may find themselves in during conflict. Hence, the use, involvement or even the future of children, such as immigrants, soldiers or workers is unfortunate. "According to UN estimations, in 2019, 1.6 billion children (69%) were living in a conflict-affected country. Furthermore, as of 2020, over 8.500 cases of child soldiers have been spotted, which is a usual way to use children during conflict." These numbers and statistics indicate the significance of resolving this issue. The effects of any conflict on a child are detrimental, including mortality, poverty, psychological problems, difficulty in reintegration, increased criminality numbers, invasion of fundamental human rights, which should also be addressed, when combatting the issue.

Bearing in mind the need to fulfil UN's Sustainable Development Goals for 2030, the 16th SDG refers to "Peace and Justice" and, thus, universal attention should be given to the issue. Due to the multiple situations children may find themselves into during conflict, the issue of repatriation and reintegration is deemed as a multifaceted topic and that demands well-rounded and targeted solutions.

Considering ACGMUN's theme for this year, being "Decent Work and Economic Growth" the interconnection of the topic of repatriation and reintegration of children affected by armed conflict, is worth investigating. It is undoubtable that any conflict has serious consequences on the society, including the economy. For this reason, during the aftermath of a conflict, the issue of reintegration and repatriation of children is a step, towards ensuring growth, in all aspects (social, political, economic).

¹ Person. "More than 8,500 Children Used as Soldiers in 2020: U.N." *Reuters*, Thomson Reuters, 22 June 2021, https://www.reuters.com/world/more-than-8500-children-used-soldiers-2020-un-2021-06-21/.



Figure 1: Child Soldiers ²

DEFINITION OF KEY TERMS

Amnesty

Amnesty is a judicial decision, according to which a person, who has committed a crime is free or can't serve a penalty for a period of time.

Armed Conflict

"Armed Conflict is the type of conflict, in which there is resort to armed force between two or more States involved, regardless of the reason or the intensity of the conflict." 3

Bureaucracy

Bureaucracy is the type of organization, in which a state, has complex and contradictory rules and procedures. Ergo, reintegrating and repatriating plans are hard to follow, due to the fact that it takes much time to ensure that they abide by the complex rules and procedures.

Corruption

Corruption is the abuse of entrusted power for private gain and interests. Corruption consequently leads to weakening democracy, hampering economic development and exacerbating social gaps and inequalities. The final consequence is the pose of obstacles in the standard flow of a society, such as the function of judicial institutions, jurisdiction, justice, services etc.

² "Child Soldiers • Stimson Center." *Stimson Center*, 13 July 2021, https://www.stimson.org/project/child-soldiers/.

³ "Armed Conflict." *Amnesty International*, 1 June 2021, https://www.amnesty.org/en/what-wedo/armed-conflict/.

Disarmament, Demobilization and Reintegration Programs (DDRs)

"Disarmament, Demobilization and reintegration (DDR) programs aim to support excombatants in (post--) conflict situations, promote security and stability, and create conditions for sustainable peace and development"

Impunity

Impunity is the decision of the government to "forgive" offenders and thus exempt them from serving their penalty (either totally or partially) for a specific period of time or generally. Usually, impunity is the positive consequence of the offenders' social identity and behavior (e.g. them volunteering).

Internally Displaced Persons (IDPs)

"A person or groups of persons who has been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border"⁵

Jurisdiction

"Jurisdiction is the authority and responsibility of a sovereign power to govern and legislate through the interpretation and application of the law through judicial institutions, aiming to administer justice."

Militarization

Militarization is the act of assembling and preparing for an upcoming conflict. In most cases, this includes the organization of civilians, through the resemblance of armed forces and equipment, e.g. uniforms, weapons etc.

Military Tribunals

Military Tribunals are a type of military courts, which are designed for members of enemy forces during wartime, operating outside the scope of conventional criminal and civil proceedings. "The judges are military officers and fulfil the role of jurors. Military tribunals are distinct from courts-martial. A military tribunal is an inquisitorial system based on charges brought by military authorities, prosecuted by a military

⁴ Lessons from)DDR)Programmes - GSDRC. <u>https://gsdrc.org/wp-content/uploads/2016/06/HDQ1368.pdf</u>

⁵"Internally Displaced Person." Migration and Home Affairs, https://ec.europa.eu/home-affairs/pages/glossary/internally-displaced-person en

authority, judged by military officers, and sentenced by military officers against a member of an adversarial force."⁶

Recruitment

Recruitment is the procedure, which is used when conflict is expected shortly, as an aspect of militarization. During recruitment, the government military/organization, involved in the upcoming conflict, seeks to enlist citizens in the armed forces that will be used during the conflict.

Reintegration

Reintegration is the process of re-entry into society, after an unfortunate situation that requires partial social reverence. These situations include imprisonment, the aftermath of a conflict etc.

Repatriation

Repatriation is the procedure of returning someone/something to their country of citizenship, origin and allegiance.

BACKGROUND INFORMATION

Militarization & Recruitment

The phenomenon of child militarization and recruitment is a possible scenario in which children might have themselves in during conflict. According to UN International Children's Emergency Fund (UNICEF) estimates and reports, over 250.000 soldiers have been reported, in at least 20 countries. These countries are mostly Asian and African, such as Myanmar, Yemen, Nigeria, Afghanistan etc. There are two types of predators in child recruitment. The first one, which is less likely, is by state armed forces and the second one is by non-government-controlled groups, such as terrorist groups (e.g. Boko Haram, Al-Qaeda, ISIS). What is predominant to comprehend is the multiple roles of recruited children during conflict. Recruited underaged persons are not only used in the military, but could also be used as cookers, weapon producers, sex slaves etc. This is, furthermore, the reason why 40% of children recruited are girls, since they are useful in any aspect, except for militarization.

The causes, which contribute to the use of children during conflict are multiple and various. Firstly, underaged persons are easy to mentally manipulate and as a result

⁶ "Definitions for Military Tribunals in the United Statesmil·I·TA·Ry Tri·Bunals in the Unit-Ed States." What Does Military Tribunals in the United States Mean?, https://www.definitions.net/definition/military+tribunals+in+the+united+states.

after proper training they are deemed are more "effective" in war, since they are unscathed of emotion. For this reason, the peak age of child soldiers is the age group of 6-12 and are widely-used for suicide-bombing attacks. Secondly, in case children commit any sort of crime, they are hardly ever punished by military tribunals, due to the recognition that these acts stem from threat, pressure and manipulation. Bearing that in mind, terrorist organizations or states in conflict that recruit children, are free of any sort of punishment and legal confrontation, which exacerbates the issue. Furthermore, during the recruitment process, usually, no objective supervisory mechanisms are used. Due to the lack of external and objective supervision during the recruitment process, children are also included. Later on, during conflict, reporting systems are weakened, because of the hectic situation in any nation that might be in war or conflict. Consequently, reporting child-soldier incidents is deemed impossible and even if it happens, because of the corrupt judicial institutions, legal confrontation is non-existent. In the last decades, there have been minor cases, in which organizations have been reported for child recruitment, such as the Islamic State of Iraq and the Levant (ISIS). However, many crimes committed by such terrorist groups are lapsed, due to the time that has passed, leading to it not being punished legally (e.g. by the International Criminal Court (ICC)). Lastly, a minor but important cause for the aspect of militarization is voluntary participation. Acknowledging that the situation during conflict will accelerate with an unknown future for many children, many prefer to join military forces than to be refugees or immigrants, in the hope that they will once be repatriated and reintegrated.

As logical, the effects of child recruitment and militarization are detrimental. These can be divided in two categories: those towards the individuals and those towards the society. Children, during the post-conflict period, suffer from extreme psychological trauma, mostly including the following: Borderline Personality Disorder (BPD), Post-Traumatic Stress Disorder (PTSD), as well as disorders that fall under category of anxiety and depression related disorders. Furthermore, as shown in figure 27, a remarkable number of them die during conflict, are orphaned or suffer from longlasting, and even lifelong injuries. In addition to that, a worth-addressing number of recruited children are left in poverty status or become refugees. On the other hand, the phenomenon of recruitment of children, is damaging to societies, during and after any war. It leads to long-lasting and non-sustainable immigration waves, such as the ones caused by conflicts in Asian countries (Syria, Afghanistan etc). Ergo, the detection, repatriation and reintegration process is deemed impossible, due to the fact that refugees are illegal citizens of a country and have no proof of official documentation. As it has been mentioned already, poverty, unemployment etc for this minority are common. Lastly, increased criminality is a phenomenon that is often noted post-conflict, in cases where children were exploited. The combination of the

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⁷ "Child Soldiers", http://childsoldierkljkjl.weebly.com/uploads/5/7/6/1/57617685/166491987.png

mental manipulation they have undergone, as well as the unfortunate living conditions they will find themselves in post-conflict, are the driving causes towards them being predators of terrorist attacks, assaults and acts of violence.

Figure 2: The Impact of Child Soldier Recruitment on Children

Corrupt Detection and Integrating Institutions

The last ten years CHILD SOLDIERS Died 2,000,000 Orphaned 1,000,000 Injured 6,000,000 Trauma 10,000,000

Column Chart

10,000,000

7,500,000

5,000,000

2,500,000

Died Orphaned Injured Trauma

One of the major issues that need to be addressed is the presence and enhancement of corruption in integrating mechanisms. Because of the hectic situation that takes place during conflict, reporting systems, reintegrating and repatriating mechanisms, judicial institutions and peacekeeping forces face abnormal corruption and are hence considered as "shut-off" during periods of conflict. Therefore, they can't function properly, which poses obstacles, in order to establish feasible and effective reintegrating and repatriating patterns. What is moreover interesting to investigate is a widespread belief that post-conflict corruption is not only normal but also beneficial, so as to ensure political and social stability, which is the foundation to after-conflict recovery. Due to the dysfunctional situation such governmental institutions are in during and after conflict, not many incidents of child exploitation are reported. Even in case they are reported they are hardly ever brought to court, as they have either lapsed or lack official documentation, which could be used as evident proof.

However, what could be done to minimize or prevent corruption prior, during and post conflict? A majorly effective measure is the presence of external assistance. States that undergo such situations face corruption, due to the interfering benefits a state might have within the conflict. Another factor that exacerbates corruption is the already-destabilized political situation of a state that could lead to a civil war, for example an attempt of military coup. Hence, mechanisms that ensure the presence of external assistance and support, exempt for benefits, is a needed measure.

A variety of factors contribute to the existence of corruption in post-conflict periods. Firstly, the hectic ongoing situation poses obstacles to the collection of documentation, which leads to difficulty in the judgement of child labour, prostitution, recruitment etc cases. The involvement of military tribunals in the issue is of utmost importance. While military tribunals are deemed as a corrupt means of jurisdiction, many problems in their function would remain, even in a utopic non-corrupt status. As deemed logical, military tribunals show full acknowledgement and recognition of the fact that any crime committed by children (e.g. terrorist attacks, attempted suicide bombings) or their engagement in illegal environments (e.g. trafficking, weapon production, prostitution) is the product of mental manipulation. Through the various uses of children, the users (in most cases organizations) are fully aware of the fact that children probably won't face a legal punishment. This stems from the overuse of amnesty and impunity towards children, as they can't be considered as the usual stereotype of a predator, bearing in mind the ongoing volatile situation at hand and their involuntary and violent involvement. Of course, amnesty and impunity should be used, but legal confrontation of the issue is needed. Hence, children should not on the one hand face punishment, as they are the people that perform the crime and the actual predators are the people who use the children in that way, but judicial institutions should have to focus on detecting the indirect predators, which are the exploiters of the children. Thus, through detecting the responsible organizations/states these cases should be brought to international, less corrupt and objective institutions, such as the International Criminal Court and its Judicial Divisions.

Another major issue that needs to be addressed is bureaucracy. Bureaucracy affects the post-conflict repatriation and reintegration process. It is undeniable that states in conflict recognise the illegal activity that takes place during conflict. This includes illegal child labour, recruitment and weapon production as well as internal displacement etc. However, due to the lack of official documentation, which is impossible to collect during conflict, people are not repatriated and then reintegrated. As a result, the presence of an objective and external supervisory, documenting and reporting system would be useful, in the combatting of the aftermath of any conflict. Only through the establishment of such an environment whilst-conflict, will citizens

be able to exercise their right to request legal confrontation, in case they were exploited during conflict.

Lastly, the lack of external assistance is vital upon the issue. In most cases of conflict, external involvement by states is detrimental as it exacerbates the issue. There are various instances in human history to prove that benefits of states are shown through their "support" during conflict. Generally, this (external involvement) leads to more chaotic situations and pose obstacles towards resolving the issue that causes conflict thoroughly. For this reason, supervision by states is deemed in most cases as ineffective, especially when the nations have contradictory benefits and interests. On the other hand, external assistance could be acted by an objective, unbiased carrier. The UN and its organs, has undertaken several peace-keeping actions, for example in Iraq and Afghanistan, in order to ensure the fortification of the UN Declaration of Human Rights. Moreover, the Human Rights Watch has played a significant role during conflict. All of the aforementioned tactics should aim to supervise, detect and report incidents of exploitation of children, so as for the confrontation of them to be conducted after conflict. The most urgent issue that such organs might face is the lack of funding. Furthermore, the establishment of an international reporting system could be useful, as it will limit bureaucracy and offences won't get lapsed until the reach jurisdiction.

Immigration and Child Labor

Immigration and Child Labor are some possible scenarios for children enduring conflict. Both are a basic violation of fundamental human rights as defined by the UN Declaration of Human Rights. Refugees and underage workforce are especially difficult to reintegrate, due to their living conditions, including poverty

Immigration

In the cases of child immigrants and refugees, repatriation is especially difficult. As it has been previously stated, the lack of official documentation or the existence of bureaucracy, pose obstacles to repatriation, bearing in mind that most cases of immigration are illegal and not recorded. For this reason, repatriation is in some cases impossible, due to the fact that the country of origin will not provide living conditions to the citizens. In this case the country in which a person is an immigrant/refugee will have to integrate the person, permanently in case the conflict was predicted to escalate and last long or temporally do so, to ensure that the citizens' needs are fulfilled. Reintegration is mostly achieved through Disarmament, Demobilization and Reintegration (DDR) programs. However, due to the aftermath of the conflict, they are often deemed as ineffective, due to

corruption or lack of organization and funding of the programs themselves. However, the effectiveness of the DDR programs is linked to the funding it has received, as well as the carrier that uptakes this responsibility. The importance of DDR programs is huge, mostly in countries that receive migrants/refugees, such as Germany or countries which are bordering with countries in conflict, such as Cameroon with Nigeria.

What should also be considered, when resolving the issue of migrancy and the safety, which should surround these situations, is remembering that states that receive migrant waves might struggle integrating them. In the effort to ensure the fortification of refugee's human rights, including the right to life, liberty, safety etc. as well as cover fundamental needs, like aliments, water etc. states should be deemed as suitable, regarding DDRs, low levels of radicalization etc. A prototype for the sustainable and fruitful integration, as well as sufficient efforts and requests for repatriation is Germany (analysed in the Major Countries and Organizations section).

Despite that, which could be the effects of entrance of mass and non-sustainable entrance of migrative populations? Except for the marginalization and discrimination such social groups face, public services, which contribute to the integration of children in societies, struggle to manage the outnumbering population of migrants, leading to decreased quality and efficiency during reintegration. Moreover, this is a burden towards repatriating procedures. While it is time - and money consuming to strengthen such public services, as it is wholly a state-based initiative, the distribution of migrative populations, in states and regions, where living conditions are, is a basic step. It is necessary so as to speed up the documentation process for repatriation, in case their motherland is stable enough to welcome back the citizens, or put in effort to integrate children in the state they are currently living, in the scope of repatriation in the long term, when deemed feasible.

Child Labor

Child Labor is also a possible scenario, in which children could be during and after conflict. In that case, both repatriation and reintegration are especially difficult, due to the economic benefit for the children, instead of actually participating in conflict. Child labor in conflict has many variables, with the most common being weapon production, which falls under the category of recruitment. Even after conflict, many underage workers voluntarily choose to remain in that situation, since they are found in more privileged positions than immigrants or refugees. Although they live under horrific living and working conditions, if they continue

doing so they are hardly ever detected and reported and in many cases they might adapt to the ideology of the organization they are workers in, such as the ISIS. While there has been action made, in order to tackle child labor generally, for example by the International Labor Organization (ILO), what is vital to address is the existence of child labor, during conflict, as a means of exploiting underage persons. As a result, the assisting and supervisory mechanisms, which need to be designed, should be responsible for this form of child-use as well.

Case Studies

The following case studies are examples that indicate the issue and thus debate and resolutions shouldn't concern how to resolve the included case studies, but rather how similar situations could be tackled in general.

Boko Haram

Boko Haram, also called Islamic State in West Africa (ISWA) or Islamic State's West African Province (ISWAP) is an Islamic movement of 2002. The goal of Boko Haram is to "uproot the corruption and injustice in Nigeria, which it blamed on Western influences, and to impose Islamic law." Hence, Boko Haram's action revolves around the fortification of the Jihad, which is ideology of struggle of the Islamic community to defend Islam and be a "good" (according to the Quran) Muslim. The Jihad includes a "holy war", as defense of the Muslim community. In that effort, Boko Haram has been carrying out assassinations and large-scale acts, since 2009 in Nigeria. Bearing in mind that the issue is the repatriation and reintegration of children, this case study touches upon the aspect of child recruitment and militarization, exercised by Boko Haram.

According to the Health and Human Rights Journal: "The Boko Haram insurgency in northeast Nigeria is responsible for the highest number of lives lost in Africa in the past decade. The country has witnessed significant violations of the United Nations Convention on the Rights of the Child, which Nigeria has signed and ratified. For instance, Nigeria had the second-highest number of children recruited to armed groups and the third-highest number of abductions in 2018". According to UNICEF, the number of displaced

^{8 &}quot;Boko Haram." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., https://www.britannica.com/topic/Boko-Haram.

⁹ "Safeguarding the Lives of Children Affected by Boko Haram: Application of the Safe Model of Child Protection to a Rights-Based Situation Analysis." *Health and Human Rights Journal*, 16 June 2021, https://www.hhrjournal.org/2021/06/safeguarding-the-lives-of-children-affected-by-

children by Boko Haram in Nigeria, surpasses 1.4 million. The Boko Haram exploits children in various ways, most of which are in regard to their use after they have been recruited. These include the following: participation in armed forces, production of weapons, agriculture, scouting and spying, prostitution etc. Consequently, migration rates have increased, as well as the number of IDPs, for them to avoid the involuntary join of the organization. Except for the detrimental effects the activity of the Boko Haram has brought to the governance and stability of Nigeria, what touches upon the issue of "The issue of repatriation and reintegration of children affected by armed conflict" is the effect of the use of children by Boko Haram in Nigeria. Firstly, thousands of deaths and injuries have been recorded, poverty rates have drastically increased, which has driven Nigeria to a huge humanitarian crisis, where citizens fail to fulfill their basic needs.

What is vastly important to investigate is the way the issue of Boko Haram has been confronted, in regards to how children are to be reintegrated and repatriated. The role of UNICEF is huge, mostly in the means of providing humanitarian assistance, as a way of reintegration. Furthermore, UN's role in Nigeria has a peacekeeping manner, rather than catering for the reintegration and repatriation of children. Concluding, since the Boko Haram is still merely active, repatriation and reintegration currently would be ineffective. For this reason, migrant waves have moved to neighboring countries, such as Niger, Chad and Cameroon.

ISIS

The Islamic State of Iraq and Syria (ISIS), also known as the Islamic State of Iraq and the Levant (ISIL), is a jihadist group with a similar ideology to Boko Haram's, it being an effort to caliphate and claim religious authority over all Muslims, through the Jihad (=holy war). After 2014, the ISIS has gained huge power over many regions, mostly those of Syria and Iraq, where it has caused conflict and commotion. Furthermore, the ISIS is provenly liable for several terrorist attacks, mostly in the time period of 2015-2017. In 2017, the ISIS was declared defeated and in 2022 the current leader of the ISIS was found dead.

 $[\]underline{boko-haram-application-of-the-safe-model-of-child-protection-to-a-rights-based-situation-analysis/.}$

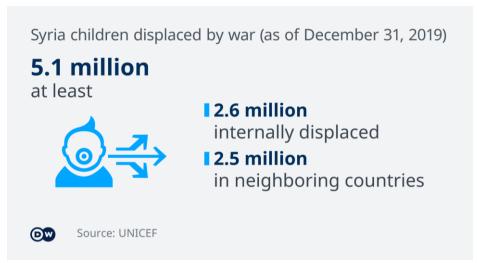


Figure 3: The displaced children in Syria 10

The ISIS represents a radical and extremist version of Islam, which it wishes to pass down. In order to expand its effect, the ISIS created detention camps in regions where it caused conflict, mostly in Syria. What is impressive, is that bearing in mind that the ISIS is an interacting terrorist group, many extremist Muslims decide to voluntarily leave their children to the ISIS, so as for them to serve the purpose of Jihad. That way, after the children have adopted the radical beliefs and ideology, they are manipulated into committing crimes and offences, for which they are judged by military tribunals as individual predators and not as preys of a terrorist organization. This judicial loophole leaves room for the organizations to exploit it. As a result, they choose manipulated children to commit crimes, among which the most common being suicide-bombings.

Furthermore, another major issue is the displacement. As shown in the figure above, only up to 2019, 5.1 million children had been displaced, either internally in Syria, or externally in neighboring countries. IDPs are not always legal and in most cases, they are not equipped with the correct documents, which would allow them to be repatriated later, after the conflict. This phenomenon is something that should be combatted properly, in order to ease the repatriation process. In this effort, the adaptation of a supervisory and reporting mechanism to local peacekeeping forces, would be productive,

^{10 &}quot;Syria children displaced by war",

https://www.google.com/url?sa=i&url=https%3A%2F%2Fchildsoldierkljkjl.weebly.com%2F&psig=AOvVaw0zJXTb y1nEfJ7uMGoc5g&ust=1645981278416000&source=images&cd=vfe&ved=0CAsQjRxqFwoTCICvj53snfYCFQAAAAAAAAAAAADAD

towards collecting documentation to an international database, which would allow post-conflict repatriation and later on reintegration.

Effect of armed conflict on the safety children

After having investigated multiple facets, scenarios and cases, one can draw many conclusions upon the influence armed conflict could have on children, as well as the obstacles that are posed towards achieving reintegration and repatriation. Firstly, as seems logical, mortality and injury percentages skyrocket. In addition to that, psychological problems that need to be resolved in the aftermath of a conflict. Such issues that occur in any type of conflict regardless, fall under the category of humanitarian aid and assistance, which is usually carried out by external and objective carriers, such as the UN and its family organisations including UNICEF. Many children may even find themselves imprisoned, after the decisions of military tribunals. Many are also parts of terrorist organizations, such as the Boko Haram and ISIS, or even workers in weapon production. Poverty and unemployment are usual accelerating after periods of conflict, which is a root cause for the increased rates of criminality and corruption.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Central African Republic (CAR)

The Central African Republic is one of the most heavily affected countries by the use of children internationally. According to UN estimates, in the span of 2 years (2019-2021), over 1.280 children were a victim of grave violations, with an additional 250 being reported victims rape and prostitution. CAR has been experiencing a civil war and hence almost half of the country's population is in urgent need of humanitarian assistance. Such actions have been up taken by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), which focus on providing humanitarian aid. IDPs and migrants have asylum in neighboring countries of Africa, such as Cameroon and Uganda. Due to the unstable and chaotic situation, which takes place within the country, judicial institutions are incapable of combating these cases. The situation of CAR highlights the need for the establishment of a conflict-supervisory mechanism and an external reporting system.

Somalia

The Somali War, dating back to 1991, between Somalia and Somaliland, has had a remarkable effect on the underage population. Somalia, also suffers from child recruitment, but the most significant issue that has been noted is child abduction. This displacement falls under the category of trafficking. In similar cases to Somalia,

trafficking and abduction are hard to detect and hence impossible to repatriate and later integrate. The Somali War has had a detrimental effect on the citizens and hence caused a so-called refugee crisis. According to the UN Refugee Agency "over the last 30 years, hundreds of thousands of people have fled Somalia because of political instability and a dangerous civil war that broke out in the 1990s. Today over 750,000 Somali refugees remain in neighboring countries and over 2.6 million Somalis are internally displaced in Somalia. The vast majority of Somali refugees are living in neighboring countries Kenya (256,186), Yemen (250,500) and Ethiopia (192,082). Despite having internal displacement and refugee crises of their own, countries like Yemen and Ethiopia have a long-standing history of welcoming refugees from Somalia."11 This case is a solid example on obstacles that occur towards achieving reintegration and repatriation. Somalia's neighboring states, in which people have fled, are going through humanitarian, political and economic crises and consequently fail to ensure leaving conditions for the migrative populations they receive. Ergo, integration, permanent or temporary, is difficult and repatriation is almost unachievable, due to the fact that the institutions both in Somalia and the neighboring countries, face corruption and chaos.

Russian Federation

Even though the Russian Federation isn't categorized as an LEDC, which is the archetype for nations and have the tendency to exploit children multifacetedly during armed conflict, there are inspections that the nation uses children as soldiers, since fear about possible war/conflict with Ukraine is growing. A Ukrainian Ombudsman's Representative in the Donetsk and Luhansk Regions (cities in Ukraine), reported in December 2018 that more than 5,000 children from the seized side had passed through militaristic patriotic camps. Unfortunately, such camps are common in Russia, especially close to the orders, where they host children from Ukraine's occupied territories. Famous figures "responsible of war crimes in the Donbas," according to the Kharkiv Human Rights Protection Group, have helped train the children "how to fight and murder." Hence, this fear is growing, due to the accelerating situation in Crimea, between Ukraine and Russia. The ongoing situation in Russia is an indication of how cases of child militarization are not catered for. Since the global attention is focused on resolving and eradicating the conflict between the two countries, even illegal means and violations are not given attention. This situation also visualizes the lack of willingness for external carriers to intervene in any situation to resolve the issue of the illegal and unethical use of children in conflict, in order to not exacerbate the ongoing war/conflict.

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¹¹ "Somalia Refugee Crisis Explained." How to Help Refugees - Aid, Relief and Donations, https://www.unrefugees.org/news/somalia-refugee-crisis-explained/.

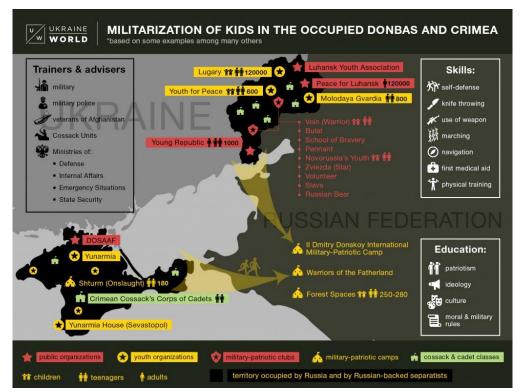


Figure 3: The placement and use of patriotic camps in the Ukraine-Russia borders¹²

Germany

Germany is, according to the Organization for Economic Co-Operation and Development (OECD), the most preferred destination for refugees. Having received 1.15 million refugees and 309.000 asylum seekers, the reason why Germany is considered to be the best option is the implication of the DDR programs. Because of their implication, refugee camps and protection infrastructure ensure the fulfillment of their fundamental human rights. Furthermore, children are included in the educational system effectively, making it feasible for them to live in the country, in case their country of origin is not to be repatriated to soon. There are multiple instances to refer to about repatriation, in which Germany played a significant role, such as during 2021, where 100 people managed to be repatriated in northwestern Syria. The outnumbering majority of refugees Germany receives are from Syria and Afghanistan. Germany's policy is one to follow, since there are miscellaneous instances were repatriation won't be beneficial. Thus, reintegration in the receiving country is equally significant, in the effort to ensure living conditions.

¹² "Children as a Tool: How Russia Militarizes Kids in the Donbas and Crimea." *Atlantic Council*, 29 Aug. 2019, https://www.atlanticcouncil.org/blogs/ukrainealert/children-as-a-tool-how-russia-militarizes-kids-in-the-donbas-and-crimea/.

International Organization for Migration (IOM)

The International Organization for Migration (IOM) plays a major role in the detecting IDPs generally. The most important among the actions of the IOM is the Displacement Tracking Matrix (DTM), which launched in 2004. "The Displacement Tracking Matrix (DTM) gathers and analyses data to disseminate critical multi layered information on the mobility, vulnerabilities, and needs of displaced and mobile populations that enables decision makers and responders to provide these populations with better context specific assistance." (is further analysed in the Previous Attempts to Solve the Issue). Furthermore, the IOM, released in 2021, its "Policy on the Full Spectrum of Return, Readmission and Reintegration", which touches upon the rights of immigration, migrants and IDPs during their repatriation, as well as the case, in which they have to remain in a foreign country, if deemed that the situation in their patriot country is dangerous.

UN International Children's Emergency Fund (UNICEF)

UNICEF's role in post-conflict recovery is mostly of humanitarian character. Hence, UNICEF achieves to provide children with humanitarian aid and assistance during and after war, through ensuring that their basic needs are fulfilled. While UNICEF carries out multiple actions to ensure sustainable reintegration of war-affected children in societies, such as the reformation and empowerment of educational institutions post-conflict, one of the most remarkable initiatives is the UNICEF's Humanitarian Action for Children (HAC). "UNICEF's Humanitarian Action for Children (HAC) appeal helps support our work as it provides conflict- and disaster-affected children with access to water, sanitation, nutrition, education, health and protection services. In 2022, UNICEF's HAC appeal total requirement is US\$9.4 billion – our largest appeal ever to assist more than three hundred million vulnerable children and their families and caregivers around the world."¹⁴

European Union (EU)

The EU is especially active both the reintegration and repatriation of children. Multiple European countries receive mass migrant/immigrant/refugee waves and thus they ensure that their human rights are fortified, through the creation of camps and furthermore the right to asylum. Such an instance is the EU's stance towards the ongoing situation in Syria. In addition, the EU has adopted, since January of 2020, the

https://dtm.iom.int/#:~:text=Conceptualized%20in%202004%20in%20Iraq,conflict%2C%20or%20in%20complex%20situations.

^{13 &}quot;Welcome to DTM." DTM,

¹⁴ "Humanitarian Action for Children Appeal." UNICEF, https://www.unicef.org/appeals.

International obligations concerning the repatriation of children from war and conflict zones.

BLOCS EXPECTED

Bloc A

The first bloc will consist of countries that are against the use of children during conflict in any way. These countries tend to be generally less involved in conflict and thus lower statistics of child recruitment, violence, labor and prostitution are noticed. As a result, fundamental human rights are better withheld. This stems from a better implication of DDR programs and immigration policies. In most cases these countries are European, including Germany, France, Italy, Spain etc or the US and Canada.

Bloc B

In contradiction to the first bloc, the second bloc will consist of countries that are convicted to incidents of child recruitment and exploitation. These countries have the tendency to participate in conflicts and are mostly Less Economically Developed Countries (LEDCs), in which fundamental human rights are regularly violated (e.g. life and security). Hence, instances of child labor, recruitment, immigration flow, violence and sexual assault are detected often, leading to destabilized political situations in most cases. These countries mostly belong to Asia or Africa. Furthermore, nations that are currently in conflict (civil or not) belong, in most cases, in the second bloc. This includes the following: Yemen, Iraq, Iran, Syria, Nigeria, Central African Republic (CAR) etc. Lastly, there are some rare cases of countries, which are on the one hand economically and politically powerful and advanced, but have been proven to the violation of children human rights, through their exploitation during or prior to conflict. A characteristic example of this is the Russian Federation.

TIMELINE OF EVENTS

Date	Description of event
17 July 1998	The International Criminal Court (ICC) adopts the Rome Statute
20 November 2001	The UN Security Council adopts resolution 1379
2004	The IOM launches the DTM
22 April 2004	The UN Security Council adopts resolution 1539
26 July 2005	The UN Security Council adopts resolution 1612
24 September 2014	The UN Security Council adopts resolution 2178, in the effort to console the situation in Nigeria, in regards to the involvement of terrorist groups, mostly the ISIS in the region
31 March 2017	The UN Security Council adopts resolution 2349, in the effort to console terrorist groups, including ISIS and Boko Haram
2018	According to UNICEF 432 children were killed and maimed, 180 were abducted, and 43 girls were sexually abused in north-east Nigeria by Boko Haram
28 January 2020	The Parliamentary Assembly of the EU adopts the International obligations concerning the repatriation of children from war and conflict zones
29 January 2021	UN Office on Counterterrorism Open Arria Formula Meeting on 29 th January of 2021
February 2022	The DTM, launched by the IOM, publishes monitoring and displacement reports, on the situations in Mozambique, Iraq, Nigeria, Yemen and Peru

RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

UN SC Resolution 1379

On the 20th of November 2001, the Security Council of the UN adopted resolution 1379 on the issue of "Children and Armed Conflict". This resolution proposes a strong mandate for international action towards ensuring security of children in occasions of armed war and conflict. Hence, it proposes security through peacekeeping operations (clause 2), prohibits the use of any form of arming and weapon. The significance of this resolution is drawn to its 9th clause, mentioning: "Urges Member States to: (a) Put an end to impunity, prosecute those responsible for genocide, crimes against humanity, war crimes, and other egregious crimes perpetrated against children and exclude, where feasible, these crimes from amnesty provisions and relevant legislation, and ensure that post-conflict truth-and-reconciliation processes address

serious abuses involving children;", which is a vital reformation to judicial institutions.

UN SC Resolution 1539

On the 22nd of April in 2004, the Security Council of the UN adopted resolution 1539 on the issue of "Children and Armed Conflict". Resolution 1539 is of major importance and furthermore a reference for the following resolution (resolution 1612). This resolution, also, aims to cover several breaches of the issue, while it also introduces the reporting and monitoring system, which is later a reference for resolution 1612. Moreover, resolution 1539 addresses the aspect of the use of children during conflict, through its 1st clause, referring to: "Strongly condemns the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them, killing and maiming of children, rape and other sexual violence mostly committed against girls, abduction and forced displacement, denial of humanitarian access to children, attacks against schools and hospitals as well as trafficking, forced labor and all forms of slavery and all other violations and abuses committed against children affected by armed conflict" ¹⁶

UN SC resolution 1612

On the 26th of July in 2005, the Security Council of the UN adopted resolution 1612 on the issue of "Justice for Children". In general, the resolution touches upon solutions including the following: the improvement of a reporting and monitoring system, proposed in resolution 1539, welcomes initiative by humanitarian-oriented UN-related bodies and organs, such as UNICEF, the establishment of a SC working group etc. This resolution is deemed as one of the vastly important ones, when tackling the issue, mostly through its mentions upon the improvement and the function of the monitoring and reporting system, in operative clauses 2, 3, 4 and 6.¹⁷

Rome Statute

The Rome Statute was adopted by the International Criminal Court (ICC) on the 17th of July in 1998. "The Rome Statute then took effect in 2002, upon ratification by 60 States. In addition to founding the Court and defining the crimes of genocide, war crimes, crimes against humanity, and – as of 2010 amendments and a vote in 2017 – the crime of aggression, the Rome Statute also sets new standards for victims' representation in the Courtroom and ensures fair trials and the rights of the defense. The Court seeks global cooperation to protect all people from the crimes codified in the Rome Statute." Thus, the Rome Statute defines as an offense the conscription,

¹⁵ "UN SC Resolution 1379", www.unscr.com/en/resolutions/doc/1379

¹⁶"UN SC resolution 1539", http://unscr.com/en/resolutions/doc/1539

¹⁷ "UN SC resolution 1612", http://unscr.com/en/resolutions/1612

enlistment and use of children under the age of 15 in the military. Furthermore, the Rome Statute answers to the question of "Are children judged for war crimes and if yes how?" Children are judged and face charges for war crimes they might have committed, under the international law; however, their age is taken into deep consideration. Hence, the charges adhere to these criteria, as well as the surrounding circumstances, such as poverty or mental manipulation, during recruitment, which might motive or force a child to commit a crime. ¹⁸

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Geneva Convention (IV)

The Geneva Convention, which was adopted by the International Committee of the Red Cross (ICRC) between 1864 and 1949, is one of the theoretical, but inviolable actions upon the issue. Generally, the Geneva Conventions is the foundation for the protection of human rights during war and as a result it is considered to be a fundamental document for the international humanitarian law. The 4th Article of the Geneva Convention refers to: "Persons protected by the Convention are those who at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of persons a Party to the conflict or Occupying Power of which they are not nationals." In that category, underage civilians are included and as a result they theoretically should not be subject to any form of use, exploitation or violence. Concluding, this action is not concrete, as it didn't propose n=any certain action, however it is a baseline, which all nations that are involved in any type of conflict should follow and abide to.

DDR Programs

DDR programs are a vitally important step, which is used during reintegration procedures. These programs are an achievement of the UN Development Program (UNDP) and thus the UNDP has released guidelines for their use. The implementation of the DDR programs is a responsibility of nations. As seemed logical, nations that are going through or recovering from any conflict might face various obstacles when implying them. Consequently, this leads to their inefficiency. Supervision or assistance throughout their application is needed, in the effort to ensure their benefit. It is worth-

¹⁸ The ICC Rome Statute Is 20, https://www.icc-cpi.int/romestatute20.

¹⁹ "Geneva Convention IV", https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33 GC-IV-EN.pdf

addressing that in some cases the countries that imply them are not the ones in conflict, but also those that welcome migrant or refugee waves.

International Crisis Group

The International Crisis Group is one of the stakeholders for combatting individual cases of conflict. A prime example, which indicates the role of the International Crisis Group is its involvement in the Syrian conflict, in the protection of children during conflict. Furthermore, the International Crisis Group participated in the UNICEF Program on Rehabilitation and Reintegration of War-Affected Children, 22nd of October in 2009.

Human Rights Watch (HRW) World Report of 2014

In 2014, the HRW released a World Report, including the following section: Putting Development to Rights: Integrating Rights into a Post-2015 Agenda. This section outlines that rights that have to be fortified during social reintegrating procedures. Furthermore, the HRW World Report of 2014 analyses the situation in all UN-member states, regarding human rights, in instances, such as censorship, privacy and surveillance, reintegration. However, this attempt was deemed as ineffective, due to the lack of measures to ensure that the situation, in nations, which indicated human right crises, through the World Report.

International obligations concerning the repatriation of children from war and conflict zones

On the 28th of January in 2020, the Parliamentary Assembly of the European Union, adopted resolution 2321 named "International obligations concerning the repatriation of children from war and conflict zones". This resolution outlines the humanitarian aspect of the issue, since it refers to guidelines that need to be followed strictly, in accordance with the United Nations Convention on the Rights of the Child (UNCRC). Consequently, this resolution covers aspects, which fall under the humanitarian law, including the following: "...obligations and commitments to these children, stemming from international and European human rights and humanitarian law, which include, but are not limited to, protection of the right to life; the right not to be treated inhumanely; protection from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse; protection from statelessness;"

Displacement Tracking Matrix (DTM)

"The Displacement Tracking Matrix (DTM) gathers and analyzes data to disseminate critical multi-layered information on the mobility, vulnerabilities, and needs of displaced and mobile populations that enables decision makers and responders to provide these populations with better context specific assistance."²⁰ The DTM is an incredibly significant initiative, by the IOM, which detects and releases information regarding the situation in nations, which deal with conflict or its aftermath. Hence, the number of IDPs, refugees etc, as well as their needs, mostly in the humanitarian aspect are spotted. Despite the fact that this initiative is merely a displacement detection mechanism, its effectiveness could increase, in case a crisis plan was drafted, following the detection of displaces and in-need populations.

POSSIBLE SOLUTIONS

Establishment of supervisory, monitoring, report and documentation-collecting mechanisms

The establishment or improvement of supervisory and monitoring systems is a vastly significant measure, towards combatting the issue. What is important to remember is that the use of the referred to supervisory and monitoring systems is needed prior to-, amid- and post-conflict. In that way, instances of child recruitment, labor, prostitution etc will be detected urgently and during the process of "preparation" for conflict. Even in the cases, though, where they are spotted during conflict and hence legal confrontation of the issue is impossible or unfeasible, there has to be the appropriate infrastructure to report and document cases, which could be legally resolved post-conflict. For this reason, the creation of an international documentation database would be a feasible idea, in order to ease the legal procedure. In order, though for this action to be effective, it should be carried out by an objective and nonbiased international carrier. For this reason, the UN and the organs, bodies and committees it consists of could be given responsibility for the establishment of the aforementioned system. In the case where the UN is not directly involved and responsible, it should be a supervisory mechanism for national carriers of the action, since corruption in such institutions is often and expected.

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20in%20complex%20situations.

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²⁰ "Welcome to DTM." DTM,

Restraining measures to nations/organizations that are convicted to any use of children during or after conflict

Similarly to the reformation of the judicial institutions, the Security Council, as the only binding committee of the UN, should propose measures, in order to ensure that organizations and nations, which exploit children, in the effort to empower their armed forces or production, are confronted. (e.g. Boko Haram, ISIS, CAR etc) There is a variety of measures, which could be implemented as restraining. Some of these include the placement of an embargo, or sanctions. It is up to the delegates to decide on which restraining measures should be used in specific cases, according to their extent.

Empowerment and Internationalization of Disarmament, Demobilization and Reintegration Programs (DDR)

Bearing in mind the utmost significance of the implication of DDR programs, ensuring their effectiveness, is an important measure. This could be ensured through external assistance, since the application of DDR programs fails when it is conducted by nations that are in post-conflict recovery. As a result, guidelines and frameworks have to be set, so as for nations to abide by the DDR programs. It is also worth remembering that even nations, which have no involvement in another nation's conflict might have to apply DDR programs, since they are welcoming migrant and refugee waves, for which repatriation is non-feasible and thus have to be integrated in another country. (the instance of Germany in Afghanistan's and Syria's conflict)

Establishment and Organization of a Crisis Plan

Following the detection mechanisms, which need to be established, such as the DTM by the IOM, Crisis Plans, are needed. While this measure shifts to the humanitarian aspect and character, it is vital that nations have crisis plans that ensure the fulfillment of humanitarian needs. Hence, in order to apply this measure, assistance by humanitarian organizations, such as the UN Office for the Coordination of Humanitarian Aid (UNOCHA).

Reformation of the judicial institutions

The reformation of judicial institutions is a crucial step, which needs to be taken, in the effort to establish patterns, which ensure justice and confrontation of the issue. Especially important is facing corruption in military tribunals, which tend to be corrupt amid and post conflict. As a result, as it has also been analyzed in the Background Information section, international, external and non-biased organs should uptake the responsibility for their reformation, as well as supervision. Moreover, as it has been

proposed in UNSC resolution 1379, the overuse of amnesty and impunity should be stopped, through putting an end to impunity. Bearing in mind that judicial institutions recognize the circumstances under which children might commit crimes, it is vastly important that organizations/nations that are convicted to the exploitation of children face charges.

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