Violations of Children's Rights in Armed Conflicts. International Treaties, Observations by Peacekeepers and Crisis Management Training in Finland.

> Master's Thesis in Peace, Mediation and Conflict Research Developmental Psychology Anna-Kaisa Harju, 36412 Supervisor: Karin Österman Department of Social Sciences Åbo Akademi University, Finland Autumn, 2013

#### ABSTRACT

Ninety-nine Finnish peacekeepers, who had been serving in 15 different operations around the world, participated in the study (8 women, 27-52 years old, m = 37.4, SD = 8.9; and 91 men, 21-69 years old, m = 41.4, SD = 10.2). Three military crisis management trainers from the Finnish Defence Forces International Centre also participated in the study. The data was collected with two webbased questionnaires. In addition two interviews were made with specialists of civilian crisis management in Finland. The study also provides an overview of international treaties concerning children's rights in armed conflict. The results show that 48.7 % of dangers for children in conflicts reported by the peacekeepers were related to physical injury (e.g. landmines and traffic), and 27.4 % were related to social problems (e.g. poverty, child soldiers, and trafficking). 24.1 % of the peacekeepers had made observations of children's rights violations either often or very often during peacekeeping operations. 49.6 % of the observations were related to social problems (e.g. child labour or being forced to beg), and 33.0 % were related to physical injury (e.g. assault). Frequency of observation of children's rights violations was not associated with either sex or military degree of the peacekeepers; instead it was significantly correlated with the peacekeepers' degree of knowledge of EU's child protection guidelines. On the basis of the results, it is recommended that knowledge about children's rights and protection should be included in the training of Finnish crisis management personnel to a much higher degree than at the present.

Keywords: children's rights, international treaties, armed conflicts, peacekeepers, international crisis management.

# **TABLE OF CONTENTS**

PREFACE	1
<b>1. INTRODUCTION</b> 1.1 <i>Aim of the study</i>	3 3
<ul> <li>1.2 CHILDREN AND ARMED CONFLICT</li> <li>1.2.1 Impact of armed conflict on children</li> <li>1.2.1.1 Threats to life – maiming and killing children</li> <li>1.2.1.2 Child soldiers</li> <li>1.2.1.3 Sexual exploitation and gender-based violence</li> <li>1.2.1.4 Separated and unaccompanied children</li> <li>1.2.2 The role of international crisis management in protecting children</li> <li>1.2.3 Training crisis management personnel in child protection</li> </ul>	5 6 7 9 11 13 14 17
<ul><li>1.3 INTERNATIONAL HUMANITARIAN AND HUMAN RIGHTS LAW</li><li>1.3.1 The Universal Declaration of Human Rights</li><li>1.3.2 The Geneva Conventions</li></ul>	18 19 19
<ul> <li>1.4 THE UNITED NATIONS AND CHILDREN IN ARMED CONFLICT</li> <li>1.4.1 Convention on the Rights of the Child and its Optional Protocols</li> <li>1.4.2 Millennium Declaration of the United Nations</li> <li>1.4.3 The UNSC resolutions on children and armed conflict</li> </ul>	20 22 25 26
<ul> <li>1.5 THE EUROPEAN UNION AND CHILDREN</li> <li>1.5.1 The EU Guidelines on Children and Armed Conflict</li> <li>1.5.2 A human security approach for Europe</li> <li>1.5.3 The EU's crisis management and children's protection</li> </ul>	31 34 35 37
<ul> <li>1.6 FINLAND'S ROLE IN INTERNATIONAL CRISIS MANAGEMENT</li> <li>1.6.1 Finland's participation in international crisis management</li> <li>1.6.2 Emphasis on women and children</li> <li>1.6.3 Children's protection in Finland's crisis management activities</li> </ul>	39 41 44 47
1.7 Research questions	49
2. METHOD 2.1 Samples 2.2 Instruments 2.3 Procedures	50 50 52 53
<b>3. RESULTS</b> 3.1 Observations by peacekeepers 3.2 Reports by crisis management trainers 3.3 Interviews	55 55 59 61
4. DISCUSSION	64
REFERENCES	71

## APPENDICES

## ABBREVIATIONS AND ACRONYMS

CAAC	Children and Armed Conflict
CE	Council of Europe
CFSP	Common Foreign Security Policy
CMC	Crisis Management Centre Finland
CPA	Child Protection Adviser
CRC	Convention on the Rights of the Child
CSDP	Common Security and Defence Policy
DDR	Disarmament, Demobilisation and Reintegration
ESDP	European Security and Defence Policy
EU	European Union
FINCENT	Finnish Defence Forces International Centre
ICJ	International Court of Justice
ICM	Integrated Crisis Management
IHL	International Humanitarian Law
IHRL	International Human Rights Law
MDGs	Millennium Development Goals
MRR	Monitoring and Reporting Mechanism
NGO	Non-governmental organisation
OHCHR	Office of the United Nations Commissioner for Human Rights
OPAC	Optional Protocol on the Involvement of Children in Armed Conflict
OPSC	Optional Protocol on the Sale of Children, Child Prostitution and Child
	Pornography
OSCE	Organisation for Security and Co-operation in Europe
PoC	Protection of Civilians
R2P	Responsibility to Protect
SCWG-CAAC	Security Council Working Group for Children and Armed Conflict
SRSG-CAAC	Special Representative of the Secretary-General for Children and
	Armed Conflict
SSR	Security Sector Reform
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNIFIL	United Nations Interim Force in Lebanon
UNSC	United Nations Security Council
WHO	World Health Organisation

#### PREFACE

The characteristics of wars change over time; today wars are increasingly fought within states, rather than between states. The concept of 'new wars' also involves, inter alia, non-state actors such as terrorists and rebels, who are less likely to obey international humanitarian law.<sup>1</sup> Mary Kaldor, one of the key thinkers of new wars, emphasises current wars impact most heavily on civilians.<sup>2</sup> War and armed conflict are often regarded as synonymous terms. Whereas war is understood as two or more nations engaging in armed battles, "an armed conflict exists whenever there is a resort to armed force between States or protracted armed violence between governmental authorities and organized armed groups or between such groups within a State".<sup>3</sup> In modern wars and armed conflicts children are extensively affected and also actively involved. Since 1990, it has been estimated that 90 per cent of deaths due to armed conflicts around the world have been caused to civilians and 80 per cent of these were caused to women and children.<sup>4</sup> Considering the vulnerable nature of children, they are highly likely to be deeply affected by armed conflict. They are exposed to challenging circumstances as well as they become the direct victims of conflicts. In conflict situations, not only are their lives at risk but they are also subject to psychological and social harm, which affects their development into adulthood and can result in a new generation of highly unstable characters. Children suffer not only from the lack of basic needs, such as food and shelter, but also from violence and exploitation.<sup>5</sup> The overall wellbeing of children is in danger during the violence, the insecurity and the mass instability of armed conflicts. Boys and girls are recruited to armed forces or armed groups, either forcedly or voluntarily – which often means that a child does not have any other option.<sup>6</sup> Recovery from the experiences of armed conflicts can, in many situations, be a burdensome process. A child returning to civilian life is likely to face many challenges, and therefore the support of their families and the community plays an important role.

<sup>&</sup>lt;sup>1</sup> Psychology Beyond Borders, 2008.

<sup>&</sup>lt;sup>2</sup> Kaldor, 2012.

<sup>&</sup>lt;sup>3</sup> International Criminal Tribunal for the former Yugoslavia, 1995, para. 70.

<sup>&</sup>lt;sup>4</sup> Otunnu, 2002, pp. 3-4.

<sup>&</sup>lt;sup>5</sup> Machel, 2001.

<sup>&</sup>lt;sup>6</sup> Lorey, 2001.

The lack of effective protection of children is one of the most common violations of the international human rights law during armed conflicts. Children's rights were first recognised worldwide by the United Nations Convention on the Rights of the Children (1989).<sup>1</sup> The treaty recognises that children should be treated equally despite their location in the world. During conflicts children face challenging conditions and life-threatening situations. Children are separated from their parents or their parents perish during conflict; they are injured or killed due to landmines or cluster bombs and a vast number of ever-present hazards. They are at heightened risk of sexual exploitation and gender-based violence. Also child trafficking and prostitution increases during conflicts.<sup>2</sup> In 1998, ten years after the Convention on the Rights of the Child (CRC) came into force; the United Nations Security Council (UNSC) published their first resolution specifically aimed at the protection of children in armed conflicts.<sup>3</sup> Since then, children's rights and protection have been regularly in the Security Council's focus. Violations of children's rights during armed conflicts and post-conflict have been brought to a wider awareness and tools for monitoring severe violations have been created by the Security Council. The European Union (EU) has also highlighted the issues of children in armed conflicts. They recognise the special attention that children need during conflicts and promote the protections of these children. The EU Guideline on Children and Armed Conflict was published in 2003, and was updated in 2008.<sup>4</sup> International crisis management has also changed over the years, just as the characteristics of contemporary violent conflicts have had a shift in the causes and objectives. Crisis management operations is specific mandated task by the UN, the EU, the OSCE, the NATO or other international organisation that has set terms of goals in a certain region. Increasingly the missions are targeted for the protection of the civilians. Finland's military crisis management training and education are organised by the Finnish Defence Forces International Centre (FINCENT), whereas the Crisis Management Centre Finland (CMC) is responsible for training civilian crisis management personnel.

The present study was conducted as a thesis commission for Save the Children Finland. I would like to take this opportunity to express my gratitude to Save the Children Finland and thank for all the assistance and co-operation during the study.

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 1989.

<sup>&</sup>lt;sup>2</sup> Machel, 2001.

<sup>&</sup>lt;sup>3</sup> United Nations Security Council, 1999.

<sup>&</sup>lt;sup>4</sup> Council of the European Union, 2003, 2008b.

## **1. INTRODUCTION**

#### 1.1 Aim of the study

The first aim of the study was to describe international treaties concerning children's rights and protection during armed conflicts and how these aspects are taken into account in Finland's international crisis management activities. The second aim of the study was to analyse observations by Finnish peacekeepers concerning violations of children's rights in armed conflict. The third aim of the study was to explore Finnish military crisis management training content related to protection of children, and the forth aim was to see how Finnish civilian crisis management include the issues of children in their training.

The study is divided into four parts. The first part provides a literature review, which includes five main areas. It consists of an overview of the rights and protection of children in armed conflicts. This part starts by specifying the situations that children are likely to face during armed conflicts, and the impact they have on children. Then it continues to look closer into how international crisis management can contribute in order to protect children in armed conflicts as well as post-conflict situations. Also preventive measures are looked into. The aim is to identify the impact that armed conflicts have on children, and what role the international crisis management play in protecting children that are affected by armed conflicts.

The study also describes international humanitarian law and human rights, especially children's rights in armed conflicts. There are numerous instruments of humanitarian and human rights law, but for this study the international treaties on children's rights and protection most often referred by the United Nations (UN) and the European Union (EU) have been selected. These are considered the most relevant as Finland is a member state of both, the UN and the EU.

The instruments of the UN and their contribution in protection of the children in armed conflicts are looked into. The study concentrates on the CRC, the Millennium Declaration and the Millennium Goals of the United Nations and the UNSC resolutions on children in armed conflicts. The following part of the literature review provides an overview of the EU policy framework, especially the EU Guidelines on Children in Armed Conflicts. Both of these parts

are focusing on the impacts that armed conflicts have on children and training means for crisis management personnel. The aim is to describe the content of the UN and EU documents in the light of international crisis management and specifically where training of peacekeepers is referred.

In the last part of the literature review, selected documentation, publications, reports and speeches from the ministries of Finland, mainly the Foreign Affairs, Interior and the Prime Minister's Office are looked into. Specific focus is upon the promotion of children's issues in regional and multilateral fora. Furthermore, whether children's rights and protection are included in documentations regarding to Finnish crisis management is reviewed.

The empirical study consists of both quantitative and qualitative methods. Finnish peacekeepers and crisis management trainers from FINCENT participated in the study. Two interviews with civilian crisis management specialists were also conducted in order to gain further information on the current implementation of children's rights and protection in the training programmes.

The responses of the peacekeepers in regard to the training, knowledge of children's right and protection, and personal experiences on the ground are analysed in the discussion. In addition, answers from the military crisis management trainers and the civilian crisis management specialists in regard to training content on children's issues are reviewed. It also provides a discussion based on both the literature review and the results of the study.

#### **1.2 CHILDREN AND ARMED CONFLICT**

War violates every right of a child –the right to life, the right to be with family and community, the right to health, the right to development of the personality and the right to be nurtured and protected.<sup>1</sup> - Graça Machel

Machel has carried a groundbreaking research on children in armed conflicts during the years 1994-1996.<sup>2</sup> The report was conducted in co-operation with the United Nations Children's Fund (UNICEF) and United Nations Centre for Human Rights (currently known as the Office of the United Nations High Commissioner for Human Rights; OHCHR). The United Nations General Assembly welcomed the report in its resolution in 1996. Machel is the former Minister of Education of Mozambique, and she has worked extensively in the field of protection and rights of the child. Through her work she has come to acknowledge the wide variety of risks that the armed conflicts have on boys and girls around the world. She has been named as United Nations independent expert on the impact of armed conflicts on children. Her report acknowledged the physical, psychological and social impact that armed conflicts have on children. The two-year research reviewed the situation of children affected by and participation in armed conflicts. The original Machel Report established new protective methods for the children, as well as highlighted new policies and procedures for governments and United Nations agencies. She also made direct recommendations on the actions and training matters of international peacekeepers in order to secure the protection of the rights of children affected by armed conflict. She acknowledges the Convention on the Rights of the Child, which is used as a guiding source of legal measurement of the report. The objective of the report was to make the CRC into a universal reality.<sup>3</sup>

In 2009, on the 10<sup>th</sup> anniversary of the original Machel Report, an extensive follow-up report on the impact of armed conflicts on children and the changing characteristics of conflicts was published.<sup>4</sup> The report included measurements of any progress made since the original Machel report and addressed the emerging challenges that should be recognised by the international community and act upon them. The report highlighted the needed improvements

<sup>&</sup>lt;sup>1</sup> Machel, 1996, art. 30.

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>&</sup>lt;sup>3</sup> Ibid., art. 7.

<sup>&</sup>lt;sup>4</sup> United Nations Children Fund, 2009.

in order to achieve universal implementation of international norms and standards to end impunity for those committing violations against children.

This next part is looking into more details on the impacts of armed conflicts on children. The original Machel Report for the United Nations and its following work are used in this study as a foundation to review the impact of armed conflicts on children.

#### 1.2.1 Impact of armed conflict on children

As the characteristics of armed conflicts are changing, impacts of the conflict on children have similarly changed over the decades. Children are no longer the bystanders of conflicts, but they are being targeted deliberately. Civilians have always been killed during armed conflicts, but studies have shown that children are being targeted towards a greater extent. In Afghanistan, for example, in 2013 between January to June 1,319 died and 2,500 were injured, which is a higher number than recorded the year before.<sup>1</sup> UNAMA Human Rights Director, Georgette Gagnon, addressed the current situation of Afghanistan by stating that there is an increase of civilian targets in the war. She pointed out an increase of 38 per cent of women and children that have been injured and died in comparison of the year 2012.<sup>2</sup> Since wars are not only fight between the states, but also as mentioned earlier, there is an increase in conflicts are not always clearly identified and therefore targets can get partially obscured. However, the deliberate targeting of civilians is a method to create chaos, ethnic cleansing and enforce displacement of populations.<sup>3</sup>

Conflict situations are hard for all people having to face and live through them. Due to the vulnerable nature of children, they are especially affected by the direct and indirect causes of armed conflicts. They do not have the essential resources yet to cope of such situations. Armed conflicts can have serious impacts on children during the conflicts, but also after the conflicts have ceased. Their material and emotional needs are often not being met; armed conflict undermines the foundation of children's lives in many aspects. Their communities

<sup>&</sup>lt;sup>1</sup> Aittokoski, 2013.

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>&</sup>lt;sup>3</sup> Kaldor, 2012.

and families can be torn apart due to the conflict situation. The traumatic experiences can have long-lasting effects on the lives of children, and their physical, emotional, intellectual, social as well as spiritual well-being is under a great risk.<sup>1</sup> Rebuilding a society after conflict is not easy by far, especially when children have lived their childhood under violent assaults and warfare. Exposure to armed conflict can have an effect on a child's understanding of violent behaviour. Cutting the violent cycle needs extensive efforts, both on a national and international level. Children, especially adolescents, who have lived through armed conflict, should not be seen only as victims but rather as active participants in the process of rebuilding a war-torn society. This helps them increase their sense of identity as well as creating a purpose for the future by actively engaging them in developing and executing programmes for younger children.<sup>2</sup>

A resulting impact of armed conflicts can often lie in malnutrition and generally poor health for the children, and an increase in diseases. Children might get lost from their parents, or lose them permanently in conflicts. Schools are being targeted purposely by armed groups and children's education is often put on hold during conflict situations. There is a great deal of direct or indirect impacts that armed conflicts have on children, and the following part is specifically concerned with the impacts of maiming and killing, child soldiers, sexual exploitation and gender-based violence, and separated families and unaccompanied children.

#### **1.2.1.1** Threats to life – maiming and killing children

Armed conflict causes deaths and injuries to civilians, and as mentioned earlier, children are even at a higher risk in contemporary conflicts. Children are killed due to bombings, shooting, landmines and other direct results of fighting. Also many children remain permanently disabled and injured. According to the World Health Organisation (WHO), political violence and armed conflicts are the main reason for causing disabilities and injuries to children.<sup>3</sup> Explosives, such as landmines and unexploded ordnance, have been used in most conflicts since World War II. The use of landmines is mostly common in armed conflicts within states.

<sup>&</sup>lt;sup>1</sup> Machel, 2001.

<sup>&</sup>lt;sup>2</sup> Machel, 1996.

<sup>&</sup>lt;sup>3</sup> Machel, 2001.

In the original Machel Report a ban of landmines was requested.<sup>1</sup> In the following report on the 10<sup>th</sup> anniversary, progress was identified as the casualties of children due to the antipersonnel mines had been decreased.<sup>2</sup> One remarkable stepping-stone was the adoption of Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction in 1997.<sup>3</sup> However, around 85 conflict and postconflict countries are still affected to some extent by explosive devices. It has been estimated that over one third of casualties due to landmines and other explosives are children.<sup>4</sup> Due the curious and playful nature of children, they are at a high risk of being injured and killed by landmines and unexploded ordnance. The problem remains after the conflicts, where landmines have not been successfully removed from the conflict zone. For example, in Afghanistan landmines were designed in different colours and had little wings on them. These 'butterflies' obviously have attracted children to play with them, even though it has been argued that it was not directly for the purpose of targeting children.<sup>5</sup> Children are prone to wound by landmines, as their bodies are more likely to be affected by complications if injured than adults. Also children often cannot read the possible warning signs and may not be as familiar with them as adults are.

Even more children die due to the poor conditions that a country is facing when conflict breaks out. In armed conflict sometimes the food systems are destroyed as an accidental cost of the fighting, but they can also be damaged on purpose. Food can be used as a weapon of war and starving the population, armed forces or groups can seek out political pressure as well as cause suffering to communities.<sup>6</sup> Unavailability of food and its uneven distribution are common during persistent violent conflicts, and are causing malnutrition normally to the poorest populations. Children, especially under the age of five, are at risk of dying from severe malnutrition.<sup>7</sup> Not to mention diseases and unavailability of medical care that is also causing great risks to children. The breakdown of health and social services is common during conflict situation and the displacement of population is also causing diseases to spread during conflicts.

<sup>&</sup>lt;sup>1</sup> Machel, 1996.

<sup>&</sup>lt;sup>2</sup> United Nations General Assembly, 2007.

<sup>&</sup>lt;sup>3</sup> United Nations, 1997.

<sup>&</sup>lt;sup>4</sup> Ibid.

<sup>&</sup>lt;sup>5</sup> Machel, 2001, p. 106.

<sup>&</sup>lt;sup>6</sup> Machel, 2001.

<sup>&</sup>lt;sup>7</sup> Machel 2001, p. 66.

#### 1.2.1.2 Child soldiers

Due to the change of the pattern and nature of conflicts, not only have children come under a heightened risk of becoming targets of conflicts, but also they have become themselves the perpetrators of violence. A child soldier is often regarded as a person, under the age of 18 years who is either directly or indirectly participating in an armed group or forces during armed conflict.<sup>1</sup> Direct participation consists of wielding armaments, assault rifles, machetes or grenades on the front lines of conflict. Indirect participation, on the other hand, consists of combat support as spies and messengers, mine cleaners, porters, cooks and sexual slaves.<sup>2</sup> Girls consist of a significant proportion of children who are involved in armed conflicts. It has been estimated that 40 per cent of the children in armed forces are actually girls.<sup>3</sup> Girls are often forced into sexual violence, but they are also engaged in active battles. As children grow up and become stronger, they can raise from a servant's role to a more active participant in conflict as in combat.<sup>4</sup> The use of a word child soldier is therefore widely discussed, the word itself might be misleading as it often refers to the image of a young boy carrying a weapon and who is participating in killing. Alternatively, such children are referred as 'children associated with fighting forces' or 'children associated with armed forces and armed groups'.<sup>6</sup> In this study, the word child soldier is used, as it is widely referred by the United Nations and its specialised agencies.

Hundreds of thousands children are involved in armed conflicts around the world. However, it is difficult to make an accurate estimation of how many child soldiers there actually are. Achvarina and Reich suggested that the approximation of 300,000 child soldiers often used is probably underestimated figure of reality.<sup>7</sup> United Nations reported that children are serving in 53 armed groups in 13 countries around the world (Afghanistan, Central African Republic, Chad, Democratic Republic of Congo, Iraq, Myanmar, Somalia, South Sudan, Sudan, Syrian Arab Republic, Colombia, Philippines and Yemen).<sup>8</sup> However, Child Soldiers International

<sup>&</sup>lt;sup>1</sup> Child Soldiers International, 2012.

<sup>&</sup>lt;sup>2</sup> United Nations Children Fund, 2007.

<sup>&</sup>lt;sup>3</sup> Mazurana & McKay, 2001.

<sup>&</sup>lt;sup>4</sup> Lorey, 2001.

<sup>&</sup>lt;sup>5</sup> Psychology Beyond Borders, 2008.

<sup>&</sup>lt;sup>6</sup> Kohrt, 2007.

<sup>&</sup>lt;sup>7</sup> Achvarina & Reich, 2006.

<sup>&</sup>lt;sup>8</sup> United Nations, 2012.

has found that more countries are at risk of recruiting children under the age of 18 into state or state-allied armed forces. Countries, such as Iran and Eritrea, have children in their military groups in case of hostilities. Therefore, it is likely that children are being involved in armed groups if a conflict erupts in these countries.<sup>1</sup> Preventive measures for the protection of children should be placed in countries that are not in the immediate danger of conflict, and also countries recovering from armed conflict.

Most often children from the age of 13 to 18 are targets of recruitment. This might be as teenagers who are relatively sized and have more physical and mental strength compared to younger children. However, it has been reported that children as young as seven years olds are recruited in armed groups.<sup>2</sup> Children at a young age might also be easier to control, manipulate and are less threatening for military leaders. Children who have not fully developed their cognitive skills might therefore be more fearless, and thus take more risks in comparison to adults. Children are cheap for armed forces and groups, as often the salary is not paid and uniforms are not needed. Also children are less visible to enemies due to their small size. In addition, using child soldiers can possess moral dilemma to an army's enemies – can they shoot a child?<sup>3</sup>

In contemporary conflicts pattern of arm trades have also changed, and the availability of light weapons, such as the AK-47 assault rifle, have increased in conflict zones.<sup>4</sup> As the conventional armaments are not only heavy and complicated to use, the trading of light weapons have made it easy to use by children. They are light to carry, can be used with only little training and are relatively cheap. Such rifles have been estimated, for example, in Uganda to cost the same price as a chicken in a local market.<sup>5</sup> These weapons have made it easy to exploit children as soldiers. Economic factors are often the basic reason for children to become soldiers. Families who suffer from poverty and hunger may offer their children to join armed forces or groups with a reward of a small payment.<sup>6</sup> Other factors, such as socioeconomic, inequalities, insecurity and cultural traditions are all contributing to the

- <sup>5</sup> Ibid.
- <sup>6</sup> Ibid.

<sup>&</sup>lt;sup>1</sup> Child Soldiers International, 2012, p. 12.

<sup>&</sup>lt;sup>2</sup> Ibid., p. 33

<sup>&</sup>lt;sup>3</sup> Lorey, 2001.

<sup>&</sup>lt;sup>4</sup> Machel, 1996.

recruitment of children in combat groups. When conflict is erupting, many children may be able to escape with their families, but also children become separated from their parents and therefore, are easier of being recruited into armed groups.

The recruitment of child soldiers can be forced, compulsory or voluntary.<sup>1</sup> However, voluntary recruitment in most situations is not merely a child's own free will to join armed forces or groups. In regard to the voluntary recruitment, often children are not given any other choice besides joining or a lethal consequence. Therefore, children join "voluntarily" for their own protection and survival, but this action is rarely genuinely voluntary. In other cases children escape their violent family conditions and girls have been reported to join in order to avoid forced marriages, exploitation and physical maltreatment.<sup>2</sup> Joining an armed forces or group, can also been seen as gaining power and status.<sup>3</sup> Compulsory recruitment is regarded when a child and the parents are unaware of the age restrictions of recruitment; recruiters are not aware of the restrictions or ignore them; a child lacks of birth certificate or identity documents. Children are often forcedly recruited or abducted to join armed forces or groups. They are being searched from schools, directly from homes, orphanages and sometimes entire villages, which are raided in order to find children for combats. The recruitment process itself is often accompanied with terrible acts of violence either directly towards children or their families. Forcing them can lead into several indirect consequences, such as the parents becoming too afraid to send their children to schools or to play outside with other children, and therefore are limiting the healthy development activities.<sup>4</sup> Children are thereby excluded from their rights for health, education and recreation defined by the CRC, which is later looked more in details.

## 1.2.1.3 Sexual exploitation and gender-based violence

Sexual violence is not only a by-product of armed conflict, but it has been used as a deliberate and tactical strategy for creating fear and chaos to civilians, and as a method to force displacement. The general breakdown of social order increases the risk of sexual attacks

<sup>&</sup>lt;sup>1</sup> Lorey, 2001.

<sup>&</sup>lt;sup>2</sup> Psychology Beyond Borders, 2008.

<sup>&</sup>lt;sup>3</sup> Lorey, 2001.

<sup>&</sup>lt;sup>4</sup> Machel, 2001.

against civilians during armed conflict.<sup>1</sup> Gender-based violence is directed against a person's own will based on the gender, and it is creating great inequalities between men and women. In armed conflict, there is great threat of genital mutilation and sexual abuse. Rape especially has been reported as a weapon of modern conflicts and it poses a continuous threat mostly to women and girls in armed conflict.<sup>2</sup> Also men and boys are reported as victims of sexual violence and for example, forced to rape during armed conflict. Sexual violence and exploitation is another form of sexual abuse. It includes sexual slavery, as discussed in the context of child soldiers, and forced prostitution. The sexual exploitation has been long an unrecognised side effect of armed conflict. It has been brought more recently to attention of the international community. Also, until recently, the connection of child trafficking and sexual exploitation has been brought to light. The trafficking of children especially in post-conflict situations is not well documented and more research and monitoring would be needed for preventing actions.

The arrival of peacekeeping troops has also been reported to increase the child prostitution on the ground. Machel reported that 6 out of the 12 of the countries in which she conducted her study, commercial sex with children rose rapidly on the arrival of peacekeepers. Children had been offered small payments, gifts and in some cases offered food and clothes.<sup>3</sup> The United Nations has taken an action on the control and legal actions towards the perpetrators of sexual violence.

Especially children exposed to sexual violence should be in a special attention and helped with special knowledge. Under international humanitarian law sexual violence, including rape, is a war crime. The perpetrators of such act are therefore violating the international humanitarian law. A larger scale of systematic violations is regarded as committing a crime against humanity according to international law.<sup>4</sup> Sexual violence can have long-lasting physical, emotional and social effects on children. The most direct effect is the exposure of sexually transmitted diseases and HIV/AIDS, which can rapidly damage a child's health, risk future reproduction and ultimately lead to death. Children exposed to sexual violence also carry a personal humiliation with them and are in danger of being rejected by their families.

<sup>&</sup>lt;sup>1</sup> Machel, 2001.

<sup>&</sup>lt;sup>2</sup> Machel, 1996.

<sup>&</sup>lt;sup>3</sup> Ibid.

<sup>&</sup>lt;sup>4</sup> Machel, 2001.

#### 1.2.1.4 Separated and unaccompanied children

Armed conflicts have always caused civilians to move away from the areas where fighting is taking place. Displacement from one place to another causes different risk factors for populations, and especially for children. It has been estimated that 80 per cent of the refugees and internally displaced people are women and children.<sup>1</sup> Internal Displacement Monitoring Centre estimated that, for example, in Afghanistan 64 per cent of the internally displaced people were children.<sup>2</sup> Children are in risk of being separated from their parents during armed conflicts. Having lost families during the fighting, children are often exposed to danger. Since the parents are not guarding and protecting their children, they are more vulnerable to be exploited and abused by strangers. Also separation from parents puts children at a risk of recruitment in armed forces or groups. Refugee children who have lost their parents are problematic to reunite with their families, as the tracing is difficult since families may have fled to another country.<sup>3</sup>

During armed conflicts children can be separated from their parents either involuntarily or intentionally. Involuntary separation is regarded when families have to flee from their homes during conflict, when children are kidnapped or the parents have perished in the conflict. Intentional separation, on the other hand, is regarded when parents send their children to work, place them in orphanages where they can receive basic services, or abandon them due to the desperation and exhaustion of the conflict situation.<sup>4</sup>

In all cases of children who are in danger to become separated from their parents or primary caregivers, the personnel working on the field should ensure that siblings are kept to together. This is to help the child's emotional security. Researches have shown that possible placements to orphanages or adoption should be avoided, whereas unaccompanied and separated children should be placed to their extended family and community when possible.<sup>5</sup> This secures a child the sense of family and environment life rather than institutionalised

<sup>&</sup>lt;sup>1</sup> Machel, 1996, art. 26.

<sup>&</sup>lt;sup>2</sup> Internal Displacement Monitoring Centre, 2013.

<sup>&</sup>lt;sup>3</sup> United Nations Children Fund, 2009.

<sup>&</sup>lt;sup>4</sup> United Nations Children Fund, 2009.

<sup>&</sup>lt;sup>5</sup> Ibid.; Machel, 1996.

caretaking. Orphaned children in armed conflicts are prone to exploitation and violence, as well as increasing their risk of being recruited by armed forces or groups.<sup>1</sup>

The 10-year strategic review presented to the General Assembly in 2007 recognises the progress made in preventing measurement of avoiding the involuntary and intentional separations. In the analysis carried out in 2006, it was estimated that 18.1 million children were displaced of which 5.8 million refugee children and 8.8 million were displaced internally.<sup>2</sup> All efforts should be paid to trace families and reunite separated and unaccompanied children with their primary caretakers.

#### 1.2.2 The role of international crisis management in protecting children

International crisis management is a co-operative action between states and international organisations, mainly the UN. Broadly it can be understood as security policy activities, which the international community seeks to achieve peace, prevent the escalation of the conflicts to occur and post-measures to mitigate the destructive effects.<sup>3</sup> Crisis management consist of both military and non-military intervention in a crisis situation that may be violent, or non-violent in the means of preventing on-going conflict from escalating further or spread across to a larger region. Military and non-military crisis management are different concepts; the Finnish military crisis management law (211/2006) covers peacekeeping activities, whereas non-military means is known as civilian crisis management.<sup>4</sup> Even though military and civilian crisis management operates in different ways, there are times when these two are needed in seamless co-operation in conflict situations. The use of civilian-military resources and expertise are looked further in detail later in the study.

International crisis management is playing an increasing role in the protection of civilians, and therefore the protection of children is to be included in their mandates. Crisis management personnel can directly help children in the conflict or post-conflict situations, and thereby have an effect on the directions of their lives.

<sup>&</sup>lt;sup>1</sup> Machel, 2001.

<sup>&</sup>lt;sup>2</sup> United Nations General Assembly, 2007, para. 25.

<sup>&</sup>lt;sup>3</sup> Salonius-Pasternak & Visuri, 2006, p. 8.

<sup>&</sup>lt;sup>4</sup> Ibid.

Machel noted that peace could be only achieved when landmines and other unexploded ordnance are no longer threatening civilians.<sup>1</sup> She also highlighted the importance of peacekeeping and peacebuilding operation in mine action. This is to be done in co-operation with the national mine programmes. Mine action contains four areas of focus: investigation of the contamination and impact of the landmines and other ordnance; safety education of children to avoid the landmines; clearance of the landmines and other ordnance; support the children affected by the explosives.<sup>2</sup> The UN has maintained a clear focus on the reporting of impacts of the mines and implementation of mine action. It is an essential part of the areas of peace and security as well as human rights. The UN peacekeeping operations have largely become focused on the post-conflict mine clearance.

The Security Council included child protection advisers (CPA) into its peacekeeping mandates in 2001.<sup>3</sup> Since thousands of children have been released from the recruitment of armed forces and groups, for example 1,656 child soldiers were released in the Democratic Republic of Congo and 674 in Darfur in 2010.<sup>4</sup> Also the legislative form has been advocated and changed in recent years. One major program to separate children either from the state armed forces or non-state armed groups is the disarmament, demobilisation and reintegration (DDR). This program has been successfully applied during conflicts as well as in ceasefire and during peace agreements. DDR proceeds in three parts: disarmament is to collect the weapons in the conflict area and either disposed or stored safely; demobilisation is the formal process of releasing the children from their duties and giving them assistance for their immediate needs as well as providing transportation back to their homes or communities; reintegration is providing an integration back to civilian life and adjust again both socially and economically.<sup>5</sup> Many demobilisation phases fail due to the lack in successful design and ability to turn into a reality. A lack of resources and means to monitor the process can also contribute to the failure.<sup>6</sup> DDR is an essential part of creating a secure and stable environment in the recovery of armed conflict. The United Nations peacekeeping operations are, depending

<sup>&</sup>lt;sup>1</sup> Machel, 2001.

<sup>&</sup>lt;sup>2</sup> Ibid., p. 110.

<sup>&</sup>lt;sup>3</sup> United Nations Security Council, 2001.

<sup>&</sup>lt;sup>4</sup> United Nations, 2011, p. 18.

<sup>&</sup>lt;sup>5</sup> Ibid., p. 14.

<sup>&</sup>lt;sup>6</sup> Ibid., p.17.

on the location, mandated to give assistance in developing and implementing DDR programmes.

Machel's original report highlights the importance on training of the military and especially United Nations peacekeepers on the sexual violence towards children, children's rights and adequate reporting mechanism.<sup>1</sup> The report gives the following recommendation in regard to sexual exploitation and gender-based violence:

All military personnel, including peacekeeping personnel, should receive instructions on their responsibilities towards civilian communities and particularly towards women and children as part of their training.<sup>2</sup>

Children who have been victims of sexual exploitation and gender-based violence can experience problems with trusting adults, and can also have a fear of personnel dressed in uniforms due to their previous experience. The way individuals and communities overcome the past experiences varies from one person to another, and one culture to another. Sexually abused girls often carry the quilt of shame and humiliation with them, and can face family or entire community discrimination. In regard to these factors, the crisis management personnel do need to have the knowledge and ability to help such children. It is also important to have women in crisis management missions, as girls may feel more secure reporting of sexual violence incidents in presence of women.

As noted previously, the majority of the internally displaced people are women and children. Some of these children are not accompanied by either parent. International crisis management personnel do need to have the knowledge and ability to help these children. The help for the separated and unaccompanied children should be applied immediately as children may not remember for a long time the names of the family or directions to the home community. This is the essential information needed in order to trace and reunite the families.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> Machel, 1996.

<sup>&</sup>lt;sup>2</sup> Machel, 1996, para. 110 (b).

<sup>&</sup>lt;sup>3</sup> Juvonen, 2012.

## 1.2.3 Training crisis management personnel in child protection

Mainstreaming child protection in crisis management activities is not necessarily easy. Svjetlana Jovic, who was assigned as child protection focal point for Lebanon (UNIFIL) in 2008, said that including child protection in traditional peacekeeping missions remains a challenge.<sup>1</sup> The UN is organising training and workshops on children's rights and protection together with Save the Children Sweden. The training is designed to provide guidance and tools for crisis management personnel in order to become credible actors on the ground for protecting children. The training that is taking place in the UNIFIL operation consists of discussions on childhood, impacts of conflicts on children, international law on children's rights as well as domestic legislation and existing mechanism for child protection.<sup>2</sup> Save the Children Sweden has engaged in training Swedish peacekeepers since the early 1990's, and later continued to train civilian police deployed for crisis management missions in cooperation with other organisations.<sup>3</sup> In the early days, the training concentrated specifically on protection of children and trafficking for sexual purposes. This was due to the fact that the majority of the Swedish peacekeeping operations were in the Balkan regions where trafficking was an enormous problem. Later, when Swedish peacekeepers were participating in different operations, such as in Liberia and Afghanistan, Save the Children Sweden shifted the focus of training to more general issues on children's rights. The training methods used by the Save the Children consists of inter-active lectures and discussions together with other NGOs, as well as includes regional and thematic information in regard to specific missions.<sup>4</sup> Save the Children Norway has also conducted training sessions in the Norwegian Armed Forces since 1997. They have noticed a clear positive change in the attitudes of Norwegian peacekeepers in regard to children's rights issues.<sup>5</sup>

<sup>&</sup>lt;sup>1</sup> United Nations, 2011, pp. 11-12.

<sup>&</sup>lt;sup>2</sup> Ibid., p. 12.

<sup>&</sup>lt;sup>3</sup> Save the Children Sweden, 2006.

<sup>&</sup>lt;sup>4</sup> Ibid.

<sup>&</sup>lt;sup>5</sup> Ibid.

#### **1.3 INTERNATIONAL HUMANITARIAN AND HUMAN RIGHTS LAW**

Over the past 60 years, international humanitarian law (IHL) and international human rights law (IHRL) have set a comprehensive legal framework that covers the values and norms that help to protect all people in conflicts. The two bodies were created distinctively, but increasingly they are aiming to achieve equivalent objectives for the legal protection of humans.<sup>1</sup> Together the laws constitute a legally binding system for promoting and protecting the rights of all people around the world. IHL and IHRL obliges the signed state parties and countries to respect the protection of all individuals and groups. Through the ratification of international treaties, governments are bound under international law not to defeat the objects and purpose of treaties. Also they are bound to ensure implementation and enforcement of the law at a domestic level.

The foundation of IHL is the *Geneva Conventions* signed in 1949 (entered into force the following year in 1950).<sup>2</sup> Its two Additional Protocols were adopted in 1977 and third Protocol was adopted in 2005.<sup>3</sup> These are the main treaties covering the protection of persons affected by armed conflicts. The rights are the same for all, during both peace and war. The Geneva Conventions comprise four treaties that are ratified by 194 countries and are thereby universally acknowledged.<sup>4</sup>

International human rights law is based upon the *Charter of the United Nations* signed in 1945 and *Universal Declaration of Human Rights* adopted by the United Nations General Assembly in 1948.<sup>5</sup> IHRL is designed to protect the right of every individual in international, regional and national level. It has a great number of treaties specialised in protection of children, however the most important treaty in this regard to bind the humanitarian and human rights law together is the Convention of the Rights of the Child.<sup>6</sup> In this study, the CRC is used as main source when referring to the legitimate instrument of children's rights and international agreement on child protection.

<sup>&</sup>lt;sup>1</sup> Machel, 2001.

<sup>&</sup>lt;sup>2</sup> International Committee of the Red Cross, 1949.

<sup>&</sup>lt;sup>3</sup> International Committee of the Red Cross, 1977a, 1977b, 2005.

<sup>&</sup>lt;sup>4</sup> International Committee of the Red Cross, 2012.

<sup>&</sup>lt;sup>5</sup> United Nations, 1945; United Nations General Assembly, 1948.

<sup>&</sup>lt;sup>6</sup> United Nations General Assembly, 1989.

#### 1.3.1 The Universal Declaration of Human Rights

The United Nations General Assembly adopted the Universal Declaration of Human Rights just after World War II in 1948.<sup>1</sup> Together with the creation of the UN, the international community demanded rules for stopping such dreadful events as those experienced in World War II. The Declaration is regarded to be the foundation of IHRL and it consists of 30 articles on the fundamental rights of all human beings. The Declaration recognises the equal rights for men and women. Also mothers and children are noted for requiring a special care and assistance.<sup>2</sup>

## 1.3.2 The Geneva Conventions

Like the Universal Declaration of Human Rights, the Geneva Conventions were established in the post-war landscape of World War II.<sup>3</sup> The events of the war and its horrendous consequences had shown that there is an immediate need for protecting the civilians during hostile actions. The Geneva Conventions consists of four treaties that are concerned with the most important rules limiting the inhumanity of wars. They apply to all cases of declared war and are mainly limited to apply to armed conflicts between states. The Conventions are the main body of IHL that regulates the conduct of hostilities in armed conflicts and seeks protection for people not involved in the fighting.

In this study, the fourth Geneva Convention concerned with the protection of civilians in wartime is looked into with more detail. In this section of the Conventions, protection of the civilians in the means of safety, wellbeing, continuity of education and prevention of separation from the families are highlighted. These apply to all civilian persons, and thereby children are included. The fourth Convention clarifies that the children under the age of 15 should be protected from the effects of war, and children under the age of seven should be protected together with their mothers.<sup>4</sup> In this regard the child is seen as a person under the age of 15, whereas a child under the age of 7 is most vulnerable and therefore must always be

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 1948.

<sup>&</sup>lt;sup>2</sup> Ibid., art. 25.

<sup>&</sup>lt;sup>3</sup> International Committee of the Red Cross, 1949.

<sup>&</sup>lt;sup>4</sup> Ibid., art. 14.

accompanied with mothers. The fourth Convention does not specify the basis of the age standards.

The Geneva Conventions was extended and supplemented by two Additional Protocols in 1977.<sup>1</sup> (The Additional Protocol III was adopted in 2005 and it relates to the use of symbols and adoption of an additional emblem.)<sup>2</sup> The Additional Protocols I and II enforce the rules how wars may be fought and how civilians are to be protected in armed conflicts. Additional Protocol I is specifically related to the international armed conflicts, whereas the Additional Protocol II was designed for the first time on non-international conflicts, or civil wars. Since the characteristics of wars had changed after the Geneva Conventions was adapted, the armed conflicts within the states needed to be included in the international treaty. The Additional Protocols prohibits the recruitment of children under the age of 15 years old into armed forces, and restricts children to take part in hostilities.

## 1.4 THE UNITED NATIONS AND CHILDREN IN ARMED CONFLICT

The founder of the Save the Children Alliance, Eglantyne Jebb together with her sister Dorothy Buxton, recognised that after World War I children needed a special protection and promotion of their rights. Jebb started by listing five important criteria for the protection of a child. She raised the awareness of children's issues and published the first document on the children's right in 1923 – *Geneva Declaration on the Rights of the Child* (also known as Declaration of Geneva). A year later, in 1924 it was adopted by the League of Nations, the former United Nations.<sup>3</sup> It was the first international treaty that was solely concerned with children. However, it does not define a child by any particular age. The Declaration not only recognised the special rights for children, but also adults' responsibility to protect the rights.

The United Nations came to replace the League of Nations after the World War II. It was established as an organisation in 1945 and the same year the Charter of the United Nations was published.<sup>4</sup> The Charter is a multilateral treaty and serves as the constitution for the

<sup>&</sup>lt;sup>1</sup> International Committee of the Red Cross, 1977a, 1977b.

<sup>&</sup>lt;sup>2</sup> International Committee of the Red Cross, 2005.

<sup>&</sup>lt;sup>3</sup> League of Nations, 1924.

<sup>&</sup>lt;sup>4</sup> United Nations, 1945.

organisation. Its principal judicial organ is the Statute of the International Court of Justice (ICJ). The Charter is largely concerned with international security, maintenance of peace and justice. One can see the focus is shifting somewhat from security of states to humanitarian security.<sup>1</sup> Regardless of the Declaration of Geneva, children were not mentioned as such in the treaty, and no special attention was therefore put on children's rights in the post-war analysis. The promotion on general human rights and fundamental freedom of human beings are highly visible in the treaty.

In 1946 the United Nations International Children's Emergency Fund was established. In 1953 it became the permanent part of the United Nations and changed the name to the current United Nations Children's Fund, but remained its worldwide known acronym, UNICEF. The casualties of World War II left thousands of children in a frightful situation and consequently UNICEF focused on the young victims of the war and started applying help, such as health care, food and clothing, to the children.

Children's rights were made known worldwide through the UN's publication of the *Declaration of the Rights of the Child* that was published in 1959.<sup>2</sup> This was the extended version of the Geneva Declaration mentioned earlier and builds upon the rights based on it. The Declaration was not enforceable by international law, but served more as guidelines for all countries. The United Nations General Assembly approved the expansion of the 5 original criteria listed by Jebb to 10 principles of children's rights in the Declaration of the Rights of the Child. As in the Declaration of Geneva, this document neither defines the age when childhood is regarded to begin and end. These principles are universal children's rights and even though there is no specific reference to children in armed conflicts, these two principles could be interpreted as applicable in such situations:

The child shall in all circumstances be among the first to receive protection and relief.<sup>3</sup>

The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be subject of traffic, in any form. The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation

<sup>&</sup>lt;sup>1</sup> United Nations, 1945, art. 1, 2.

<sup>&</sup>lt;sup>2</sup> United Nations General Assembly, 1959.

<sup>&</sup>lt;sup>3</sup> Ibid., principle 8.

or employment which would prejudice his health or education, or interfere with his physical, mental or moral development.<sup>1</sup>

Almost twenty years later from the Declaration of the Rights of the Child, the Economic and Social Council made a recommendation to the General Assembly on the protection of women and children in armed conflicts. The General Assembly expressed their deep concern on the vulnerability of women and children in conflict situations and stressed on the importance of providing special protection to them with the instrument of IHL, the Geneva Protocol and the Geneva Conventions. The *Declaration on the Protection of Women and Children in Emergency and Armed Conflict* came into force in 1974.<sup>2</sup> The importance of military operations in the Declaration is expressed as follows:

All efforts shall be made by States involved in armed conflicts, military operations in foreign territories or military operations in territories still under colonial domination to spare women and children from the ravages of war. All the necessary steps shall be taken to ensure the prohibition of measures such as persecution, torture, punitive measures, degrading treatment and violence, particularly against that part of the civilian population that consist of women and children.<sup>3</sup>

## 1.4.1 Convention on the Rights of the Child and its Optional Protocols

In 1989 the UN General Assembly unanimously adopted the Convention on the Rights of the Child.<sup>4</sup> It is a legal framework on children's rights and the most ratified human rights treaty in the world. Currently 191 countries out of the 193 member states have ratified the CRC, the only exceptions being Somalia and the United States.<sup>5</sup> It is a legally binding document; meaning that the countries which have ratified it, are committed to implement the child rights by international law. Equal rights for every child are recognised, and it is acknowledged that all children have the right to the satisfaction of their basic needs and beyond. Special attention is paid to children living in exceptionally difficult conditions. The Convention goes through the rights of the child in detail and recognises that not only do the children need attention in

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 1959, principle 9.

<sup>&</sup>lt;sup>2</sup> United Nations General Assembly, 1974.

<sup>&</sup>lt;sup>3</sup> Ibid., principle 4.

<sup>&</sup>lt;sup>4</sup> United Nations General Assembly, 1989.

<sup>&</sup>lt;sup>5</sup> United Nations Treaty Collection, 2013.

peacetime, but they are also in need of protection from violence during armed conflicts. CRC makes reference to the Universal Declaration of the Human Rights and the language is somewhat adopted directly from it. The Geneva Convention, as well as the Geneva Declaration on the Rights of the Child, are also referred to in the CRC.

CRC defines a child being any person under the age of 18 years old.<sup>1</sup> However, it is a socalled open definition that takes into account the domestic laws and therefore opens the possibility for universal ratification. In this study, the age of 18 is also used to define what we refer to as 'child'.

Article 38 mentions specifically children who are affected by armed conflicts, and obliges member states to follow the rules of international humanitarian law in this respect. The article demonstrates the parallel implication of IHL and IHRL. The same article specifies that a child under the age of 15 years cannot take direct part in hostilities. This might be due to the fact that many communities regard a child of 14 years old as a young adult, and therefore lowering the age from 18 to 15 could be the reason for all the 193 countries being able to ratify the Convention. It continues to specify that member states should abstain from recruiting children under the age of 15 to their armed forces, and rather give priority to the oldest of those between 15 and 18.

In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, State Parties shall take all feasible measures to ensure the protection and care of children who are affected by an armed conflict.<sup>2</sup>

Article 39 of the CRC focuses on recovery of the armed conflict and reintegration of children affected by them or other violent experiences. In attempting to protect children from the impact of armed conflict, article 39 also binds together the two significant laws – IHL and IHRL. The member states that have ratified the CRC are required to promote the recovery and reintegration of children affected by armed conflict:

State parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 1989, art. 1.

<sup>&</sup>lt;sup>2</sup> Ibid., art. 38.

any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.<sup>1</sup>

The United Nations Committee on the Rights of the Child carries out monitoring of the implementations of the CRC and member states that have ratified it are required to report on the matters every five years. Once a year a report is submitted by the General Assembly. The Committee is also responsible for monitoring the compliance of the two Optional Protocols to the Convention.

The United Nations adopted two Optional Protocols to the CRC in 2000. The first Protocol is on the involvement of children in armed conflict (OPAC) that restricts children becoming involved in military conflicts.<sup>2</sup> The Protocol raise the minimum age of 15 to 18 years for becoming compulsorily involved actively in violent hostilities, and therefore requires governments to ensure that no child under the age of 18 is recruited compulsorily to any armed forces. It also prohibits non-governmental forces to recruit children under the age of 18 to their armed groups. However, the Protocol is less clear on the voluntary recruitment by not stating a clear age limit to the member states. This is creating a loophole to the Protocol by restricting compulsory recruitment from children under the age of 18, but allowing voluntary recruitment of minors. Currently 152 countries have ratified the Protocol, including Finland.<sup>3</sup> The second Protocol is on the sale of children, child prostitution and child pornography (OPSC).<sup>4</sup> It addresses the problem of sex trafficking of children in relation to a variety of reasons; one among others is the participation in armed conflicts. The Protocol highlights the special danger directed to girls and recognises them as being in particular danger of sexual exploitation. The Protocol prohibits the sale of children, child prostitution and child pornography, and obliges the member states to enforce the violations of such actions according to their domestic, criminal or penal laws. 163 countries have so far has ratified the second Protocol. Finland signed the Protocol in 2000, but it did not enter into force until 2012.5

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 1989, art. 39.

<sup>&</sup>lt;sup>2</sup> United Nations General Assembly, 2000a.

<sup>&</sup>lt;sup>3</sup> United Nations Treaty Collection, 2013.

<sup>&</sup>lt;sup>4</sup> United Nations General Assembly, 2000a.

<sup>&</sup>lt;sup>5</sup> United Nations Treaty Collection, 2013.

In 2011, the UN General Assembly adopted a third Optional Protocol on a communication procedure, which gave children the right to bring forward complaints concerning the violations of their rights under the CRC and the two Optional Protocols.<sup>1</sup> In February 2013, the United Nations International Coalition for the Optional Protocol together with the UN Permanent Missions of Chile, The Maldives, Thailand, Germany and Finland promoted the signing and ratification of the third Protocol in order to promote the rights of children and bring the third Protocol into force.<sup>2</sup> It is currently ratified by Thailand, Gabon, Germany, Bolivia, Albania and Spain and after 10 ratifications it will come into force.<sup>3</sup>

## **1.4.2 Millennium Declaration of the United Nations**

In 2000, world leaders made a commitment to meet with the developmental plans through the unanimous adoption of the United Nations Millennium Declaration, and subsequently the Millennium Development Goals (MDGs).<sup>4</sup> Together they provide a framework for national governments, the international community, civil societies and private sectors, to consistently work towards the challenging objectives of human development. Child protection is explicitly addressed in the Declaration:

We recognize that, in addition to our separate responsibilities to our individual societies, we have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level. As leaders we have a duty therefore to all the world's people, especially the most vulnerable and, in particular, the children of the world, to whom the future belongs.<sup>5</sup>

The Millennium Development Goals were developed to reduce the extreme poverty, inequality and strive for the protection of fundamental human rights for all people, especially for the ones most affected. All member states and international organisations involved have agreed to achieve the MDGs by 2015. The MDGs has eight key objectives of which the first six can be seen as directly related to the health and wellbeing of children. The first goal is to eradicate extreme poverty and hunger, and the second goal is to accomplish primary

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 2011.

<sup>&</sup>lt;sup>2</sup> NGO Committee on UNICEF, n.d.

<sup>&</sup>lt;sup>3</sup> United Nations Treaty Collection, 2013.

<sup>&</sup>lt;sup>4</sup> United Nations General Assembly, 2000b.

<sup>&</sup>lt;sup>5</sup> Ibid., I. art. 2.

education for all children. The third goal is to promote gender equality and empower women. The fourth goal is to reduce child mortality rate, and the fifth is to improve maternal health. The sixth goal is to reduce HIV/AIDS, malaria and other diseases. The seventh goal is to ensure environmental sustainability, and the eighth is to develop a global partnership for development.<sup>1</sup>

The Millennium Declaration addresses children affected by armed conflicts and targets to protect them with the enforcement of IHL, strengthening international co-operation and encouraging ratification on the CRC and its Optional Protocols.

We will spare no effort to ensure that children and all civilian populations that suffer disproportionately the consequences of natural disasters, genocide, armed conflicts and other humanitarian emergencies are given every assistance and protection so that they can resume normal life as soon as possible.<sup>2</sup>

The UN Secretary General issues the progression of the implementation of the Millennium Declaration, including the MDGs, in a yearly report. A comprehensive review with all the member states of the United Nations is conducted every five years.

## 1.4.3 The UNSC resolutions on children and armed conflict

Over the last decade, the United Nations Security Council has taken seriously into account the role of children in armed conflicts. A great focus is upon child protection in order to build and maintain international peace and security. Child protection gained remarkable international attention after the original Machel Report in 1996, and thereby the General Assembly recommended the Secretary-General to appoint a Special Representative on Children and Armed Conflict (SRSG-CAAC) to act on and promote the rights of children. The protection of children was recognised to be an important aspect of the comprehensive approach to resolve conflicts. The Security Council introduced their first resolution in 1999, and it specified the impact of armed conflicts on children, and condemned the targeting of children

<sup>&</sup>lt;sup>1</sup> United Nations, 2005.

<sup>&</sup>lt;sup>2</sup> United Nations General Assembly, 2000b, VI. art. 26.

in armed conflicts as well as recruitment of child soldiers.<sup>1</sup>

All the UNSC resolutions are based on the legal framework of IHL and IHRL, especially the Geneva Convention, the CRC and its Optional Protocols on the involvement of children in armed conflict. This framework also refers to the Rome Statute of the International Criminal Court. The Security Council lays a great importance especially on DDR processes, which are highlighted in all of their resolutions as well as the involvement of children peace processes. This part reviews in greater detail each resolution on children in armed conflicts. The focus is upon the different risks children face in armed conflicts, and training of peacekeeping personnel working in conflict areas.

*The United Nations Security Council Resolution 1261 (1999)* - The Security Council address the impact of armed conflicts upon children and therefore, for lasting peace, security and development. It draws attention to child soldiers and makes a notion that recruitment of a child under the age of 15 into armed forces is classified as a war crime under the Rome Statute of the International Criminal Court. It gives special importance to vulnerability of girls in armed conflicts and their protections from rape and other sexual violence in such conflicts. The Security Council also expresses the importance of training:

Requests the Secretary-General to ensure that personnel involved in United Nations peacemaking, peacekeeping and peace-building activities have appropriate training on the protection, rights and welfare of children, and urges States and relevant international and regional organizations to ensure that appropriate training is included in their programmes for personnel involved in similar activities.<sup>2</sup>

*The United Nations Security Council Resolution 1314 (2000)* - The Security Council reaffirms its strong position on targeting children in armed conflicts. The resolution continues stressing the responsibility of all States to condemn those responsible for targeting children. The resolution makes a link between illicit trade of natural resources and light weapons in prolonging conflicts, and therefore deepening the impact on children. The local organisations dealing with children are welcomed to co-operate in training purposes on the rights of women

<sup>&</sup>lt;sup>1</sup> United Nations Security Council, 1999.

<sup>&</sup>lt;sup>2</sup> Ibid., para. 19.

and children. The Security Council reaffirms its readiness to include CPAs in the future for relevant peacekeeping operations.

*The United Nations Security Council Resolution 1379 (2001)* - New links are made between terrorism and armed conflicts. This is recognised as one cause of prolonging conflicts and impacting civilians, including children. The Security Council requests the Secretary-General to include CPAs and the child protection in peacekeeping and peace-building operations, ensuring that essential training in IHL and IHRL are given to all peacekeeping personnel working in conflict areas. Attention is also paid to the monitoring and reporting of children in armed conflicts. The resolution stresses on the knowledge of children's protection in peacekeeping operations:

Expresses its readiness explicitly to include provisions for the protection of children, when considering the mandates of peacekeeping operations, and reaffirms, in this regard, its readiness to continue to include, where appropriate, child protection advisers in peacekeeping operations.<sup>1</sup>

*The United Nations Security Council Resolution 1460 (2003)* - The Security Council reiterates its commitment to the previous resolution on children in armed conflict, and is taking note on the resolution *1325 Women, peace and security (2000)*.<sup>2</sup> It is the thematic agenda item focusing on disproportionate and unique impact of armed conflict on women, and thus including girls. The resolution 1325 also focuses largely on the involvement of women in peace and security.

The Security Council emphasises the international law on crimes against children. Regarding the disciplinary actions on the sexual exploitation and abuse of women and children, in comparison to the previous resolutions, the Security Council recognises the same actions for humanitarian workers and peacekeepers involving in such violations.

*The United Nations Security Council Resolution 1539 (2004)* - Whereas the Security Council recognises the improvement on the advocacy and development of norms and standards in the protection of children in armed conflicts, it notifies the declined progress on the ground. The Security Council reminds the member states that recruiting a child under the age of 15 into

<sup>&</sup>lt;sup>1</sup> United Nations Security Council, 2001, p. 1.

<sup>&</sup>lt;sup>2</sup> United Nations Security Council, 2000b.

armed forces is regarded as a war crime, but it also makes a notification on the Optional Protocol to the CRC that compulsory and voluntary recruitment and participation in armed conflicts require the minimum age of 18. Furthermore, the Security Council calls for effective monitoring and reporting mechanism for recruitment and the use of child soldiers. It also welcomes the European Union's publication of Guidelines on Children and Armed Conflict.

The Security Council decides to include provision of child protection to its peacekeeping mandates and to deploy CPAs for peacekeeping operations. Their task is to fulfil the child protection mandates, including advising mission leaders, conducting training and advocating. They also play an important role in creating dialogue with armed actors that are recruiting children. Currently CPAs are working in the following countries: Sudan, Democratic Republic of the Congo, Haiti, Afghanistan, Liberia and Côte d'Ivoire.<sup>1</sup>

*The United Nations Security Council Resolution 1612 (2005)* - The Security Council expresses its concern on the progress and development of the monitoring and reporting action plan that was introduced in its previous resolution 1539 on children and armed conflict. The resolution 1612 specifies with more detail the systematic and comprehensive Monitoring and Reporting Mechanism (MRM) and decides on establishing a Working Group on Children and Armed Conflict within the Security Council (SCWG-CAAC) to follow on this and making recommendations on child protection on appropriate peacekeeping mandates.

Stresses the responsibility of United Nations peacekeeping missions and United Nations country teams, consistent with their respective mandates, to ensure effective follow-up to Security Council resolutions, ensure a coordinated response to CAAC concerns and to monitor and report to the Secretary-General;<sup>2</sup>

The Security Council recognises various ways in which children are affected by armed conflict. In order to protect the children and condemn the perpetrators for the abuse and violence against children, the Security Council authorised the establishment of the MRM covering six grave violations against children rooted in IHL: killing or maiming of children; recruitment or use of children as soldiers; sexual violence against children; abduction of

<sup>&</sup>lt;sup>1</sup> United Nations, 2011.

<sup>&</sup>lt;sup>2</sup> United Nations Security Council, 2005, para 10.

children; attacks against schools or hospitals; denial of humanitarian access.<sup>1</sup> The purpose of the MRM is to gather systematically and timely accurate information on the violations against children. It includes benchmarks in the area as well as special reporting requirements for countries that are listed in the annexes of the annual report of the Secretary-General on Children and Armed Conflict. The MRM is implemented in 13 countries: Afghanistan, Burundi, Central African Republic, Democratic Republic of Congo, Myanmar, Nepal, Somalia, Southern Sudan and Darfur (considered together), Chad, Colombia, Philippines, Sri Lanka and Uganda.<sup>2</sup> The Security Council reinforces the policy on not tolerating any sexual exploitation and abuse against children, and request training as a preventing tool:

*Welcomes* the efforts undertaken by United Nations peacekeeping operations to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of their personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of misconduct involving their personnel;<sup>3</sup>

*The United Nations Security Council Resolution 1882 (2009)* - In accordance with the resolution 1612 (2005), the Security Council acknowledges improvement on the MRM, especially in the release and reintegration of children in armed conflicts. However, the Security Council remain highly concerned about the grave violations towards children. Killing and maiming of children is a special concern, as well as deliberately targeting children and using them as a human shield. Sexual violence against children is also in a critical priority to the Security Council's work, and it continues to condemn all violations applicable to IHL and IHRL.

Requests Member States, United Nations peacekeeping, peacebuilding and political missions and United Nations country teams, within their respective mandates and in close cooperation with governments of the concerned countries, to establish appropriate strategies and cooperation mechanism for information exchange and cooperation on child protection concerns, in particular

<sup>&</sup>lt;sup>1</sup> United Nations Security Council, 2004, para 1.

<sup>&</sup>lt;sup>2</sup> Kuper, 2010.

<sup>&</sup>lt;sup>3</sup> United Nations Security Council, 2005, para 11.

cross-border issues, bearing in mind relevant conclusions by the Secretary Council Working Group on Children and Armed  $Conflict(..)^1$ 

*The United Nations Security Council Resolution 1998 (2011)* - The Security Council is expressing concern about the deliberate attacks and threats of attacks to schools and hospitals; thereby it is requesting all parties of conflicts to cease the threats and attacks in accordance with international law. The Security Council reaffirms the continuity of assigning CPAs and inclusion of provision of child protection in all relevant UN peacekeeping and peacebuilding mandates, and political missions. The Security Council is requesting the Secretary General to take the MRM into its full capacity.

*The United Nations Security Council Resolution 2068 (2012)* - The Security Council recognises the progress made since the implementation of the 1612 and its following resolutions. Especially progress has been generated on demobilisation of children from armed forces or groups, United Nations signing action plans with parties to conflict, and delisting countries from the Secretary-General's annual report Annexes that have been identified being perpetrators of any six grave violations.

The Security Council condemns all violation on the recruitment and use of children in armed forces, and demands all relevant parties to take an action to put an end to the six grave violations towards children in armed conflicts. The Security Council is requesting the member states to act upon it in accordance with a national, and when possible, international justice mechanism towards the perpetrators that continuously violate the rights of the children in armed conflicts.

## **1.5 THE EUROPEAN UNION AND CHILDREN**

Over the past decade, the European Union has become actively involved in promoting the rights of children and has developed a framework for children and armed conflict (CAAC). The EU is giving high priority to helping children in conflicts; however their history of promoting children's rights is remarkably shorter than the United Nations. Further how the EU has aimed at mainstreaming children's rights into its advocacy, policies and procedures is

<sup>&</sup>lt;sup>1</sup> United Nations Security Council, 2009, para. 12.

reviewed in this part. More specifically three main documents of the EU that focus on children in its foreign and security policy are looked into.

In line with the UN, the EU has legally binding frameworks that guide its work and response on children and armed conflict. This includes IHL and IHRL introduced previously. The CRC is particularly the comprehensive legal instrument behind the EU's work on protecting children and promoting their rights. The EU is also committed to the objectives set by the Millennium Declaration and Millennium Development Goals in regard to the protection of children's rights.

In 2003 the *EU Guidelines on Children and Armed Conflict* was adopted, which is one of the most comprehensive document on the rights of children published by the Council of the European Union.<sup>1</sup> The EU Guidelines were revised in 2008 and complemented by an implementation strategy.<sup>2</sup> These documents are looked at in more detail in the following section.

In 2007 the *EU Guidelines on the Promotion and Protection of the Rights of the Child* was published.<sup>3</sup> These guidelines are set out for reinforcing the action of the EU for protecting and promoting children's rights in its external policy. Its aim is to encourage a more strategic approach to protecting the rights of the child, and strengthen the current efforts on these matters. The guidelines points out the issue of threats that children are facing and the lack of education and social, as well as health, services available to them. It continues with raising the issue of armed conflicts affecting children and pays a special attention for girls' vulnerability to discrimination, marginalization, exclusion and exposure to sexual violence. A notion is made in regard to children's role in the future and thereby also stating that children should be prioritised in EU external action. This document complements the EU Guidelines on Children and Armed Conflict, and it provides recommendations on actions for achieving its objectives in relation of non-EU countries and international fora. The operational tools for action introduced are: political dialogue, demarches, bi- and multilateral co-operation, and

<sup>&</sup>lt;sup>1</sup> Council of the European Union, 2003, 2008b.

<sup>&</sup>lt;sup>2</sup> Council of the European Union, 2006b, 2010.

<sup>&</sup>lt;sup>3</sup> Council of the European Union, 2007.

developing partnerships and intensifying coordination with international stakeholders, especially with the UN and its organs.<sup>1</sup>

A year later, in 2008, these guidelines were followed by the European Commission Communication *A Special Place for Children in EU External Action.*<sup>2</sup> Regarding children's rights, this document identifies the policy framework and sets guiding principles for its selected priority countries. It specifies children's position in the EU's external relations. A higher focus is drawn to adolescents; this is on a larger scale as the previous documents from the EU in relations to children. The EU recognises that children's well-being is not only for present, but also for future key dimensions for sustainable development.

Investing in children and young people today means investing in the future. Young people with a good education, positive ideals, skills and a sense of social responsibility are likely to become adults with a commitment to sound social values, ready and able to make a constructive contribution to the economic and social development of their communities. Children and young people with these positive qualities are also likely in their turn to become caring parents for their own children.

Ultimately progress in the condition of children is essential if we are to prevent state fragility and ensure long-term sustainable development, social cohesion, stability and human security at national, regional and global levels.<sup>3</sup>

The EU attaches great importance to children's rights and is committed respecting them under international and European treaties. The EU recognises that children's rights are crosscutting objectives and these are to be implemented extensively in its external actions. The protection of children's rights is also given special attention in its human rights policy towards non-EU member countries, and thereby in particular to children in armed conflicts. Another contribution to the children in conflict situations was announced in 2012, when the European Commission informed on behalf of the EU, that it is using the Nobel Peace Prize money to support projects that help children affected by conflicts.

<sup>&</sup>lt;sup>1</sup> Council of the European Union, 2007, pp. 7-10

<sup>&</sup>lt;sup>2</sup> Commission of the European Communities, 2008.

<sup>&</sup>lt;sup>3</sup> Ibid., pp. 2-3.

The Nobel Peace Prize stands for reconciliation throughout the world. The Prize money should benefit the first hope for the future, but also the first victims of present and past conflicts: children.<sup>1</sup>

## 1.5.1 The EU Guidelines on Children and Armed Conflict

The Guidelines on Children and Armed Conflict is the first official document of the EU that summaries its policy on the protection of children. The guidelines aim to protect children from the effects of armed conflict, stopping the recruitment of child soldiers and ending the impunity for violations against children. It seeks to ensure that preventive measures are taken into practise as well as protection of children during actual conflict and in post-conflict phases. The guidelines adopted in 2003 were the first attempt to bring together all EU policies in regard to the protection of the rights of the child.<sup>2</sup> In 2008 the guidelines were updated with enforcement of the implementation of the rules on protection of children in conflicts.<sup>3</sup> Its Implementation Strategy was adopted in 2006, and revised in 2010.<sup>4</sup>

The Implementation Strategies offered specific instruction on monitoring and reporting in cooperation with the UN. It does not have its own monitoring and reporting mechanism for the guideline's framework. The EU has committed itself to supporting the UN mechanism in the field of crisis management; in particular the MRM implemented in the Security Council resolutions 1612. The EU is also supportive of the UN's SRSG-CAAC and SCWG-CAAC. The Implementation Strategies' target was to give concrete instructions on monitoring and reporting of the violations towards children in conflicts, and the mechanism for these is carried out in co-operation with the UN. The former Ambassador and Permanent Representative of Finland to the UN, Kirsti Lintonen, welcomed the 10-year review of the Machel report in her speech at Security Council on behalf of the EU.<sup>5</sup> She highlighted the six grave violations towards children and the importance of MRM that is to be used equally in all relevant situations. The EU guidelines notably pay attention on the six grave violations, but take into account that other violations towards children should not go unreported and

<sup>&</sup>lt;sup>1</sup> European Commission, 2012.

<sup>&</sup>lt;sup>2</sup> Council of the European Union, 2003.

<sup>&</sup>lt;sup>3</sup> Council of the European Union, 2008b.

<sup>&</sup>lt;sup>4</sup> Council of the European Union, 2006b, 2010.

<sup>&</sup>lt;sup>5</sup> Ministry for Foreign Affairs of Finland, 2006b.

monitored. Consequently all violations and abuses should be responded within the context of country engaged in conflict.<sup>1</sup>

The guidelines emphasises the role of crisis management in protection of children in conflicts, in particular the planning phase of the EU operations.

Crisis management operations: during the planning process, the question of protection of children should be adequately addressed. In countries where the EU is engaged with crisis management operations, and bearing in mind the mandate of the operation and the means and capabilities at the disposal of the EU, the operational planning should take into account, as appropriate, the specific needs of children, bearing in mind the particular vulnerability of the girl child. In pursuit of the relevant UNSC resolutions, the EU will give special attention to the protection, welfare and rights of children in armed conflict when taking action aimed at maintaining peace and security.<sup>2</sup>

In regard to the training purposes, the EU recommends training on the protection of children for crisis management personnel. The Implementation Strategy specifies that training for member states' national training programmes involved in CSDP missions of civilian and military personnel should cover child protection issues. However, the EU has been criticised for lack of consistency in its training and the responsibility of these recommendations are primarily left to be decided by each member state.<sup>3</sup>

# 1.5.2 A human security approach for Europe

The United Nations Developmental Programme (UNDP) was the first to introduce the concept of human security through its publication of the *Human Development Report* (1994).<sup>4</sup> The concept was developed in the after-math of the Cold War, especially highlighting the two major components 'freedom from fear' and 'freedom from want' for all individuals. According to the UNDP human security is regarded as a reflection of a new security approach based on the premises of human rights and human development. The report focuses on development and its importance as a security strategy. It defines security as life threatening

<sup>&</sup>lt;sup>1</sup> Council of the European Union 2008b.

<sup>&</sup>lt;sup>2</sup> Ibid., p. 7.

<sup>&</sup>lt;sup>3</sup> van Reisen and Hrabovszki, 2012.

<sup>&</sup>lt;sup>4</sup> United Nations Development Programme, 1994.

harms, and it puts weight on individuals being secure in economic as well as health terms. The report highlights the security of individuals and prioritises human beings as the principle object of concern, rather than security of states. There is more than one definition or understanding of the broad concept of human security. Differencing from the UNDP, for example the Canadian Government chose to use a more narrow understanding of the human security concept linking it to Responsibility to Protect and the idea of protecting people from great human rights violations where they cannot defend themselves.<sup>1</sup> They focus mostly on political violence.

In order to look at the ways of implementing the concept into European Security Strategy, EU Secretary-General Javier Solana requested a report on 'Europe's Security Capabilities'. A study group of human security convened by Mary Kaldor from the London School of Economics carried out the report. Academics and practitioners around Europe formed the study group. The report A human security doctrine for Europe (2004) (also known as the Barcelona Report) was thereby published in order to give the Europeans a human security strategic narrative.<sup>2</sup> They define the concept on human security in regard to "individual freedom from basic insecurities".<sup>3</sup> The report gives a broader understanding of security as given by the UNDP; the study group sees security in terms of all violent situations. The report suggests that Europe needs new views and approaches to use its military forces. Their approach to new European security strategies consist of seven principles: the primacy of human rights, clear political authority, multilateralism, the bottom-up approach, regional focus, use of legal instruments and an appropriate use of force. The emphasis is on applying the principles in practice and sets a new framework of a people-centred view to Europe's military and peacekeeping forces. The Barcelona report did raise a little attention to children. They are briefly being mentioned in two example situations from the Democratic Republic of Congo, but are not given any more attention than this.<sup>4</sup>

During the Finnish Presidency of the EU in 2006, the study group was asked to look in more details how the human security approach could be explicitly adopted and mainstreamed to the EU. *A European way of security* (2007) (also known as the Madrid Report) was thereby

<sup>&</sup>lt;sup>1</sup> Human Security Study Group, 2007.

<sup>&</sup>lt;sup>2</sup> Study Group on Europe's Security Capabilities, 2004.

<sup>&</sup>lt;sup>3</sup> Ibid., p. 9.

<sup>&</sup>lt;sup>4</sup> Ibid., p. 7, 13.

presented.<sup>1</sup> The study group, consisting this time of more scholars and practitioners, investigated the European ability to advance security on the premises of the security of individuals and communities, instead of the security of states. The report reminds its readers that common understanding and commitment of the core principles (i.e. democracy, cooperation and rule of law) counted towards the integration and security among the European member states.<sup>2</sup> This could serve as a good example for the wider approach of global peace. The study group looked into five different cases where the EU had intervened and based on the lesson learned they concluded with a new proposal for the human security approach for the EU. This time its formulation consists of six principles, the appropriate use of force is no longer included. In the Madrid Report, children and especially youth are giving more attention to. To be more specific in this regard, children are defined as persons under the age of 18, a youth is a person aged between 18 and 25 and young people are referred to as all under the age of 25.<sup>3</sup> As the study group was extended with academics and practitioners, Jenny Kuper, specialised in international law and children in armed conflict, formally joined in. Kuper raised the issue that young people are of essential importance and must be taken into account and formed a part of the proposed human security approach for Europe. They are both victims and perpetrators of conflicts, as well as covering a significant portion of the population.<sup>4</sup>

The human security concept has led to a considerable debate within the EU. It is not a fully mainstreamed concept of European foreign and security policy. However, the reports have had a great influence on the development of the EU civilian crisis management.

# 1.5.3 The EU's crisis management and children's protection

Since 2003 the EU has been launching both military and civilian crisis management operations; it has completed 12 operations and has currently 15 on-going operations in crisis zones.<sup>5</sup> The EU has been active in including protection and rights of the child in armed

<sup>&</sup>lt;sup>1</sup> Human Security Study Group, 2007.

<sup>&</sup>lt;sup>2</sup> Ibid., p. 5.

<sup>&</sup>lt;sup>3</sup> Kuper, 2010, p. 129.

<sup>&</sup>lt;sup>4</sup> Kuper, 2010.

<sup>&</sup>lt;sup>5</sup> Council of the European Union, 2012.

conflict into its policies. In 2006 was developed a checklist for integrating the CAAC issues in all phases of the Common Security and Defence Policy (CSDP) operations, formerly known as the European Security and Defence Policy (ESDP).<sup>1</sup> It was updated in 2008. The purpose of the checklists was to systematically integrate the content of child protection into the EU-led crisis management, in particular its international operations. It was directed to the personnel responsible for mission planning and it gives a more comprehensive strategy with specific steps on how the EU Guidelines on Children and Armed Conflict should be implemented in these operations. It contains instructions of variety of child protection aspects from the pre-deployment stage to throughout the implementation of operations, as well as relevant expertise of the field. It recognises the special needs for child, and especial vulnerability of girls in armed conflict. The engagement to provide support to DDR processes for child soldiers is stressed, including helping with later opportunities for children such as education and employment.

Importance is laid on mainstreaming the child protection aspects throughout the operations and inclusion of violations of children's rights into all monitoring and reporting functions. The updated checklist specifies that the CAAC thematic is often included in the general human rights perspective of crisis management training. This way the child protection and rights do not get much of attention on its own. More specific training in CAAC should be developed and implemented to military and civilian personnel by the member states.<sup>2</sup> The EU has also its own code of conduct, which takes into account the personnel's connections to illegal activity, including the abuse of the rights of the child. Thereby the checklist recommends training of all personnel on the *Generic Standards of Behaviour for CSDP Operations* (2005).<sup>3</sup>

The EU does not have an actual mission or operation that is explicitly dedicated to child protection. However the issues of child protection and rights are integrated into its crisis management operations. The extent of the integration of these issues on the training modules is to be decided by each member state. Thereby the training of the civilian and military crisis management personnel on this topic is not always adequate and systematically implemented.

<sup>&</sup>lt;sup>1</sup> Council of the European Union, 2006, 2008a.

<sup>&</sup>lt;sup>2</sup> Council of the European Union, 2008a, para. 14, 16.

<sup>&</sup>lt;sup>3</sup> Council of the European Union, 2005.

Currently the EU is working in co-operation with the Save the Children on creating minimum standard for pre-deployment training. This will concentrate upon issues of child protection, gender and human rights and it is directed to all EU member states' CSDP personnel. The expected finalisation for the training modules is by the end of the year 2013.<sup>1</sup>

# **1.6 FINLAND'S ROLE IN INTERNATIONAL CRISIS MANAGEMENT**

*The Finnish Government Programme* emphasises the external relations of Finland, especially as a proactive member state of the EU and part of the international community.<sup>2</sup> The EU especially plays an important role as setting the frame of reference and its actions have a direct influence on Finland. An increase in international co-operation and an active participation for the work of the UN is also promoted. The Government Programme states that one of the goals is to invest in the UN's work, crisis prevention and management in particular. To emphasise promoting human rights is also one of key importance.<sup>3</sup>

Finland has committed to promote and reinforce both IHL as well as IHRL. The promotion of human rights is often set as a highest priority in the Finnish foreign policy. During the Finnish EU Presidency in 2006, the Minister for European Affairs of Finland, Paula Lehtomäki, made a clear call for greater coherence and consistency for the EU approach to human rights.<sup>4</sup> Lehtomäki highlighted that mainstreaming human rights into all EU policies is of a great importance. It was emphasised that Finland, in particular, is committed to working on the improvements in this matter as well as to looking at effective ways to implement the EU's human rights guidelines, *inter alia*, including children and armed conflict.<sup>5</sup> The Government Report on the human rights policy of Finland sets children's rights as one of the priorities.<sup>6</sup> The focus is largely on efforts to reduce child poverty and corporal punishment as well as other violence towards children, both in national and international level. In regard to child poverty, it is recognised that the widening gap between rich and poor disproportionally affect

<sup>&</sup>lt;sup>1</sup> European Union External Action, 2013.

<sup>&</sup>lt;sup>2</sup> Finnish Government, 2011.

<sup>&</sup>lt;sup>3</sup> Ibid., pp. 29-30.

<sup>&</sup>lt;sup>4</sup> Ministry for Foreign Affairs of Finland, 2006a.

<sup>&</sup>lt;sup>5</sup> Ibid.

<sup>&</sup>lt;sup>6</sup> Ministry for Foreign Affairs of Finland, 2009b.

children. Also the discrimination and lack of capacity to defend ones rights, can lead in worst scenarios, such as an increase of child trafficking and risk of recruitment of child soldiers.<sup>1</sup> The report stresses the importance of continuity of education during the times of conflict, which is preventing children becoming child soldiers. The report includes information on Finland's participation in promoting and mainstreaming the right of the child in the EU and the UN frameworks:

Finland underlines the mainstreaming of human rights, including children's rights, in all EU activities, particularly in activities involving European security and defence. This was also a priority during Finland's EU Presidency in 2006. The Union's guidelines and strategies on children in armed conflicts must be made effective, and at the same time it must be ensured that the Special Representatives of the EU give sufficient consideration to children's rights in their own work. Finland will continue to support UN mechanisms and organisations, emphasising a comprehensive approach, so that children can be given consideration before, during and after the conflicts.<sup>2</sup>

An important forum for inclusive dialogue between various stakeholders from over 70 countries was the Helsinki Process on Globalisation and Democracy; an initiative created by the Finnish Government in co-operation with the Tanzania Government.<sup>3</sup> Its aim is to tackle and find feasible solutions on issues regarding global governance and sustainable development. The Helsinki Process convened its first multi-stakeholder dialogue and networking event at the Helsinki Conference in 2005. The former Prime Minister of Finland, Matti Vanhanen, gave a speech in regard to development and governance in changing global economy.<sup>4</sup> Vanhanen also raised briefly the issue of children's situation in armed conflicts; particular concern was expressed over the situation of child soldiers and war orphans. In 2012 the Ministry for Foreign Affairs of Finland held a seminar on the protection of children in armed conflicts for authorities and representatives of non-governmental organisations (NGOs).<sup>5</sup> The seminar focused on child soldiers, and what has been done internationally. The key speaker of the event was the Director of Child Soldiers International, Richard Clarke. He raised the issues of what has not been done, and what can be done to the recruitment of child soldiers. Clarke was concerned that the issue of child soldiers has not been given sufficient

<sup>&</sup>lt;sup>1</sup> Ministry for Foreign Affairs of Finland, 2009b.

<sup>&</sup>lt;sup>2</sup> Ibid., pp. 45-46.

<sup>&</sup>lt;sup>3</sup> Helsinki Process on Globalisation and Democracy, 2008.

<sup>&</sup>lt;sup>4</sup> Prime Minister's Office, 2005.

<sup>&</sup>lt;sup>5</sup> Ministry for Foreign Affairs of Finland, 2012c.

attention globally, nor is in the focus of attention as widely as it was in the 1990s. He reminded the audience that even though extensive work has been done by the SRSG-CAAC, the international community has not fully supported their work. More needs to be done especially through the UNSC resolutions on monitoring and reporting. Clark stressed that the work of the UN needs to be supported and strengthen; otherwise there is a danger that their extensive work is not translated into a sustainable process.

On a yearly basis the Security Council holds an open debate on children and armed conflict. The Special Representative thereby presents an annual report and the member states can make comments on the most recent matters in regard to child protection issues. The Ambassador and Permanent Representative of Finland to the UN, Jarmo Viinanen, gave a speech on behalf of the Nordic countries in the annual debate in 2011.<sup>1</sup> He raised a positive note on implementing action programs in Afghanistan and Chad for ending the use of child soldiers. Viinanen continued to emphasise the importance and powerfulness of the MRM implemented in the UNSC resolutions 1612. By the use of this mechanism concrete results can be seen in the protection of children affected by armed conflicts. He stressed that the mechanism should continue to be used. He raised the issue of the increase in attacks to hospitals and schools. These should be zones of peace that secure the continuity of children's support and recovery. Viinanen stressed that denials or restrictions to the facilities should be sanctioned, as well as using them as military or recruitment grounds. He continued that CPAs should include a specific provision of monitoring and reporting of these violations in all relevant UN peacekeeping and peacebuilding operations.

# 1.6.1 Finland's participation in international crisis management

Finland has engaged in international crisis management over the past 50 years. The first UN peacekeeping operations started during the Cold War in the Middle East. After becoming a member of the UN in 1955, Finland started participating actively in the military crisis management operations. The first operation where Finnish troops took a part was at the Suez Canal in Egypt in 1956.<sup>2</sup> The request of Finnish peacekeepers to take a part in the operation

<sup>&</sup>lt;sup>1</sup> Permanent Mission of Finland to the UN, 2011.

<sup>&</sup>lt;sup>2</sup> Kronlund & Valla, 1996.

was regarded as a demonstration of international confidence and trust.<sup>1</sup> It was important for a small country like Finland to fulfil its role in supporting the UN efforts in building international peace and security. Since the Suez operation, Finland has been taking a part in military crisis management with more than 35 000 men and women in 30 UN-led or mandated operations, such as in the Middle East, the Balkans, the Indian subcontinent and several African countries.<sup>2</sup> Finland is per capita one of the top five countries to send crisis management personnel abroad.<sup>3</sup> One of the largest contributions of Finnish crisis management personnel has been in Lebanon, Kosovo and Afghanistan. In 2012 Finland returned for the third time to the UN operation in Lebanon (UNIFIL) and currently 182 peacekeepers are deployed in the operation. Finland has also a long history of participation in Kosovo operations. Since 1999 Finland has been taking part in NATO-led peacekeeping operation (KFOR), which is currently deploying 21 peacekeepers. In Afghanistan, a demanding NATO operation (ISAF), the Finnish peacekeepers have been there since 2001. The operation is currently deployed by 156 Finnish peacekeepers.<sup>4</sup> Today Finland continues its participation in UN, EU, NATO and African Union (AU) crisis management operations. Over the years the peacekeeping has changed and expanded significantly in accordance to the changing patterns of conflicts. In the beginning operations consisted of mandates to patrol, observe and report the activities of the opposing parties. In the post-Cold War years in the 1990s, a vast majority of conflicts occurred within nations and thereby the direction of the peacekeeping operations started to change. Towards the new millennium the operations not only included monitoring and observing peace processes in post-conflict areas, but also its role was widened and responsibilities broadened.<sup>5</sup> The current operations involve increasingly the protecting of civilians and thereby human rights are in a central part.

In 1997 Finland and Sweden made an initiative to the EU functions to incorporate a new method to the crisis management involving non-military means.<sup>6</sup> In 2000 the EU introduced a new concept, civilian crisis management, in response to the broader range of demands in crisis situations. The operations often involve stabilisation of conflicts and crisis areas by

<sup>&</sup>lt;sup>1</sup> Kronlund & Valla, 1996.

<sup>&</sup>lt;sup>2</sup> Finnish Defence Force, 2013.

<sup>&</sup>lt;sup>3</sup> Salonius-Pasternak & Visuri, 2006.

<sup>&</sup>lt;sup>4</sup> Ministry for Foreign Affairs of Finland, 2013.

<sup>&</sup>lt;sup>5</sup> Salonius-Pasternak & Visuri, 2006.

<sup>&</sup>lt;sup>6</sup> Ministry of the Interior, 2008.

civilian means. In contrast to the military crisis management, civilian crisis is more complex in its operational dimensions and there are several experts in different fields sent to the operations. Since the 1990s Finland has already been taking part in activities defined as civilian crisis management and the personnel sent abroad on the operations include a wide variety of experts, such as police, customs officers, border controllers and experts of judiciary among other public authorities.<sup>1</sup> Civilian management missions are led and mandated by the EU, the UN, the NATO, the Organisation for Security and Co-operation in Europe (OSCE) and the Council of Europe (CE). Finland has provided civilian experts to operations of all these organisations. However, in the Finnish point of view the most important civilian crisis management actor currently is the EU. On a yearly basis Finland sends almost 130 persons to missions deployed mainly by the EU.<sup>2</sup> Finland participates in most of the European Union's CSDP civilian crisis management operations and its support functions. When it comes to the priorities of Finnish civilian crisis management, human rights, along with social and gender equality and tolerance, has been issued as one of the top priorities.<sup>3</sup>

In 1969 the first peacekeepers training centre, FINCENT (formerly known as UN Training Centre) was opened in Finland. It provides training and education for military crisis management personnel with more than 40 years of experience. The centre of expertise, CMC Finland, is responsible for the recruitment, deployment and training civilian crisis management personnel in Finland. Their tasks also include research and development activities. The military and civilian crisis management should not be seen as mutually exclusive, but more as a support for each other's functions. In order to strengthen the cooperation, FINCENT and CMC opened the Finnish Centre of Expertise in Comprehensive Crisis Management in 2008, which combines both civilian and military training.

The underlying idea of *Finland's comprehensive crisis management strategy* (2008) was to intensify its involvement in crisis management.<sup>4</sup> The Ministry for Foreign Affairs of Finland requested a working group with representatives from the different ministries to draw up the strategy on Finland's comprehensive crisis management. It focuses on Finland's military and civilian participation in international crisis management, prevention as well as post-conflict

<sup>&</sup>lt;sup>1</sup> Ministry of the Interior, 2008.

<sup>&</sup>lt;sup>2</sup> Ministry for Foreign Affairs of Finland, 2012a.

<sup>&</sup>lt;sup>3</sup> Ministry of the Interior, 2008.

<sup>&</sup>lt;sup>4</sup> Ministry for Foreign Affairs of Finland, 2009a.

reconstruction. Finland's military participation is based on Act on Military Crisis Management (211/2006) and the civilian participation is based on the Act on the Participation of Civilian Personnel in Crisis Management (1287/2004).<sup>1</sup> Due to the current complex conflicts, crisis management has also become more challenging; one such example is the current mission in Afghanistan. Crisis management requires more co-operation, co-ordination and consistency in its activities. The protection of civilians, as discussed earlier, is increasingly in the centre of attention. Military and civilians crisis management is increasingly working simultaneously in a single crisis area. The strategy is thereby adapted in order to meet these requirements of the co-operation. The strategy underlines themes, such as human rights and equality, which are important elements of Finland's comprehensive crisis management. Prevention on recruitment of child soldiers and the promotion of release and reintegration are stressed in the strategy, as well as particular attention being paid to the status of girls. The strategy proposes that the Finnish crisis management personnel need to receive adequate training in both IHL and IHRL. Also the strategy reminds its readers of zero tolerance on any violations of human rights by the personnel working in the international crisis management operations.<sup>2</sup>

## 1.6.2 Emphasis on women and children

In 2008 Finland's National Action Plan on *Women, peace and security* in accordance with the *United Nations Security Council Resolution 1325* (2000) was published and updated in 2012.<sup>3</sup> The aim of the UNSC resolution is to strengthen the role of women and their ownership in all the phases of conflict: prevention, crisis management, peacebuilding and stabilisation in post-conflict situations. It stresses that women and girls are not to be seen only as victims of conflicts, but as active participants in peace processes and reconcile societies. The themes of the resolution are systematically taken into account in both military and civilian crisis management recruitment and training. Finland has successfully increased the expertise related to equality and the participation as well as ownership of women in civilian crisis management. Currently approximately 37 per cent of the Finnish civilian crisis management personnel are women. In regard to military crisis management, the number of women is

<sup>&</sup>lt;sup>1</sup> Ministry for Foreign Affairs of Finland, 2009a. p. 5.

<sup>&</sup>lt;sup>2</sup> Ministry for Foreign Affairs of Finland, 2009a.

<sup>&</sup>lt;sup>3</sup> Ministry for Foreign Affairs of Finland, 2008, 2012b.

considerably lower; approximately 4 per cent of the Finnish military crisis management personnel are women.<sup>1</sup> Children, especially girls, are also highlighted in several parts of the national action plan. In the first version of the action plan (2008) it is stressed that special attention is to be paid upon children in conflicts among other vulnerable groups. The action plan also stresses specifically the importance of implementing the UNSC resolution 1612 as well as the EU Guidelines on Children in Armed Conflict.<sup>2</sup>

The updated national action plan (2012) promotes the need of women and children in the planning and implementation of DDR programmes. The need of special support to child soldiers is also raised. However, how this is implemented in practice is not specified. Finland mainstreams the gender issue into its crisis management activities, and the action plan clarifies that special attention for women and children are paid in accordance with the mission mandate. The updated action plan continues to stress the importance on implementing the EU guidelines as well as the UNSC resolutions in general, but this time it does not mention any one of them in particular. However, it does mention that the UNSC resolutions are promoted in co-operation with other crisis management actors:

Finland stresses the importance of the active implementation of the UN Resolutions on Children in Armed Conflict as well as of the EU Political Guidelines on Children in Armed Conflicts, and places emphasis especially on the special needs of girls. Finland promotes the consideration of the resolutions on Children in Armed Conflict in international cooperation with partners, for instance in the NATO operations in Afghanistan.<sup>3</sup>

In 2010 the Ministry for Foreign Affairs of Finland published a practical field book on human rights for CSDP mission personnel.<sup>4</sup> It is aimed as a practical reference tool for all crisis management personnel working in the EU-led missions. The handbook addresses how the main principles of human rights, thus including children's rights, can be applied in the daily work of the CSDP mission personnel. It is mainly focusing on mainstreaming human rights into missions and raising more awareness of the issues among the military and civilian crisis management personnel working on the ground. The handbook is specifically targeted for the personnel with no or little information on human rights and also for pre-mission training

<sup>&</sup>lt;sup>1</sup> Ministry for Foreign Affairs of Finland, 2013.

<sup>&</sup>lt;sup>2</sup> Ministry for Foreign Affairs of Finland, 2008.

<sup>&</sup>lt;sup>3</sup> Ministry for Foreign Affairs of Finland, 2012b, p. 34.

<sup>&</sup>lt;sup>4</sup> Ministry for Foreign Affairs of Finland, 2010.

purposes in Finland. Children's issues in armed conflict are discussed in the chapter concerning groups that are in need of a special attention. Firstly, the handbook focuses particularly on women and girls in this chapter. It raises the issue of women and girls being in heightened risk of sexual and gender-based violence during conflicts, and especially the risk of such abuses enhances if they are either internally displaced or refugees in conflict situations. In the section of children, the handbook makes a direct reference to all the EU guidelines and checklists related to the protection of children in armed conflicts. The CRC is only briefly cited, but not elaborated with its legally binding commitments on the protection of children. The handbook focuses on the six grave violations against children and emphasises on the systematic monitoring and reporting of these violations and abuses of children. However, the handbook does not continue specifying how the monitoring and reporting is done on the ground neither does it make any reference to the MRM – which the EU has committed itself to support. The chapter specifically regarding methodology for monitoring and reporting of human rights does mention neither children nor the mechanism used by the UN and the EU.

In response to the content of the handbook, Save the Children Finland made comments and suggestions for the future guidelines to the Foreign Ministry's Unit for Human Rights Policy.<sup>1</sup> The comment raises the issue that no direct reference is made to any of the UNSC resolutions even though many of its elements are being discussed in the section regarding children. For example, the six grave violations and the MRM are both specifically implemented in the UNSC resolution 1612. Save the Children Finland is particularly concerned with the possible overlapping mechanism on monitoring and asks for clarification on 'how and to whom' the reporting of the violations against children should be done. They emphasise on effectiveness of an active and engaged learning methods, where CSDP personnel could learn through practical examples, simulations and group work. It is essential that the crisis management personnel know how to deal with a child soldier or a child that has been abused sexually. Save the Children Finland makes a notion that in the section of refugees, children are not being mentioned even though they consist of a significant number of internally displaced persons. Hereby they comment that the issue of separated and unaccompanied children should be included in training and the handbook for the personnel of crisis management. As noted earlier in the literature review, it requires a special knowledge in order to help children in

<sup>&</sup>lt;sup>1</sup> Save the Children Finland, 2010.

such situations. Save the Child Finland makes a valuable notification in regard to boys that have been victims of violence. The handbook focuses women and children, but it should be remembered that boys and men are also victims of violence as well as forced to commit or witness sexual violence. Save the Children Finland also adds that forced recruitment into armed groups is regarded as gender-based violence.

## 1.6.3 Children's protection in Finland's crisis management activities

Former Member of Parliament Minna Sirnö submitted a written question to the Speaker of the Parliament of Finland (February 26, 2010) on implementation of children's rights and protection in military and civilian crisis management.<sup>1</sup> Sirnö argued that crisis management training in Finland has been arranged in a way that children's rights are not taken adequately into attention. She continued that crisis management training in Finland does not consist of necessary tools in order to furtherance child protection issues adequately in all phases of conflicts. Finland has ratified the international treaties concerning children's protection and thereby should take the special needs of children into the planning and implementation of crisis management training. The specific need for protection of children derives mainly from the UNSC resolutions and the EU guidelines. These official documents call for actions to end the violations of children's rights in all phases of conflicts. Sirnö highlighted that essential pillars of effective crisis management is to include children's issues. She continued to stress that it is highly necessary for the military and civilian crisis management personnel to have a sufficient capacity to meet the challenges and act as promoters of children's rights. Sirnö also stressed the necessity of bringing children's rights in armed conflicts to Finland's political agenda as well as to continue active work towards the topic in international fora. She ended the written question with specific query on how children's rights and needs in conflicts are taken into consideration in the Finnish military and civilian crisis management.

Former Minister for Foreign Affairs of Finland, Alexander Stubb, answered the written question (March 19, 2010).<sup>2</sup> He stressed that the promotion of children's rights is one of the central focuses in Finland's international human rights policy. Stubb addressed that Finland

<sup>&</sup>lt;sup>1</sup> Parliament of Finland, 2010.

<sup>&</sup>lt;sup>2</sup> Ibid.

provides broad crisis management expertise in international operations, and Finland's approach to crisis management is comprehensive as well as systematic. The military and civilian crisis management differentiates, but they do complement each other's activities. Thereby Finland is actively working on the civilian-military coordination and its further development in international crisis management with special focus being on the expertise, training and research. Stubb highlighted that protection of civilians is in a key position, in particular role of women, abolition of sexual violence and protection of girls and boys in armed conflicts emphasised according to the UNSC resolutions. Finland has been mainstreaming human rights, thus including children rights, into all EU related activities, especially to the implementation of its common security and defence policy. When it comes to the training means, Stubb commented that both military and civilian crisis management personnel in Finland are provided training in human rights. Training is essential for strengthening the knowledge on development, human rights and gender equality questions. Thereby children's rights are also included in training content of the crisis management personnel. Moreover, Stubb wrote that Finland has been active in bringing these topics at relevant multilateral fora. He stressed that in accordance with Finland's view, specialists on human rights are to be included in crisis management operations, and operation mandates need explicit objectives on promotion and protection of human rights. Therefore Finland endeavours to promote human rights through placing experts in central positions in international crisis management structures, specialist and management position in accordance with its objectives. Thereby children's rights are also advocated in Finland's crisis management.

# **1.7 Research questions**

In the context of children's rights in international crisis management:

- 1. How far has Finland come in implementing the UNSC resolutions and the EU Guidelines on Children and Armed Conflict in their international crisis management activities?
- 2. To what extent do Finnish peacekeepers acknowledge the rights of the child in armed conflicts?
- 3. To what extent Finnish peacekeepers make observations of violations of children's rights in the peacekeeping operations?
- 4. How Finnish military crisis management trainers take into account children's protection in their training programmes?
- 5. To what extent are children's rights implemented in Finnish civilian crisis management training programmes?

# **2. METHOD**

The present study consists of three parts: responses by Finnish peacekeepers and military crisis management trainers on online questionnaires, and interviews with specialists on civilian crisis management. Mixed methods were used in the study.

## 2.1 Samples

# Sample Part I: Peacekeepers

Ninety-nine Finnish peacekeepers participated in the study, of these 8 were women (between 27–52 years old; m = 37.4, SD = 8.9), and 91 were men (between 21–69 years old; m = 41.4, SD = 10.2). The age difference was not significant. The distribution of the respondents' military degrees is presented in Table 1.

Table 1Military Degrees of the Respondents

Military Degree	Percentage (n)
Officers	12.1 % (12)
Non-Commissioned Officers	67.7 % (67)
Unspecified Military Degrees	3.0 % (3)
Privates	8.1 % (8)
No information	9.1 % (9)

The officers' category included lieutenants, captains, majors, 1<sup>st</sup> lieutenants and 2<sup>nd</sup> lieutenants. Non-commissioned officers included corporals, sergeants, staff sergeants and sergeants 1<sup>st</sup> class. Unspecified military degrees included military civil servants and personnel working in an operational centre. Privates' category included private 1<sup>st</sup> class, jaegers and border jaegers.

The year of the respondents' present or last operation varied between 1976–2013 (see Table 2).

Table 2

Distribution of Military Degrees according to Year of Latest Peacekeeping Operation

Year	n	Officers	Non-Commissioned	Unspecified	Privates	Degree Not
			Officers	Military Degree		Known
1976-79	4	0	3	0	1	0
1980-89	8	0	7	0	0	1
1990-99	22	0	17	1	0	4
2000-09	40	6	23	2	6	3
2010-13	21	5	14	0	1	1
Year not known	4	1	3	0	0	0

The latest operation and locations where respondents had served, or were serving at the time of the study in Table 3 (see Appendix A for the description of the operations).

Operations	Location	Latest	
		Operation	
UNIFIL	Lebanon	33	
KFOR	Kosovo	30	
ISAF	Afghanistan	7	
UNDOF	Golan Heights	7	
SFOR / EUFOR	Bosnia	4	
MINURCAT / SKJT	Chad	3	
UNPREDEP / UNPROFOR	Macedonia	2	
UNTSO	Middle East	1	
UNCRO	Croatia	1	
UNMEE	Ethiopia and Eritrea	2	
UNMIL	Liberia	1	
UNMOGIP	Pakistan	1	
EUMM	Georgia	1	
UNFICYP	Cyprus	1	
UNEF II	Egypt, Sinai and Suez	3	
Unknown		2	

Table 3All Operations and Locations of Peacekeepers Participating in the Study

#### Sample Part II: Military crisis management trainers

Three military crisis management trainers from the Finnish Defence Forces International Centre participated in the study. All of them were men (between 53 - 60 years old, m = 56.7, SD = 3.5).

#### Sample Part III: Civilian crisis management specialists

Two interviews were made with specialists of civilian crisis management in Finland.

## 2.2 Instruments

The data was collected with two web-based questionnaires and with semi-structured interviews.

## Instrument Part I: Peacekeepers

A questionnaire was designed for the Finnish peacekeepers (see Appendix B). The questionnaire contained both open-ended questions and Likert-type scales. It was divided into three parts. The first part consisted of background information about sex, age, military rank (optional), training, country and duration of either current or previous peacekeeping operation. The second part was related to questions about the UN and the EU, and the third part of the questionnaire included questions about the personal experiences in regard to the rights and protection of children in conflict zones.

## Instrument Part II: Military crisis management trainers

Another questionnaire was designed for trainers of military crisis management personnel (see Appendix C). The questionnaire included both open-ended questions and Likert-type scales. The questionnaire was divided into four parts. The first part consisted of background details including information about sex, age, work position and education. The second part was related to the training content, and the third part was related to the UN and the EU. The fourth part of the questionnaire was concerned with children's rights and protection as part of the training programme.

#### Instrument Part III: Civilian crisis management specialists

The two interviews conducted were semi-structured with open questions that allowed new concepts to be brought up during the interview. The framework of questions was related to current operations of Finnish civilian crisis management, content of training sessions and new facilities for child protection in crisis management training.

## **2.3 Procedures**

# Procedure Part I: Peacekeepers

The questionnaire designed for the peacekeepers was posted with introductory comments on the Facebook group of 'Suomalaiset rauhanturvaajat/Finnish peacekeepers', which had 1,112 members at the time of the study. The group is closed, and therefore permission to become a member was requested from the group administrator. The questionnaire was answered by peacekeepers either currently in operation, or in previous operations. The online questionnaire was active from July 23 to August 13, 2013.

#### Procedure Part II: Military crisis management trainers

Permission for sending the questionnaires to the military crisis management trainers was obtained from the Head of Training in FINCENT, who then distributed the link of the webbased questionnaire to nine crisis management trainers with different specialisations in June 12 and June 13, 2013.

It should be noted that both questionnaires were originally designed in Finnish and then translated to English for the purpose of this study. The same applies to all the answers received from the peacekeepers and trainers; the answers were given in Finnish in order to facilitate participants answering in their native language and then translated into English.

## Procedure Part III: Civilian crisis management specialists

Permission for the questionnaire designed for trainers of civilian crisis management personnel was obtained from the Crisis Management Centre Finland (CMC Finland). The training programmes of CMC do not include protection of children per se, because the theme is not in the mission mandates where CMC sent their crisis management experts. Therefore, the civilian crisis management trainers' answers regarding child protection issues were not

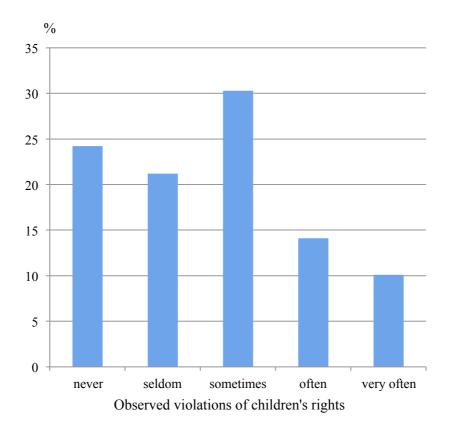
regarded suitable. CMC Finland therefore recommended interviews with strategic and political actors involved in designing the mission mandates and the planning of the training programmes, because CMC comply with both national and international partners' guidelines for the design of the training. Therefore civilian crisis management specialists were contacted. One interview was carried out at the Ministry of the Interior in August 23, 2013 (duration approximately two hours) and the other interview was conducted with specialist at CMC Finland via Skype in September 17, 2013 (duration approximately 20 minutes). The interviews were recorded with a tape recorder and then transcribed verbatim into written form. Both interviews were carried out in Finnish. In the results the main issues in regard of civilian crisis management training were summarised instead of translating the entire transcript interviews, which also included general information, especially about the EU, that has already been discussed in the literature review.

# **3. RESULTS**

## 3.1 Observations by peacekeepers

## Results Part I: Peacekeepers

The percentages of Finnish peacekeepers who made observations regarding the frequency of violations of children's rights are reported in Figure 1. There was no significant difference between how often male and female peacekeepers had observed violations of children's rights. The frequencies of observed violations did not correlate with the age of the observers. There were no differences in frequencies of observations made by peacekeepers with different military degrees.



*Figure 1.* Percentages of Finnish peacekeepers who made observations regarding the frequency of violations of children's rights (N = 99).

The different observations of children's rights violations made by the Finnish peacekeepers are presented in Table 4, and the summary of the observations in Table 5.

Physical Injury	n
Physical assault	18
Physical assault by local authorities	6
Other violence	4
Death	4
Indirect fire	2
Direct fire, shooting	1
Landmines	1
Bombing	1
Injuries	1
II	
Health Problems	
Lack of food	4
Drugs	2
Poor healthcare	1
Coldness	1
Lack of clothing	1
Sexual Violence, Abuse and Exploitat	tion
Prostitution	4
Sexual exploitation	2
Rape	2

Table 4Observed Violations of Children's Rights

Social Problems	
Child labour	17
Forced begging/stealing	7
No or lack of education	5
Child soldiers	3
Child trafficking	3
Violent upbringing	3
Neglect	3
Poverty	2
Exploitation	2
Domestic violence	2
Abduction	2
Lack of housing	2
Attacks to schools	1
Effects of extreme religion on children	1
Destruction of villages	1
Child marriages	1
Forced to flee	1
Domination/humiliation	1
Psychological Consequences	
Traumatic experiences	3
General insecurity	3
Fear of losing family/relatives	2

## Table 5

Summary of Observed Violations of Children's Rights

Observed Violations	п	%
Social Problems	57	49.6 %
Physical Injury	38	33.0 %
Health Problems	9	7.8 %
Sexual Violence, Abuse, and Exploitation	8	6.9 %
Psychological Consequences	3	2.6 %

The peacekeepers were asked what dangers there are for children in conflict areas. These results are presented in Table 6, and the summary of the dangers in Table 7.

Table 6

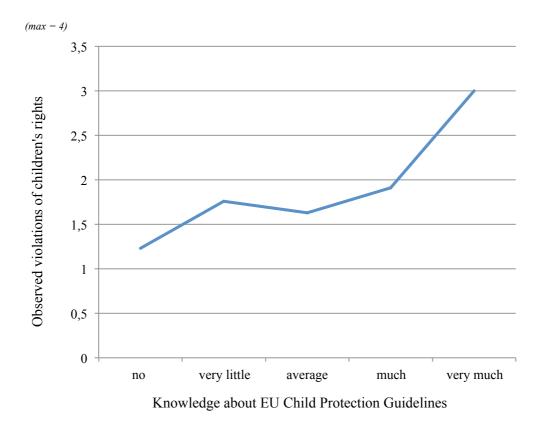
Dangers for Children

Physical Injury	n
Landmines	53
Unexploded ordnance	21
Traffic	14
Shooting, direct fire	8
Indirect fire	7
Bombing	6
Improvised explosive device	3
Other violence	3
Injuries	3
Cluster bombs	2
Other explosive material	2
Mines disguised as toys	3 3 2 2 2 2 2
Traps	2
Physical assault	1
Death	1
Health Problems	
Poor healthcare	8
Diseases	6
Poor hygiene	5
Lack of food	5
Lack of water	4
Animals	3
Drugs	3
Heath	1
Pollution	1
Sexual Violence, Abuse and Exploita	tion
Sexual exploitation	6
Rape	2
Prostitution	1
Social Problems	
Poverty	8
Child soldiers	7
Child trafficking	7
No or lack of education	7

Child labour	6
Exploitation	5
Forced to join armed forces or groups	4
Domestic violence	3
Death of parents	3
Ethnic or religious hatred	3
Gender based violence	2
Abduction	2
Neglected material needs	2
Guerrillas	3 3 2 2 2 2 2
Effects of extreme religion on children	1
Child martyrdom	1
Social exclusion	1
Deprivation of freedom	1
Criminality	1
Lack of housing	1
Child marriages	1
Neglect	1
Forced to flee	1
Little future prospect	1
Psychological Consequences	
Traumatic experiences	3
Bystander in armed conflict	
General insecurity	3
Sowing fear and hatred to children	3
Threat of violence	2
Fear of losing family/relatives	3 3 2 2
Witness of abduction	1
Post-traumatic syndrome	1
Miscellaneous	
Armed conflict	9
Charge in warfare	1
Aftermath of war	1
Uncertainty in the conflict area	1

Table 7		
Summary of Dangers for Children		
Dangers for Children	n	%
Physical Injury	128	48.7 %
Social Problems	72	27.4 %
Health Problems	36	13.7 %
Psychological Consequences	18	6.8 %
Sexual Violence, Abuse, and Exploitation	9	3.4 %

No sex difference was found regarding knowledge of EU's child protecting guidelines. Observations of violations of children's rights correlated significantly with knowledge about EU's child protection guidelines (r = .20, p = .046) (see Figure 2).



*Figure 2.* Observations regarding frequency of violations of children's rights related to the peacekeeper's degree of knowledge about child protecting guidelines (N = 99).

The peacekeepers were asked about their opinions regarding their own training in matters regarding children's rights and protection. A significant positive correlation was found between their satisfaction with their own training and their knowledge about EU's child protecting guidelines (r = .62, p < .001).

A significant sex difference was found regarding the peacekeepers satisfaction with their own training regarding children's rights and protection ( $t_{(71)} = 2.10$ , p = .039). Female peacekeepers were significantly less satisfied with the training regarding children's rights as compared to male peacekeepers (0.57 *vs.* 1.42).

### 3.2 Reports by crisis management trainers

### Results Part II: Military crisis management trainers

Three crisis management trainers filled in a questionnaire. The educated topics provided by the trainers varied from general activities in the area of police activities, police officers tasks in international missions, leadership roles, developing a joint understanding between actors of crisis management, integrated crisis management and a number of other tasks that excluded the use of armament and force. The trainers of military crisis management gave training mainly to expert personnel, such as military observers and liaison officers.

All the trainers answered that human rights is an overarching topic that is mainstreamed in the learning sessions. One trainer answered that the international treaties are trained at the operator level and include also attitude training. The UNSC resolution 1325 *Women, peace and security* is as well mainstreamed in the training, and its following resolutions are included with hands-on examples. One of the trainer felt that the thematic of 1325 has already been overemphasised. The trainers rated that they themselves had received training on the topic raging from 'a lot' to 'at a great extent', and one trainer answered that he would have liked to receive more training on the topic. In regard to specific strengths of Finnish crisis management training, the respondents listed long experience of training, practical experience, accuracies, reliability, clarity and good networks. On the other hand, in regard to deficiencies and problems of the training sessions, they listed lack of resources, thorough understanding of different cultures and sometimes Finnish attitudes of advising without diverse and long experience on the ground. One trainer stated that training is not enough, but that several years of practical experience in crisis management operations is needed.

In regard to monitoring and reporting violations of children's rights, the trainers answered that 'normal' procedures are applied and that unusual observations on the ground are always reported. However, the respondents did not specify in any detail the monitoring and reporting process. Concerning the way to improve monitoring and reporting, one trainer suggested that there could be 'a training package' or even a course on the topic. Another trainer felt that cultural understanding and sensitivity to conflicts could improve these, still another trainer answered that there was no need for improvements besides the reporting procedures that are

already in use. One trainer wrote that he had been in a situation where children's rights had been violated due to local law regulations (i.e. Sharia law in Sri Lanka, which previously defined children as adults at the age of 14). Two of the respondent answered that they had not experienced a situation where crisis management personnel had themselves violated the rights of the child. If such a situation were to occur, the crisis management personnel would be repatriated, prosecuted and tried according to Finnish law. Moreover, the person would be barred from future recruitment to crisis management if found guilty.

All the trainers answered that children's rights are taken into account in the gender part of the training. One trainer specified that general issues of boys, girls and special treatment of child soldiers in Security Sector Reform (SSR) and DDR processes are all included in the contexts of Responsibility to Protect (R2P) and Protection of Civilians (PoC). One trainer answered that the UNSC resolutions with regard to children are dealt with through practical examples in the training, and another specified that examples are taken from different real situations. He gave an example from Afghanistan where, in the same week as he was responding to the questionnaire, Taliban militants due to the fact that children had interacted with foreigners two children were beheaded. This situation was discussed in the training of the crisis management personnel. He also stressed that child protection issues are culture specific and always depend on the particular mission. Standardised concrete guidelines cannot be given generally to all missions. One of the respondents noted that in accordance with the training, what works well in Finland could not be directly introduced into the fieldwork of a certain region. A mission always operates in accordance with its mandate, and even though issues of the protection of civilians, women and children have been raised, there are often no practical opportunities to intervene on those issues. In regard to child soldiers, one of the trainers called for a discussion from the point of view of the peacekeepers' safety. He emphasised that a fearless and gun carrying child under the influence of drugs is an absolutely horrendous scenario.

## **3.3 Interviews**

## Result Part III: Civilian crisis management specialists

Two interviews were carried out in order to find out more about the civilian crisis management perspective and plans about children's rights and protection training. The first interview was conducted with Antti Häikiö, National Coordinator for Civilian Crisis Management Training, Research and Evaluation at the Ministry of Interior in Finland.<sup>1</sup> Häikiö clarified that the current 28 member states have committed themselves to a Common Foreign Security Policy (CFSP) for the European Union and crisis management as a part of its policies, based on the consensus of all member state. The EU has unanimously decided that training is primarily the responsibility of the individual member states. Hence, training in conflict areas is a national responsibility even though the aim is in more common activities within the EU. Häikiö also specified that this is due to the tradition of military crisis management, in other words peacekeeping. Each country has its own defence forces and has wanted to train their own personnel for this matter. As civilian crisis management is based on the peacekeeping it has always had to adapt to the situation that each country has own system of training their personnel. In this regard, the weakness is that the EU does not have a common standardised basis for the training, where one could see that crisis management personnel have fulfilled all the necessary training needs for their expertise. Häikiö emphasised that certain academic centres and institutes outside the EU have, however, found that Finland has together with, for example, Sweden, Germany, Netherlands, Hungary and Slovenia wellmaintained civilian crisis management training and orientation for the tasks to which the personnel are deployed. The EU does not have constant monitoring, observing and reporting mechanism for training contents, but occasionally a report is carried out to see how each country conducts its civilian crisis management training.

In regard to finance, Häikiö explained that the Ministry of the Interior supports the civilian crisis management in Finland by 1.5 million euros and the Ministry for Foreign Affairs by 15 million euros. The funds from the Ministry for Foreign Affairs are primarily used for the salary expenses of the crisis management personnel sent abroad, whereas the Ministry of the Interior funding goes to maintenance of the CMC in Kuopio. For comparison, Häikiö gave an

<sup>&</sup>lt;sup>1</sup> A. Häikiö, personal communication, August 23, 2013.

example from Sweden's Folke Bernadotte Academy that is also very active in training and their budget is threefold that of the CMC. Häikiö estimated that they might be the only centre that organises specific training courses on children and armed conflict.

When it comes to the crisis management professionals, there is no expertise that relates exclusively to children, according to Häikiö. However, Finland has expertise in domestic violence and sexual violence investigations and professionals in these fields are often women police officers. He also pointed out that EULEX operation in Kosovo is the only one of the 10 EU civilian crisis management operations that actually investigates crimes, such as sexual violence. In the Democratic Republic of Congo there have been advisor tasks, such as human rights and legal issues. When asked about the UNSC resolutions in regard to children and armed conflict, Häikiö replied that these items should be mainstreamed in training rather than highlighting one particular resolution as it has happened with the UNSC resolution 1325 *Women, peace and security*. He continued that mainstreaming, integration and inclusion thinking is more effective pedagogically to pass the 1325 content, rather than remembering merely the resolution by its name and title. However, he added that especially important is the UNSC resolution 1612 in regard to children as it is very concrete with its reporting mechanism. Häikiö thought that there is no specific training in the MRM in Finland.

The second interview was conducted via Skype with Heini Utunen, Training Officer at the Crisis Management Centre Finland.<sup>1</sup> Utunen explained that all civilian crisis management professionals go through a two-week basic course training, which includes all the information needed on the ground from international law to four-wheel driving. The course includes, for example, human security items with short case studies on children's situation or CAAC can be included as one part. Women and children are thus dealt with as case studies and other background materials in civilian crisis management training modules. These modules can be Security Sector Reform (SSR) and Integrated Crisis Management (ICM), which includes general protection of civilians' types of items. Women and children are also discussed through refugee issues. Utunen added that the case studies, at the level of co-ordination or fieldwork, normally consists of children's protection and taking them into account during the conflicts as well as in post-settlement procedures. All the civilian crisis management

<sup>&</sup>lt;sup>1</sup> H. Utunen, personal communication, September 17, 2013.

personnel gain some basic capabilities of these topics. The basic courses normally consist of lectures and then practice with minor mappings and general exercises. Children's issues are included as one topic to choose from. Normally the participants of the courses are police officers, border controllers, customs and juridical administration personnel as well as civilian administration personnel to some extent. Utunen pointed out that there are also human rights observers and human rights advisors, who can receive specialised training including more specific information on issues such as on child soldiers. The emphases of the training are also dependent on the particular trainers, Utunen clarified. Sometimes special weight can be placed on ethnic questions, and other times more on democratic questions.

Utunen confirmed that approximately 80 per cent of the Finnish civilian crisis management personnel are deployed to EU operations. As seen before, the EU does not have an actual operation explicitly dedicated to children. Utunen emphasised that certain EU operations, such as border controls in Moldova, Palestinian territory and Libya does include work against human trafficking and thus including children's issues; it is still not the main focus of the operation. The objectives are to control all illegal activities in these regions. Specific instructions on the MRM are not trained in the CMC; Utunen estimated that this detailed training could be included in the induction training provided by the specific operation.

In regard to the civil-military co-operation, the Finnish Centre of Expertise in Comprehensive Crisis Management has during the last five years arranged training on different specialised courses on SSR, ICM and human security. Protecting civilians, and thus children's protection is a mainstreamed topic in these training sessions. The cultural differences are also emphasised at the planning of the operations as the context can very different when we consider the Middle East, Central Africa or the Balkan region. Utunen explained that currently they have under preparation a course programme specifically on Protection of Civilians, which would include the protection of children as one part. This course is very much UN oriented and would focus more in detail on children's issues, as they are often in the worst situation during the conflicts. CMC is currently reviewing funding for the particular course.

## 4. DISCUSSION

In accordance with the Convention on the Rights of the Child, Finland as a ratified member state party is obliged to implement its principles and standards. Articles 38 and 39 are particularly considered of great importance in the present study as they focus specifically on the rights of the child in armed conflicts and post-conflict situations.<sup>1</sup> The CRC stresses the member states to take all feasible steps to make sure that children in these difficult conditions are helped and protected. It also highlights that the member states need to take all appropriate steps to promote the physical and psychological wellbeing of children that have been victims of armed conflict, as well as to help to achieve the fullest possible social integration after the conflicts. The UNSC resolutions on children and armed conflict specify in more detail that member states should implement child protection in the training of crisis management. The Security Council has requested that all personnel participating in the UN peacekeeping activities have adequate training in children's rights and protection. The UNSC resolutions urge also the member states to facilitate the implementation of appropriate training programmes on CAAC for the personnel involved in peacekeeping.

Furthermore, the EU has set policy framework and guiding principles for the protection of children in armed conflict. Its policy on the protective measures on the rights of the child in armed conflict is summarised in the EU Guidelines on Children and Armed Conflict.<sup>2</sup> The EU emphasises the importance of adequate training in protection of children in countries that are engaging with EU crisis management operations in respective to their mandates. According to the literature review and the conducted interviews, it can be concluded that the EU does not have a dedicated operation on the protection of children, but the protection, welfare and rights of the child in armed conflicts are generally crosscutting objectives. The Implementation Strategies of the EU guidelines reinforces training in child protection of all military and civilian crisis management personnel involved in CSDP operations.<sup>3</sup> However, there in no systematic and coherent planning of the training and it is the responsibility of each member state to decide how the training is conducted on children's rights and protection. The updated

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 1989, art. 38, 39.

<sup>&</sup>lt;sup>2</sup> Council of the European Union, 2003, 2008b.

<sup>&</sup>lt;sup>3</sup> Council of the European Union, 2006b, 2010.

checklist for integrating child protection in CSDP operations outlined that CAAC is often included in the overall human rights perspective of the training.<sup>1</sup>

In order to promote human rights, thus children's rights, Finland needs to be actively involved in national and international fora on the topic. For the purpose of this study, official documentations, publications, reports and public speeches on the promotion of children's rights in armed conflicts were reviewed. The materials from the Finnish ministries showed that children's protection and rights have been discussed and promoted relatively rarely. The Finnish Government Programme states that a central goal of Finland's foreign policy is the promotion of respect for human rights and also active involvement in international crisis management.<sup>2</sup> Whereas human rights are actively promoted in Finland, the children's situation in conflicts is not yet in a prominent position of Finland's foreign policy. The UNSC resolutions and EU guidelines calls for special attention for children in the work of international crisis management. It is essential that the member states implement these directives in all national crisis management activities, starting from the planning of training to implementations on the fieldwork. Finland's commitment to find effective ways to implement the EU's human rights guidelines, including children in armed conflicts, was raised during the Finnish EU Presidency in 2006.<sup>3</sup> Also the Government Report on Finland's human rights policy sets children's rights in central focus. Great importance is placed on making the EU's guidelines and strategies on CAAC effective, as well as continuity of supporting the UN mechanisms in accordance with protecting children in all phases of conflict.<sup>4</sup> It is important that these are turned into reality and Finland is committed to follow and support the mechanisms of the UN and the EU in regard to child protection in armed conflicts.

In regard to the first research question, how far has Finland come in implementing children's rights and protection in its international crisis management activities, particularly considering the implementations of the UNSC resolutions and the EU Guidelines on Children and Armed Conflict? The results of the study showed that the rights and protection of children have been partially mainstreamed in crisis management training in Finland. As seen in the results,

<sup>&</sup>lt;sup>1</sup> Council of the European Union, 2008a.

<sup>&</sup>lt;sup>2</sup> Finnish Government, 2011.

<sup>&</sup>lt;sup>3</sup> Ministry for Foreign Affairs of Finland, 2006a.

<sup>&</sup>lt;sup>4</sup> Ministry for Foreign Affairs of Finland, 2009b.

children's issues are given room in the certain programmes of the training. Human rights are mainstreamed in the military and civilian crisis management training in Finland. Thus children's rights are also integrated in the training programmes. This study indicated, however, that the training in the protection and rights of the child is not sufficient to make Finnish military and civilian crisis management personnel credible advocates for children in conflicts. The training needs to cover the international legal standards on children's rights, the impacts of armed conflicts on children and existing protection measures made available by the UN and supported by the EU. The monitoring and reporting mechanism established in the UNSC resolution 1612 is an essential tool for all crisis management personnel working in the 13 countries where the MRM is applied. Out of these countries, Finnish crisis management personnel are currently deployed in Afghanistan and Southern Sudan (also in Somalia, but it is specifically maritime crisis management operation).<sup>1</sup> Crisis management training in Finland does not include information on the specific MRM tool for protecting and assisting children that are victims of grave violations. However, it should be noted that peacekeeping and crisis management missions always operate in accordance with mandates. It could be that the MRM is not included in the specific operations where Finnish crisis management personnel are deployed, or that use of the tool is included in the induction training by the specific operation. A more in-depth study to document the process of training and implementing the MRM is therefore required.

Finland has taken an active part in crisis management operations around the world. During the past years the largest contributions of Finnish peacekeepers has been in operations in Kosovo, Lebanon and Afghanistan. This was also reflected in the respondents' background; majority of the peacekeepers taking part in the study were either currently, or previously have been, serving in these locations. It should be noted that some of the respondents had participated in the peacekeeping operation in the early days, when children's rights and protection were not included in the training programmes. However, the year of the latest operation was not limited in order to receive wider scale of information on the peacekeepers' experiences on the ground. Currently nearly 37 per cent of the Finnish civilian crisis management personnel are women, but the corresponding number in Finnish military crisis management is

<sup>&</sup>lt;sup>1</sup> Ministry for Foreign Affairs of Finland, 2013.

approximately 4 per cent.<sup>1</sup> The proportion of women and men respondents was also in accordance with the latter figure. In consonance with women's low participation in the study, they comprised less than 9 per cent of all the respondents. Women's participation in crisis management contributes to the overall effectiveness of a mission. The policies to advance women's participation in crisis management should continue. It is especially important to increase female peacekeepers' and crisis management experts' participation in conservative cultures where it is more appropriate for them to interact with the local women and girls.

The second research question was to examine to what extent Finnish peacekeepers acknowledge children's rights in armed conflicts. The results revealed that, in regard to knowledge of the EU Guidelines on Children in Armed Conflict, there was no significant difference between female and male respondents. However, the results indicated that the peacekeepers' level of knowledge related to the EU guidelines correlated significantly with their observations on violations of children's rights. The more aware the peacekeepers were about children's rights in armed conflict, the more they had observed violations of the rights of the child on the ground. The results also showed that a connection was found between the peacekeepers' satisfaction with the received training in children's issues and the knowledge about EU's guidelines. Satisfaction about training in children's rights and protection increased significantly as the peacekeepers' knowledge on the topic increased. The results indicated that male and female peacekeepers perceived the training in children's rights and protection quite differently. Women were notably less satisfied with the training in comparison to the men. These results affirm that it is essential that peacekeepers receive enough training in children's rights and protection in order to have the confidence and necessary attainments to implement this knowledge in their daily work on the ground. Through training peacekeepers gain more insight of children's rights and protection, and thereby can become more vigilante observers on violations of children's rights in conflict zones.

The third research question was to map to what extent have Finnish peacekeepers made observations of violations of children's rights in the peacekeeping operations. The results of the study showed that the military position, the sex and the age of the peacekeepers did not correlate with the frequencies of observed violations. This is particularly interesting as the

<sup>&</sup>lt;sup>1</sup> Ministry for Foreign Affairs of Finland, 2013.

experience gained by age and position did not have an effect on how often they had observed violations of children rights during their service in the peacekeeping operations. The majority of the peacekeepers said that they had 'sometimes' made such observations. 25 per cent of the peacekeepers reported that they had 'never' observed violations of children's rights on the ground. The different roles in an operation could explain this; some of the respondent answered that they had no connection with the local population due to the mandated tasks of the particular mission. In contrary to this, 10 per cent of the peacekeepers stated that they had observed violations of children's rights 'very often'. This result indicates that the peacekeepers need to be adequately trained on how to help such children and how to correctly report on the violations of their rights. The original Machel Report and its following work were used as a foundation of this study to review the different impacts that armed conflict have on children. The peacekeepers observed, to a large extent, the same violations as reviewed in the literature and previous research. As to the limitations of the study, it would have been interesting to map the peacekeepers' observations on violations of children's rights in specific operations. In this way observations, for example, in the three largest operations could have been compared. Since the respondents had often been in more than one peacekeeping operation, it was not possible to indicate in which of the operations they had made particular observation. The design of the questionnaire should be reviewed for future study in this regard.

The peacekeepers were also asked what are the possible dangers for children associated in conflicts. The information was based on their experiences on the ground. Physical injuries due to landmines and unexploded ordnance were referred to a large extent. As seen in the literature review, the use of explosives has enhanced since World War II and they are rather common in armed conflicts within states. It has been reported that an estimation of one third of the casualties due to explosives is children.<sup>1</sup> The UN peacekeeping operations are also focusing on the post-conflict mine clearance. Educating children on the dangers of landmines and other explosives needs also to continue in countries affected by them. In regard to the dangers for children in conflicts, the third physical injury most referred to was traffic. The peacekeepers mentioned locals' driving culture causing dangers to children, but some of the respondents referred as well to traffic by the UN peacekeepers. The peacekeepers listed not

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly, 2007.

only the direct dangers causing physical injury, but also health, social and sexual problems were often noted as well as psychological consequences for children in conflicts.

The fourth research question was asking how Finnish military crisis management trainers take into account children's protection in their training programmes. The answers from the military crisis management trainers indicated that human rights is an overarching topic mainstreamed in the training. Their answers showed that children's rights are included in the overall gender sessions of the training. One of the trainers specified that children's issues in general, as well as special treatment of child soldiers, are trained in SSR. More specific approaches involving children, such as DDR processes, are gone through in the contexts of R2P and PoC.

The fifth research question was to examine to what extent are children's rights implemented in the Finnish civilian crisis management training programmes. The answers from the specialist interviews indicated that children's issues are covered briefly through case studies in the two week basic course that civilian crisis management personnel receive prior to missions. The protection of children can be covered in the modules of SSR and ICM that both consist of general information of civilians' protection. Children's issues are also dealt with in refugee items. To what extent children's rights and protection are taken into account depends also on the trainers' emphasis on a particular course.

Based on the overall results of the study, it can be said that children's rights and protection need more attention in the Finnish crisis management activities. The crisis management missions have changed over the years, and children are deeply affected by the diverse threats present in the modern conflicts. Training Finnish military and civilian crisis management experts in children's issues strengthens their capabilities to protect children in conflict situations and make a significant difference to the life of a child. Protection of children that have known violence throughout their childhood is crucial for the foundations of lasting peace. In order to break the vicious cycle of violent conflicts, all international efforts are needed to ensure safe and positive development for the children and youth living in these environments. There is a growing awareness of child protection in crisis management projects; particularly the UN and the EU actively increase this knowledge. As a member state,

Finland needs to take stronger action on the promoting children's rights in armed conflicts in an international level.

The present study brings children's roles in conflicts to the center discourse of international crisis management. In regard to improvements for both awareness and implementation of children's issues in the Finnish crisis management activities, a more comprehensive plan should be developed in order to secure that the crisis management personnel have adequate training in the topic. The current plan of the Finnish Centre of Expertise in Comprehensive Crisis Management implementing course programme on Protection of Civilians is one step closer to further include children's rights and protection in military and civilian crisis management. The future training in the field of CAAC could also include organisations and experts specialised in child protection. Furthermore, it is essential to ensure that there is sufficient finance available for conducting training in the rights and protection of children in conflicts.

#### REFERENCES

- Achvarina, V., & Reich, S. (2006). No Place to Hide: Refugees, displaced persons, and the recruitment of child soldiers. *International Security*, 31, 127-164. Doi: 10.1162/ isec.2006.31.1.127.
- Aittokoski, H. (2013, August 1). Afgaanisiviileillä synkät näkymät, YK-raportin mukaan sodassa kuollut entistä enemmän naisia ja lapsia. *Helsingin Sanomat*, p. A24.
- Child Soldiers International. (2012). Louder than words: An agenda for action to end state use of child soldiers. Retrieved from http://www.child-soldiers.org/global\_report\_reader. php?id=562
- Commission of the European Communities. (2008). A Special Place for Children in EU External Action (Document No. COM(2008) 55) Retrieved from http://eur-lex.europa.eu/ LexUriServ/LexUriServ. do?uri=COM:2008:0055:FIN:EN:PDF
- Council of the European Union. (2003). *EU Guidelines on Children and Armed Conflict* (Publication No. 15634/03). Retrieved from http://register.consilium.europa.eu/pdf/en/03/st15/st15634.en03.pdf
- Council of the European Union. (2005). *Generic Standards of Behaviour for ESDP Operations* (Publication No. 8373/3/05). Retrieved from http://register.consilium. europa.eu/pdf/en/05/st08/st08373-re03.en05.pdf
- Council of the European Union. (2006a). *Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP operations* (Publication No. 9767/06). Retrieved from http://register.consilium.europa.eu/pdf/en/06/st09/st09767.en06.pdf
- Council of the European Union. (2006b). *Implementation Strategy for Guidelines on Children and Armed Conflict*. (Publication No. 8285/06). Retrieved from http://register.consilium. europa.eu/pdf/en/06/st08/st08285.en06.pdf
- Council of the European Union. (2007). *EU Guidelines for the Promotion and Protection of the Rights of the Child* (Publication No. 16031/07). Retrieved from http://www.consilium.europa.eu/uedocs/cmsUpload/16031.07.pdf
- Council of the European Union. (2008a). Draft General Review of the Implementation of the Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP operations (Publication No. 9822/08). Retrieved from http://register.consilium. europa.eu/pdf/en/08/st09/st09822.en08.pdf

- Council of the European Union. (2008b). Update of the EU Guidelines on Children and Armed Conflict (Publication No. 10019/08). Retrieved from http://register.consilium. europa.eu/pdf/en/08/st10/st10019.en08.pdf
- Council of the European Union. (2010). *Revised Implementation Strategy of the EU Guidelines on Children and Armed Conflict* (Publication No. 17488/10). Retrieved from http://register.consilium.europa.eu/pdf/en/10/st17/st17488.en10.pdf
- Council of the European Union. (2012). Overview of the missions and operations of the European Union, August 2012 [Map]. Retrieved from http://www.consilium.europa.eu/media/1730495/map\_en\_august\_2012wl.pdf
- European Commission. (2012, 14 November). *Nobel Peace prize money to be given to projects that support children affected by war and conflict* [Press release]. Retrieved from http://europa.eu/rapid/press-release\_IP-12-1212\_en.htm
- European Union External Action. (2013). *EU support to children affected by armed conflict*. Retrieved from http://eeas.europa.eu/top\_stories/2013/120213\_children-and-armed-conflict\_en.htm
- Finnish Defence Force. (2013). *Operaatioiden historia*. Retrieved from http://www.puolustusvoimat.fi/
- Finnish Government. (2011). *Programme of Prime Minister Jyrki Katainen's Government*. Retrieved from http://valtioneuvosto.fi/hallitus/ha
- Helsinki Process on Globalisation and Democracy. (2008). *Helsinki process in a nutshell*. Retrieved from http://formin.finland.fi/public/download.aspx?ID=105451&GUID= %7BD2C2D7F1-4C57-4B1D-ADB5-8951A53955BD%7D
- Human Security Study Group. (2007). A European way of security: The Madrid Report of the human security study group comprising a proposal and background report. Retrieved from http://eprints.lse.ac.uk/40207/1/A\_European\_Way\_of\_Security%28author%29.pdf
- International Criminal Tribunal for the former Yugoslavia. (1995). *The Prosecutor v. Dusko Tadic, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction. 2 October* (Publication No. IT-94-1-A). Retrieved from http://www.icty.org/x/cases/ tadic/acdec/en/51002.htm
- Internal Displacement Monitoring Centre. (2013). *Global Overview 2012: People internally displaced by conflict or violence.* Retrieved from http://www.internal-displacement.org/ publications/global-overview-2012

- International Committee of the Red Cross. (1949). *Geneva Convention Relative to the Protection of Civilian Person in Time of War*, Fourth Geneva Convention (Treaty Series No. 75 UNTS 287). Retrieved from http://www.icrc.org/eng/war-and-law/treatiescustomary-law/geneva-conventions/index.jsp
- International Committee of the Red Cross. (1977a). Additional Protocol (I) to the Geneva Conventions and its commentary (Treaty Series No. 1125 UNTS 3). Retrieved from http://www.icrc.org/eng/war-and-law/treaties-customary-law/genevaconventions/ index.jsp
- International Committee of the Red Cross. (1977b). Additional Protocol (II) to the Geneva Conventions and its commentary (Treaty Series No. 1125 UNTS 609). Retrieved from http://www.icrc.org/eng/war-and-law/treaties-customary-law/geneva-conventions/index. jsp
- International Committee of the Red Cross. (2005). Additional Protocol (III) to the Geneva Conventions and its commentary. Retrieved from http://www.icrc.org/eng/war-and-law/treaties-customary-law/geneva-conventions/index.jsp
- International Committee of the Red Cross. (2012). State Party to the Geneva Conventions and their Additional Protocols [Map]. Retrieved from http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-map-conven-a3.pdf
- Juvonen, A. (2012). Lapset aseellisissa selkkauksissa kriisien keskellä. In R. Kopola, & A. Palm, (Eds.), Siviilit kriisejä hallitsemassa: Matkalla kokonaisvaltaiseen kriisinhallintaan (pp. 201-206). Helsinki: Kansalaisjärjestöjen konfliktinehkäisyverkosto KATU.
- Kaldor, M. (2012). *New and old wars: Organised violence in a global era*. Cambridge: Polity Press.
- Kohrt, B. (2007). Recommendations to promote psychological well-being of children associated with armed forces and armed groups (CAAFAG) in Nepal. Retrieved from http://nepaldocumentary.com/tpocaafagfinal.pdf
- Kronlund, J., & Valla, J. (1996). Suomi rauhanturvaajana 1956 1990. Porvoo: WSOY
- Kuper, J. (2010). A Minor Matter? The place of young people in an EU human security doctrine. *International Journal of Children's Rights, 18,* 127-147. Doi: 10.1163/092755609X12532563661629.

- League of Nations. (1924). *Geneva Declaration of the Rights of the Child*. Retrieved from http://www.un-documents.net/gdrc1924.htm
- Lorey, M. (2001). *Child soldiers: Care & protection of children in emergencies, a field guide.* Retrieved from http://resourcecentre.savethechildren.se/sites/default/files/documents/ 2386.pdf
- Machel, G. (1996). *Promotion and protection of the rights of the children: Impact of armed conflict on children*. Note by the Secretary-General (Resolution No. A/51/306). Retrieved from http://www.unicef.org/graca/a51-306\_en.pdf
- Machel, G. (2001). The impact of war on children: A review of progress since 1996 United Nations Report on the impact of armed conflict on children. London: C. Hurst & Co. Ltd.

Mazurana, D. & McKay, S. (2001). Child soldiers: What about the girls? *Bulletin of the Atomic Scientists*, *57*, 30-35. Doi: 10.2968/057005010.

- Ministry for Foreign Affairs of Finland. (2006a, July 4). Minister for European Affairs of Finland Paula Lehtomäki at the Council of Europe [Speech]. Retrieved from http://formin.finland.fi/public/default.aspx?contentid=70962&contentlan=2&culture=en-US
- Ministry for Foreign Affairs of Finland. (2006b, December 4). UN: EU statement on children and armed conflict. Statement by H.E. Ms. Kirsti Lintonen, Ambassador, Permanent Representative of Finland to the UN, on behalf of the European Union [Speech]. Retrieved from http://formin.finland.fi/public/?contentid=84447&contentlan= 2&culture=en-US
- Ministry for Foreign Affairs of Finland. (2008). UN Security Council Resolution 1325 (2000) "Women, peace and security". Finland's National Action Plan 2008-2011 (Publication No. 9/2008). Retrieved from http://www.finnland.de/public/download.aspx?ID= 32702&GUID=%7B6E789E51-2C81-4F67-B12D-23E7389922F4%7D
- Ministry for Foreign Affairs of Finland. (2009a). Finland's Comprehensive Crisis Management Strategy (Publication No. 16/2009). Retrieved from http://formin.finland.fi/ public/download.aspx?ID=52127&GUID=%7B818D397E-8145-421D-AD53-CB45E5226F2C%7D
- Ministry for Foreign Affairs of Finland. (2009b). *Government Report to Parliament on the Human Rights Policy of Finland* (Publication No. 14/2009). Retrieved from http://formin.finland.fi/public/download.aspx?ID=54284&GUID=%7B1248AD8B-CFFB-44F6-A69B-7831BC7F274C%7D

- Ministry for Foreign Affairs of Finland. (2010). Human Rights and Crisis Management: A handbook for members of CSDP missions (Publication No. 11/2010). Retrieved from http://formin.finland.fi/public/download.aspx?ID=68107&GUID=%7B6E2746F0-13D2-433B-B261-1DE5A98681C7%7D
- Ministry for Foreign Affairs of Finland. (2012a, September 28). Secretary of State Mr. Pertti Torstila at the Crisis Management and Mediation – Nordic experience Seminar [Speech]. Retrieved from http://formin.finland.fi/Public/default.aspx?contentid=258851
- Ministry for Foreign Affairs of Finland. (2012b). UN Security Council Resolution 1325 (2000) "Women, peace and security". Finland's National Action Plan 2012-2016 (Publication No. 5/2012). Retrieved from http://formin.finland.fi/public/download. aspx?ID=98322&GUID=%7B3DAB961C-AE41-42D3-99CB-4BE77BA8941D%7D
- Ministry for Foreign Affairs of Finland. (2012c, March 14). *Seminar on the protection of children in armed conflicts* [Webcast]. Retrieved from http://formin.finland.fi/public/ default.aspx?contentid=244223&contentlan=2&culture=en-US.
- Ministry for Foreign Affairs of Finland. (2013). Suomen osallistuminen kansainväliseen siviilikriisinhallintaan (Syyskuu 2013) [Map]. Retrieved from http://formin.finland.fi/ public/download.aspx?ID=14840&GUID=6D545754-3500-4BE4-B069-91FD3E840BAA
- Ministry of the Interior. (2008). *Finland's National Strategy for Civilian Crisis Management*. Retrieved from http://www.finlandnato.org/public/download.aspx?ID=34485&GUID=%7BA123E955-4D9B-4068-B19A-CE6F8C003AD6%7D
- NGO Committee on UNICEF. (n.d). Update on the third Optional Protocol to the Convention on the Rights of the Child. Retrieved from http://www.ngocomunicef.org/2013/05/05/ update-on-the-third-optional-protocol-to-the-convention-on-the-rights-of-the-child/
- Otunnu, O. (2002). 'Special Comment' on Children and Security, Disarmament Forum. United Nations Institute for Disarmament Research (Document No. 3) Retrieved from http://mercury.ethz.ch/serviceengine/Files/EINIRAS/48320/ichaptersection\_singledocum ent/96908167-a12f-4113-bfa1-0b8e5cf29553/en/02\_Special+Comment.pdf
- Parliament of Finland. (2010). *Lasten oikeuksien huomioiminen siviili- ja sotilaallisessa kriisinhallinnassa* (Publication No. KK 127/2010 vp Minna Sirnö/vas.) [Written question]. Retrieved from http://www.eduskunta.fi/faktatmp/utatmp/akxtmp/kk\_127\_2010\_p.shtml

- Permanent Mission of Finland to the UN. (2011, July 11). UN Security Council open debate on children and armed conflict: Statement by Ambassador Jarmo Viinanen, Permanent Representative of Finland to the United Nations, on behalf of the Nordic countries [Speech]. Retrieved from http://www.finlandun.org/public/default.aspx?contentid= 226735&culture=en-US
- Prime Minister's Office. (2005, September 9). Developmental and governance in changing global economy, Prime Minister Matti Vanhanen at Helsinki Conference [Speech]. Retrieved from http://vnk.fi/ajankohtaista/puheet/puhe/en.jsp?oid=135567
- Psychology Beyond Borders. (2008). Psychological adjustment and social integration of children associated with armed forces and armed groups: The state of the field and future directions. Retrieved from http://www.crin.org/docs/CAAFAG.pdf
- Salonius-Pasternak, C., & Visuri, P. (2006). *Suomi rauhanturvaajana 1991-2006*. Jyväskylä: Gummerus/Ministry of Defence.
- Save the Children Finland. (2010, November 18). *Human Rights and Crisis Management A handbook for members of CSDP missions* [Commentary]. Helsinki: Save the Children.
- Save the Children Sweden. (2006). *Save the Children Alliance military training: Mapping exercise*. Retrieved from http://resourcecentre.savethechildren.se/library/save-children-alliance-military-training-mapping-exercise-save-children-sweden
- Study Group on Europe's Security Capabilities. (2004). A human security doctrine for *Europe: The Barcelona Report of the study group on Europe's security capabilities*. Retrieved from http://eprints.lse.ac.uk/40209/
- United Nations. (1945). *Charter of the United Nations and Statute of the International Court of Justice* (Treaty No. 1 UNTS XVI). Retrieved from http://treaties.un.org/doc/ Publication/CTC/uncharter.pdf
- United Nations. (1997). Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. Retrieved from http://treaties.un.org/doc/Treaties/1997/09/19970918%2007-53%20AM/Ch\_XXVI\_ 05p.pdf
- United Nations. (2005). *Millennium Development Goals: Progress chart*. Retrieved from http://www.un.org/millenniumgoals/pdf/mdg2005progresschart.pdf

- United Nations. (2011). *Child protection: Child protection in United Nations peacekeeping*. Retrieved from http://www.un.org/en/peacekeeping/documents/ child\_protection%20 \_in%20un\_peacekeeping2011.pdf
- United Nations. (2012). *Children and armed conflict: Report of the Secretary-General.* (Report No. A/66/782-S/2012/261). Retrieved from http://www.un.org/en/ga/ search/ view\_doc.asp?symbol=A/66/782
- United Nations Children's Fund. (2007). *The Paris Principles: Principles and guidelines on children associated with armed forces or armed groups*. Retrieved from http://www.unicef.org/emerg/files/ParisPrinciples310107English.pdf
- United Nations Children's Fund. (2009). *Machel Study 10-year strategic review: Children and conflict in a changing world*. Retrieved from http://www.unicef.org/publications/ index\_49985.html
- United Nations Development Programme. (1994). *Human Development Report*. Retrieved from http://hdr.undp.org/en/reports/global/hdr1994/
- United Nations General Assembly. (1948). Universal Declaration of Human Rights. (Resolution No. A/RES/217, III). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=%20A/RES/217%20(III)
- United Nations General Assembly. (1959). *Declaration of the Rights of the Child* (Resolution No. 1386, IXV). Retrieved from http://www.unicef.org/barbados/spmapping/Legal/global/General/declaration\_child1959.pdf
- United Nations General Assembly. (1974). *Declaration on the Protection of Women and Children in Emergency and Armed Conflict*. (Resolution No. A/RES/29/3318). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=A/9631
- United Nations General Assembly. (1989). *Convention on the Rights of the Child*. (Resolution No. A/RES/44/25). Retrieved from http://www.un.org/en/ga/search/view\_doc. asp?symbol=A/RES/44/25&Lang=E&Area=RESOLUTION
- United Nations General Assembly. (2000a). Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (Resolution No. A/RES/54/263). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=A/RES/54/263

- United Nations General Assembly. (2000b). United Nations Millennium Declaration (Resolution No. A/RES/55/2). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=A/RES/55/2
- United Nations General Assembly. (2007). *The Machel Study and the 10-year strategic review*, Part two (Resolution No. A/62/228). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=A/62/228
- United Nations General Assembly. (2011). *Optional Protocol to the Convention on the Rights of the Child on a communication procedure* (Resolution No. A/RES/54/263). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=A/RES/54/263
- United Nations Security Council. (1999). *Security Council resolution 1261* [on children in armed conflicts] (Resolution No. S/RES/1261). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=S/RES/1261(1999)
- United Nations Security Council. (2000a). *Security Council resolution 1314* [on children in armed conflicts] (Resolution No. S/RES/1314). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=S/RES/1314(2000)
- United Nations Security Council. (2000b). *Security Council resolution 1325* [on women, peace and security] (Resolution No. S/RES/1325). Retrieved from http://www.un.org/en/ga/search/view\_doc.asp?symbol=S/RES/1325(2000)
- United Nations Security Council. (2001). *Security Council resolution 1379* [on children in armed conflicts] (Resolution No. S/RES/1379). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=S/RES/1379(2001)
- United Nations Security Council. (2003). *Security Council resolution 1460* [on children in armed conflicts] (Resolution No. S/RES/1460). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=S/RES/1460(2003)
- United Nations Security Council. (2004). *Security Council resolution 1539* [on children in armed conflicts] (Resolution No. S/RES/1539). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=S/RES/1539(2004)
- United Nations Security Council. (2005). *Security Council resolution 1612* [on children in armed conflicts] (Resolution No. S/RES/1612). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=S/RES/1612(2005)

- United Nations Security Council. (2009). *Security Council resolution 1882* [on children in armed conflicts] (Resolution No. S/RES/1882). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=S/RES/1882(2009)
- United Nations Security Council. (2011). *Security Council resolution 1998* [on children in armed conflicts] (Resolution No. S/RES/1998). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=S/RES/1998(2011)
- United Nations Security Council. (2012). *Security Council resolution 2068* [on children in armed conflicts] (Resolution No. S/RES/2068). Retrieved from http://www.un.org/en/ga/ search/view\_doc.asp?symbol=S/RES/2068(2012)

United Nations Treaty Collection. (2013). Databases. Retrieved from http://treaties.un.org/

van Reisen, M. & Hrabovszki, G. (2012). *The Implementation of the EU Guidelines on Children in Armed Conflict: Assessment of the policy framework and its implementation*. Brussels: EEPA.

Appendix A

## Crisis Management operation/missions where Finnish peacekeepers participated

- The United Nations Interim Force in Lebanon (UNIFIL) was established in 1978 and due to the conflict in 2006 the mandate was renewed by the UNSC resolution 1701. Currently the operation is focusing on the following tasks: monitoring the Lebanese-Israeli border, supporting armed forces and assisting civilians in Lebanon. The mandate also consists of securing humanitarian aid delivery. The mission is coordinated in co-operation with Lebanese and Israeli governments.
- 2. The Kosovo Force (KFOR) was established in 1999. The operation is a NATO-led, but set up in UN mandate after adaptation of the UNSC resolution 1244. Originally the target of the operation was to stop hostilities and maintain an environment that is secure by providing a military presence in the country. KFOR supports the civilian crisis management operation, EULEX, as well as other international organisations. The Finnish peacekeepers deployed in the operation consists of monitoring team, liaisons and personnel at the headquarters.
- 3. *The United Nations Disengagement Observer Force* (UNDOF) was established by the UNSC resolution 350 in 1974 due to an agreement of disengagement signed by Israeli and Syrian forces. Since then, the mandate has been renewed every six months and UNDOF has remained in the Golan Heights to maintain ceasefire in the Israel-Syria sector.
- 4. *The International Security Assistance Force* (ISAF) was established in accordance with the UNSC resolution 1386 (2001) in Kabul. NATO currently leads the operation and its primary objective is to assist the Afghan administrative authorities to establish a secure environment. The operation was extended to cover the entirety of Afghanistan in 2006, and therefore continued to support the Afghan Government to provide and maintain effective security structures across the country.
- 5. *The Stabilization Force* (SFOR) was established under the UNSC resolution 1088 in 1996. It was a Nato-led operation and its primary objective was to maintain a secure environment in the region of Bosnia and Herzegovina. In 2004 *The European Union Force* (EUFOR) replaced the NATO-led SFOR.
- 6. The United Nations Mission in the Central African Republic and Chad (MINUCRAT) was established according with the UNSC resolution 1778 in 2007. The main objective of the mission was to provide security for the populace. Also its objectives included promoting human rights as well as rule of law. The mission mandate was terminated in 2010 by the UNSC resolution 1923. (SKJT Finnish crisis management forces in Chad / Suomalainen kriisinhallintajoukko Tshadissa).

- 7. The United Nations Protection Force (UNPROFOR) was established in 1992. The primary purpose was to ensure demilitarization in Croatia. The mandate later also moved to Bosnia and Herzegovina. The new objectives were to secure the delivery of humanitarian aid and monitor areas that were safe. After this the mandate extended also to the former Yugoslav Republic of Macedonia with objectives to monitor borders. *The United Nations Preventive Deployment Force* (UNPREDEP) was established in 1995 to replace UNPROFOR. Mainly the same objectives remained in the mandate.
- 8. *The United Nations Truce Supervision Organization* (UNTSO) was established in 1948. The main objectives of the operation was supervise that armistice agreement was implemented and hostilities between Israel and its Arab neighbours did not erupt. The operation has spread across the Middle East. Since 1967 Finnish peacekeepers have been taking part in the operation.
- 9. The United Nations Confidence Restoration Operation (UNCRO) was established in 1995 followed by the UNSC resolution 981. The objective of the operation was to maintain a ceasefire agreement between Croatia and the Republic of Serbian Krajina. The operation also included monitoring activities in international borders, such as the crossing of military as well as supplies and weapons. The operation also consisted of securing humanitarian aid delivery to Bosnia and Herzegovina. The mandate was terminated in 1996.
- 10. The United Nations Mission in Ethiopia and Eritrea (UNMEE) was established in 2000. The objective of the mission was to monitor a ceasefire in the border between Ethiopia and Eritrea. In 2008 the Security Council terminated the mission mandate.
- 11. The United Nations Mission in Liberia (UNMIL) was established in accordance with the UNSC resolution 1509 in 2003. The main objective of the mission is to maintain and monitor a ceasefire agreement. Also mission objectives included facilitating peace process and provide security to civilians as well as supporting humanitarian activities. Since 2007 the mission has been gradually decreasing its military component.
- 12. The United Nations Military Observer Group in India and Pakistan (UNMOGIP) was established in 1949. The operation is taking place in the border region between India and Pakistan (in the provinces of Kashmir and Jammu). The operation consists of observing and reporting on developments of ceasefire and humanitarian situation to the Secretary General of the United Nations. Since 1961 Finnish peacekeepers have been participating in the operation.

- 13. The EU Monitoring Mission in Georgia (EUMM) was established in 2008. It is an unarmed civilian monitoring mission, which is focusing on establishing stability, normalisation and confidence building in the area. Also direct reporting to the EU is included in the mission mandate.
- 14. The United Nations Peacekeeping Force in Cyprus (UNFICYP) was established in 1964. Its objective is to prevent a recurrence of fighting between communities of the Greek Cypriot and Turkish Cypriot. Since 1974 the mission has focused on controlling the ceasefire lines, managing the zonal area between the opposing forces and providing humanitarian assistance. UNFICYP is one of the longest international peacekeeping mandates by the UN.
- 15. The United Nations Emergency Force II (UNEF) was established in 1973 by the UNSC resolution 340. Its immediate objectives were to maintain and monitor the ceasefire between the forces of Egypt and Israel, and prevent all movement forward of the two forces. In 1979 the mandate was terminated.

(Sources: The Finnish Defence Centre, www.puolustusvoimat.fi; United Nations Peacekeeping, www.un.org/en/peacekeeping/operations/; UNIFICY, http://www.unficyp.org/nqcontent.cfm?a\_id=1; EUMM, http://www.eumm.eu/en/about\_eumm)

Appendix B

# Questionnaire for Peacekeepers





# Suomi, lasten suojelu aseellisissa konflikteissa ja kansainvälinen kriisinhallinta

Tämä tutkielma suoritetaan yhteistyössä Åbo Akademin ja Pelastakaa Lapset ry:n kanssa. Tutkimus käsittelee lasten oikeutta suojeluun ja sitä, kuinka nämä oikeudet otetaan huomioon Suomen sotilaallisen ja siviilikriisinhallinnan toimissa.

Konfliktien uhreista noin 90 prosenttia on siviilejä, heistä valtaosa on naisia ja lapsia. Erityisesti kriisien aikana lasten oikeudet ja niihin liittyvät velvollisuudet korostuvat. Tämän haastattelulomakkeen tarkoitus on kartoittaa suomalaisten rauhanturvaajien näkökulmaa ja kokemuksia liittyen lasten oikeuksiin ja heidän suojeluun konfliktialueilla. Haastattelulomakkeen täyttämiseen menee noin 15 minuuttia ja vastauksesi ovat minulle erittäin arvokkaita. Kaikki tiedot tullaan käsittelemään luottamuksellisesti.

## Rauhanturvaajat

### Perustiedot

1. Sukupuoli

Nainen / Mies

- 2. Ikä
- 3. Sotilasarvo / -tehtävä (vapaaehtoinen)
- 4. Tämän hetkinen (tai viimeisin) operaatio/maa ja vuosi
- 5. Palvelusi kesto operaatiossa?
- Onko tämä ensimmäinen kerta, kun olet rauhanturvaajana? Kyllä / Ei
- 7. Jos ei, niin missä operaatiossa olet palvellut aikaisemmin ja kuinka kauan?
- 8. Millaisen koulutuksen olet saanut tehtäviisi rauhanturvaajana?

#### Euroopan unioni ja Yhdistyneet kansakunnat

- 9. Ovatko EU:n suuntaviivat lasten suojelun osalta sinulle tuttuja?
   0=Ei lainkaan, 1=Vähän, 2=Kohtalaisesti, 3=Paljon, 4=Erittäin paljon
- 10. Mitä YK:n turvallisuusneuvoston päätöslauselmia tiedät koskien lasten suojelua aseellisissa konflikteissa?
- 11. Suomi painottaa vahvasti YK:n turvallisuusneuvoston päätöslauselmaa 1325 'Naiset, rauha ja turvallisuus'. Kuinka tämä tematiikka on otettu käytäntöön operaatiossanne?

#### Lasten oikeudet ja suojelu kriisialueilla

- 12. Oletko mielestäsi saanut tarpeeksi koulutusta liittyen lasten oikeuksiin ja suojeluun?
   0=Ei lainkaan, 1=Vähän, 2=Kohtalaisesti, 3=Paljon, 4=Erittäin paljon
- 13. Millaisia riskejä lapset kohtaavat alueella / alueilla, missä olet itse ollut tai mistä olet kuullut kerrottavan?
- 14. Millaisia seurauksia mielestäsi näistä riskeistä voi myöhemmin koitua lapsille?
- 15. Mitä mielestäsi rauhanturvaajien tulisi tehdä lasten suojelun hyväksi?
- 16. Oletteko tehneet yhteistyötä paikallisten kansalaisjärjestöjen kanssa lasten suojelu asioissa?
- 17. Oletko palvelusi aikana kohdannut lasten oikeuksien rikkomuksia?
  0=Ei koskaan, 1=Harvoin, 2=Joskus, 3=Usein, 4=Hyvin usein
- 18. Jos olet, niin millaisia?
- 19. Millaiset oheistukset sinulla on lasten oikeuksien rikkomusten raportoinnista?
- 20. Onko sinulla käytännön esimerkkiä / esimerkkejä kuinka lasten suojelu on huomioitu tai ei ole huomioitu tämän hetkisessä (tai aikaisemmissa) kohdemaassa?
- 21. Miten mielestäsi lasten oikeuksia ja suojelua voitaisiin parantaa rauhanturvaamisoperaatioissa?
- 22. Haluaisitko lisätä jotain muuta liittyen rauhanturvaamiseen ja lasten suojeluun?
- 23. Mikäli voin haastatella sinua vielä aiheeseen liittyen, niin jätä sähköpostiosoitteesi ja olen sinuun yhteydessä.

Appendix C

Questionnaire for Trainers of Crisis Management Personnel





## Suomi, lasten suojelu aseellisissa konflikteissa ja kansainvälinen kriisinhallinta

Tämä tutkielma suoritetaan yhteistyössä Åbo Akademin ja Pelastakaa Lapset ry:n kanssa. Tutkimus käsittelee lasten oikeutta suojeluun ja sitä, kuinka nämä oikeudet otetaan huomioon Suomen sotilaallisen ja siviilikriisinhallinnan toimissa.

Konfliktien uhreista noin 90 prosenttia on siviilejä, heistä valtaosa on naisia ja lapsia. Erityisesti kriisien aikana lasten oikeudet ja niihin liittyvät velvollisuudet korostuvat. Tämän haastattelulomakkeen tarkoitus on kartoittaa suomalaisten kriisinhallinnan kouluttajien näkökulmaa koulutuksen sisällöstä, erityisesti liittyen Yhdistyneiden kansakuntien ja Euroopan unionin ohjeistuksiin lasten oikeuksista ja heidän suojelusta konfliktialueilla.

Haastattelulomakkeen täyttämiseen menee noin 15 minuuttia ja vastauksesi ovat minulle erittäin arvokkaita. Kaikki tiedot tullaan käsittelemään luottamuksellisesti.

# Kansainvälisen kriisinhallinnan kouluttajat

## Perustiedot

1. Sukupuoli

Nainen / Mies

- 2. Ikä
- 3. Ammatti / Työtehtävät
- 4. Nykyisessä tehtävässä alkaen
- 5. Koulutustausta
- 6. Mahdollinen erikoiskoulutus

### Kysymyksiä koulutuksesta

- 7. Minkä pituinen on kansainvälisen kriisinhallinnan koulutus suomalaisille rauhanturvaajille/kriisinhallinnan toimijoille?
- 8. Millaisiin tehtäviin annat koulutusta ja mitä antamasi koulutus sisältää?
- 9. Miten ihmisoikeusasiat ovat otettu huomioon koulutuksessa?
- 10. Miten lapsiasiat ovat otettu huomioon koulutuksessa?
- 11. Millaista yhteistyötä tehdään koulutuksen osalta muiden pohjoismaisten toimijoiden kanssa?
- 12. Mitkä ovat mielestäsi suomalaisen koulutusosaamisen erityisvahvuuksia?
- 13. Mitkä ovat mielestäsi suomalaisen koulutusosaamisen puutteita tai ongelmia?

#### Yhdistyneet kansakunnat ja Euroopan unioni

- 14. Suomi painottaa vahvasti YK:n turvallisuusneuvoston päätöslauselmaa 1325 "Naiset, rauha ja turvallisuus". Kuinka tämä tematiikka on sisällytetty koulutukseen?
- 15. Millaisen koulutuksen olet itse saanut YK:n päätöslauselmaa 1325 koskien?
- 16. Onko tämä koulutus ollut mielestäsi riittävää?
  0=Ei lainkaan, 1=Vähän, 2=Kohtalaisesti, 3=Paljon, 4=Erittäin paljon
- 17. Kaipaisitko lisäkoulutusta asian tiimoilta?*Kyllä / Ei*
- 18. Onko kriisinhallintatehtäviin lähtevillä tietoa ja käytännön osaamista tehdä yhteistyötä paikallisten toimijoiden kanssa ihmisoikeus- ja tasa-arvoasioissa?

0=Ei lainkaan, 1=Vähän, 2=Kohtalaisesti, 3=Paljon, 4=Erittäin paljon

- ➤ Tieto
- > Osaaminen
- 19. YK ja EU painottavat lasten suojelua aseellisissa konflikteissa ja kansainvälisissä kriisinhallintatehtävissä. Miten nämä oikeudet ja tarpeet ovat otettu huomioon suomalaisessa kriisinhallinnassa? Jos on, niin miten? Jos ei, niin miksi?

### Lasten oikeudet ja suojelu osana koulutusta

- 20. Onko teillä konkreettisia toimintaohjeita siitä, kuinka lapset otetaan huomioon kansainvälisissä kriisinhallintaoperaatioissa?
- 21. Millaisen koulutuksen/koulutuksia olet itse saanut lasten oikeuksiin ja heidän suojeluun liittyen?
- 22. Millaiset taidot ovat koulutuksen saaneilla rauhanturvaajilla/kriisinhallinnan toimijoilla toimiessaan lasten parissa kriisialueilla?
  - 0=Erittäin huonot, 1=Heikot, 2=Tyydyttävät, 3=Aika hyvät, 4=Erittäin hyvät
    - Lapsiin kohdistuvan väkivallan ehkäisemiseksi
    - > Lapsisotilaiden auttamiseksi (esim. rekrytoinnin ehkäisy, kotiuttaminen)
    - Seksuaalisen väkivallan kohteeksi joutuneen lapsen auttamiseksi
    - > Perheestä eroon joutuneen lapsen auttamiseksi
    - Lapsikaupan uhriksi joutuneen lapsen auttamiseksi
- 23. Kuinka koulutuksessa ohjeistetaan suomalaisia rauhanturvaajia/kriisinhallinnan toimijoita monitoroimaan/raportoimaan mahdollisia lasten oikeuksien rikkomuksia?
- 24. Millä tavalla monitorointia/raportointia voisi mielestäsi parantaa?
- 25. Millaiset seuraukset ovat rauhanturvaajille/kriisinhallinnan toimijoille, jotka syyllistyvät itse lasten oikeuksien rikkomuksiin?
- 26. Oletko kokenut tilannetta, jossa rauhanturvaaja/kriisinhallinnan toimija on syyllistynyt lasten oikeuksien rikkomuksiin?
- 27. Millaista yhteistyötä teillä on humanitaaristen organisaatioiden kanssa?
- 28. Näettekö tarpeelliseksi ottaa lasten oikeudet ja suojelun osaksi koulutuskokonaisuutta?
- 29. Ruotsin Pelastakaa Lapset käy kouluttamassa kriisinhallinnan toimijoita lasten oikeuksista ja suojelusta; olisiko tulevaisuudessa mahdollista, että Suomen Pelastakaa Lapset kouluttaisi suomalaisia kriisinhallinnan toimijoita asian tiimoilta?
- 30. Haluaisitko lisätä jotain muuta liittyen koulutukseen ja lasten suojeluun aseellisissa konflikteissa?
- 31. Mikäli voin haastatella sinua vielä aiheeseen liittyen, niin jätä sähköpostiosoitteesi ja olen sinuun yhteydessä.