



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



Abduction of children in Africa

Human Rights Resolution 2005/43

The Commission on Human Rights,

Recalling its resolution 2004/47 of 20 April 2004,

Recalling also the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, the African Charter on Human and People's Rights and the African Charter on the Rights and Welfare of the Child,

Recalling further the 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,

Recalling the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

Recalling also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights (A/CONF.157/23) in June 1993 and the United Nations Millennium Declaration, as well as the special session of the General Assembly on children, which, inter alia, called for the protection of children, particularly those in difficult circumstances,

Recalling the obligation to respect and to ensure respect for international humanitarian law, including the Geneva Conventions, of 12 August 1949, relative to the Treatment of Prisoners of War and to the Protection of Civilian Persons in Time of War, as well as, for the States parties, the two Protocols Additional to the Geneva Conventions of 8 June 1977,

Bearing in mind Security Council resolutions 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003 and 1539 (2004) of 22 April 2004 on children in armed conflict,

Taking into account its own resolutions on the rights of the child,

Welcoming with satisfaction the progress report of the Secretary-General on the study on the question of violence against children (E/CN.4/2005/75),

Also welcoming the entry into force, on 25 December 2003, of the Protocol to Prevent,

Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,

Expressing its appreciation to those African countries that have established formal and informal mechanisms to ensure greater protection of children, including measures to combat and eliminate abduction of children,

1. *Condemns* the practice of abduction of children for various purposes, inter alia, for involvement in armed forces or armed groups, for participation in hostilities, for sexual exploitation and forced labour;

2. *Also condemns* the abduction of children from camps of refugees and internally displaced persons by armed forces and armed groups, and their subjection of children to participation in fighting, torture, killing and rape as victims and as perpetrators;

3. *Demands* the immediate demobilization and disarmament, reintegration and, where applicable, repatriation of all child soldiers, particularly girls, who have been recruited or used in armed conflicts in contravention of international law;

4. *Calls for* the immediate and unconditional release and safe return of all abducted children to their families, extended families and communities;

5. *Calls upon* African States:

(a) To pay particular attention to the protection of refugee and internally displaced children, especially unaccompanied and separated children, who are exposed to the risk of being abducted or becoming involved in armed conflicts;

(b) To take extra measures to protect refugee children and internally displaced children, particularly girls, from being abducted;

(c) To take adequate measures to prevent the abduction and recruitment of children by armed forces and armed groups and their participation in hostilities, through, inter alia, the adoption of legal measures to prohibit and criminalize such practices and practical measures such as prompt and comprehensive birth registration of all children (including refugee and internally displaced children), documentation of children, preservation of family unity and its facilitation in case of separation, access to education, health care, vocational training and employment;

6. *Encourages* all African States to integrate the rights of the child into all peace processes, peace agreements and post-conflict recovery and reconstruction phases;

7. *Urges* all African States that have not yet done so to consider ratifying the African Charter on the Rights and Welfare of the Child, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and

the Optional Protocol on the sale of children, child prostitution and child pornography;

8. *Welcomes* the progress achieved in the eradication of abduction of children by national mechanisms in certain African States, and encourages other States that have not yet done so to consider establishing such mechanisms;

9. *Requests* African States, in cooperation with the relevant United Nations agencies, to provide the victims and their families with the necessary assistance and to support sustainable rehabilitation and reintegration programmes for abducted children, including the provision of psychological assistance, basic education and vocational training, taking into account the rights and special needs of abducted girl children;

10. *Requests* the international community, including donor countries and relevant United Nations bodies, to complement and supplement the efforts of African States and African regional mechanisms in providing the necessary assistance, including technical assistance, in order, first, to devise with the participation of children, their families and communities appropriate programmes to combat abduction of children and to protect them, including refugee and internally displaced children, especially unaccompanied and separated children, who are exposed to the risk of being abducted, and, second, to develop and implement programmes for the reintegration, including rehabilitation, of children in the peace process and in the post-conflict recovery and reconstruction phase;

11. *Encourages* all States, and particularly their agencies responsible for internal security, as well as the International Criminal Police Organization, to cooperate and take steps to prevent cross-border abductions, and to exchange information with the aim of preventing the abduction of children in Africa;

12. *Calls upon* Member States to put an end to impunity and to take appropriate steps to identify those responsible for child abductions in Africa and bring them to justice;

13. *Encourages* the independent expert for the study on violence against children to complete his study on the protection of children against all forms of physical and mental violence, including child abduction in Africa;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights, working with Member States, the International Labour Organization, the United Nations Children's Fund and other relevant United Nations agencies, international organizations and non-governmental organizations, to undertake a comprehensive assessment of the situation of the abduction of children throughout Africa through the organization of subregional consultations, which will provide a framework for gathering research, expertise and information from each subregion, for sensitizing political actors and for networking among public authorities and civil society, including non-governmental organizations, and to report its findings to the Commission at its sixty-second session;

15. *Urges* States to submit information, progress reports and observations on the implementation of the present resolution, and calls on the relevant international organizations to submit reports on this issue to the Office of the High Commissioner;

16. *Urges* those States that have established national mechanisms to combat the abduction of children and to report on the progress of those mechanisms to the Office of the High Commissioner;

17. *Decides* to continue its consideration of this question at its sixty-second session under the same agenda item.

*57th meeting
19 April 2005*

[Adopted without a vote. See chap. XIII, E/CN.4/2005/L.10/Add.13]