



Security Council

Distr.: General
26 November 2014

Original: English

Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in the Syrian Arab Republic

1. At its 43rd meeting, on 14 February 2014, the Security Council Working Group on Children and Armed Conflict examined the first report of the Secretary-General on children and armed conflict in the Syrian Arab Republic (S/2014/31), introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Chargé d'affaires a.i. of the Syrian Arab Republic also addressed the Working Group.

2. The members of the Working Group welcomed the submission of the report of the Secretary-General, in accordance with Security Council resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012), and took note of the analysis and recommendations contained therein.

3. The members of the Working Group expressed their profound indignation at the situation of children affected by armed conflict in the Syrian Arab Republic and were deeply concerned at the scale, scope and gravity of the violations and abuses committed against children and at the dire humanitarian situation. The members of the Working Group agreed that all violations and abuses against children had to be condemned and that all perpetrators had to be held to account.

4. The Chargé d'affaires a.i. of the Syrian Arab Republic was of the view that his Government had made every effort to cooperate in a transparent and open manner with the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and recalled that his Government had hosted the Special Representative and her team on two occasions, as mentioned in a letter provided by his Government to the Security Council on 6 February 2014. In his view, the report did not sufficiently address the situation of children in refugee camps in neighbouring countries. He deplored the fact that some information provided by his Government did not find its way into the report, citing the example of the attack by armed groups of Qusayr Hospital in Homs governorate on 5 September 2012. Finally, the representative regretted that the reference to the disastrous impact on children caused by the imposition of unilateral coercive measures on his country had not been retained in the final version of the report.

5. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions



1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012) and 2143 (2014), the Working Group agreed to the direct action set out below.

Public statement by the Chair of the Working Group

6. The Working Group agreed to address the following message to all parties to the armed conflict in the Syrian Arab Republic through a public statement by its Chair:

(a) Expressing its profound indignation that well over 10,000 children have been killed and many more injured since March 2011, as reported in the Secretary-General's report on children and armed conflict in the Syrian Arab Republic (S/2014/31);

(b) Strongly condemning the widespread violations of human rights and international humanitarian law by the Syrian authorities, as well as the human rights abuses and violations of international humanitarian law by armed groups, including all forms of sexual and gender-based violence, as well as all violations and abuses committed against children, described in the Secretary-General's report as follows:

(i) The cases of recruitment and use of children by armed opposition groups, including by the Free Syrian Army (FSA), FSA-affiliated groups, Syrian Kurdish armed groups as well as Islamic State in Iraq and the Levant (ISIL), Al-Nusrah Front and other individuals, groups, undertakings and entities associated with Al-Qaida as well as cases of recruitment or attempted recruitment of children within refugee populations;

(ii) The arbitrary arrest and detention, ill-treatment and torture of children by Government forces for their or their relatives' actual or perceived participation in demonstrations or support to opposition groups, and the use of children as human shields;

(iii) The alleged ill-treatment and torture of children perceived to be pro-Government by armed opposition groups in detention facilities controlled by them, stressing that such acts would constitute violations of international humanitarian law;

(iv) The killing and maiming of children by Government forces in incidents involving heavy shelling and aerial bombardments, and also in incidents of indiscriminate attacks in populated areas, including through the use of cluster munitions and barrel bombs against civilians and civilian objects;

(v) The killing and maiming of children by armed opposition groups in incidents involving the indiscriminate use of mortars and rockets in residential areas, and further strongly condemning the use of improvised explosive devices and terrorist attacks, including car bombs, suicide attacks and tunnel bombs by ISIL, Al-Nusrah Front and other individuals, groups, undertakings and entities associated with Al-Qaida;

(vi) The use of sexual violence against children while detained by Government forces in formal or informal detention facilities to humiliate, harm, force confessions or pressure a relative to surrender, as well as at checkpoints or during incursions and house searches of families perceived to be pro-opposition;

(vii) The alleged use of sexual violence by armed opposition groups, which was impossible to further investigate due to lack of access, stressing that such acts would constitute violations of international humanitarian law and urging armed opposition groups to allow United Nations personnel safe and unhindered access to territories under their control for monitoring and reporting purposes;

(c) Demanding that armed opposition groups and Government-affiliated militias as well as Government forces comply with their respective commitments and obligations under international humanitarian law and international human rights law and refrain from the recruitment and use of children;

(d) Condemning in the strongest terms the use of chemical weapons, resulting in numerous casualties, including many children;

(e) Strongly condemning mass killings and summary executions of children in the Syrian Arab Republic;

(f) Strongly condemning also the increased terrorist attacks resulting in numerous casualties, including among children, and destruction carried out by organizations and individuals associated with Al-Qaida, its affiliates and other terrorist groups, urging the opposition groups to maintain their rejection of those organizations and individuals that are responsible for serious violations of international humanitarian law in opposition-held areas, calling upon the Syrian authorities and opposition groups to commit themselves to combating and defeating organizations and individuals associated with Al-Qaida, its affiliates and other terrorist groups;

(g) Deploring and condemning in the strongest terms the terrorist acts of ISIL and its violent extremist ideology, and its continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law and further strongly condemning such acts of ISIL as killing and maiming of children, the recruitment and use of children, rape and other forms of sexual violence, arbitrary detention and attacks on schools and hospitals;

(h) Expressing grave concern about the general vulnerability of children displaced within and outside the Syrian Arab Republic to gender-based sexual violence and exploitation;

(i) Expressing deep concern that 60 per cent of public hospitals have been affected by the conflict as of July 2013, including the 38 per cent of public hospitals which were out of service, and expressing further deep concern that more than 3,000 of the 22,000 schools in the country had been damaged or destroyed as of October 2013;

(j) Strongly condemning the targeting of schools and hospitals in violation of international humanitarian law, and noting with deep concern that such attacks, the widespread military use of schools and hospitals, and the targeting of teachers and medical personnel endanger the safety of children and severely disrupts their access to education and health care;

(k) Expressing concern that Government forces have denied access to medical care to civilians, including children, on the basis that they are perceived to be from opposition-controlled areas, as reported in the Secretary-General's report;

(l) Strongly condemning the abduction of children by parties to the conflict in exchange for ransom or the release of prisoners, or as pressure on relatives perceived as supporting the opposing party;

(m) Expressing utmost concern at the high and the increasing number of people displaced and in need of assistance inside the Syrian Arab Republic, which has now exceeded 6.4 million people, including approximately 3 million children, and over 3 million Syrian refugees in countries of the region, according to the Office of the United Nations High Commissioner for Refugees (UNHCR), including over 1.5 million children;

(n) Expressing grave alarm at the dire situation of children trapped in besieged areas, most of which are besieged by Government forces and some by armed opposition groups, as well as the dire situation of children in hard-to-reach areas;

(o) Recalling that starvation of civilians as a method of combat is prohibited by international humanitarian law;

(p) Expressing concern that the continuously increasing number of Syrian refugees puts increasing pressure on hosting communities in the region and raises additional child protection concerns, as reported in the Secretary-General's report;

(q) Stressing that the arbitrary denial of humanitarian aid, including wilfully impeding humanitarian access, can constitute a breach of international humanitarian law and have a serious impact on children;

(r) Demanding that all parties to the armed conflict:

(i) Work towards the comprehensive implementation of the Geneva communiqué of 30 June 2012 leading to a genuine political transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their own future;

(ii) Put an end to the killing and maiming of children in violation of international humanitarian law;

(iii) Immediately cease all violations of international humanitarian and human rights law and all human rights violations and abuses committed against children and take all appropriate steps to protect children in the course of military operations;

(iv) End impunity for violations of international humanitarian law and violations and abuses of human rights and bring to justice those who have committed or are otherwise responsible for such violations and abuses against children in the Syrian Arab Republic;

(v) Respect the principle of medical neutrality and facilitate free passage to all areas for medical personnel, equipment, transport and supplies, including surgical items, recalling that under international humanitarian law the wounded and sick must receive, to the fullest extent practicable, and with the least possible delay, medical care and attention required by their condition and that medical and humanitarian personnel, facilities and transport must be respected and protected;

- (vi) Put an end to all attacks against civilians and civilian objects in violation of international humanitarian law, in particular schools and hospitals, as well as to terror tactics and the indiscriminate attacks in populated areas, including through the use of cluster munitions, aerial bombardments, barrel bombs, chemical weapons, mortars and heavy artillery;
- (vii) Cease the military use of schools and hospitals in violation of international humanitarian law and protect the civilian character of those institutions and avoid establishing military positions in populated areas;
- (viii) Comply fully and immediately with the provisions of Security Council resolutions 2139 (2014) and 2165 (2014) and the presidential statement of 2 October 2013 (S/PRST/2013/15);
- (ix) Cease the abduction of children and immediately release all abducted children and their families and allow for their swift family reunification;
- (x) Refrain from all arbitrary arrest or illegal detention of children;
- (xi) Immediately take all measures to prevent and halt all forms of sexual violence and abuse against boys and girls;
- (xii) Take appropriate steps to facilitate the United Nations monitoring and reporting mechanism personnel safe and unhindered access to territories under their control for monitoring and reporting purposes.

Recommendations to the Security Council

7. The Working Group agreed to recommend that the President of the Security Council transmit a letter addressed to the Government of the Syrian Arab Republic:

- (a) Reiterating its profound indignation at the death of well over 10,000 children and the many more injured, as a result of the Syrian conflict as reported in the Secretary-General's report on children and armed conflict in the Syrian Arab Republic (S/2014/31);
- (b) Strongly condemning all violations and abuses committed against children in contravention of applicable international law, including those involving killing and maiming, rape, attacks on schools and hospitals as well as the arbitrary arrest, detention, torture, ill-treatment and use of children as human shields, as described in the Secretary-General's report;
- (c) Stressing that the primary responsibility to ensure the protection of children in the Syrian Arab Republic lies with the Government of the Syrian Arab Republic, and noting in this regard that the Syrian Arab Republic is a State party to the Convention on the Rights of the Child, including its Optional Protocol on the involvement of children in armed conflict, and other relevant human rights and international humanitarian law treaties;
- (d) Noting the awareness programme of the Syrian Commission for Family Affairs with the support of the United Nations Children's Fund (UNICEF) to prevent violations against children's rights, and urging the Government to systematically provide child rights training to all levels of its armed forces;
- (e) Demanding that the Government of the Syrian Arab Republic:

- (i) Immediately cease all violations and abuses committed against children in violation of international humanitarian law and international human rights law and take all appropriate steps to protect children in the course of military operations;
- (ii) Comply fully and immediately with the provisions of Security Council resolutions 2139 (2014) and 2165 (2014) and the presidential statement of 2 October 2013 (S/PRST/2013/15);
- (iii) Ensure that all Government-affiliated militias put an end to all violations of international humanitarian law and abuses of human rights against children, including but not limited to those involving the killing and maiming of children and attacks and threats of attacks against schools and/or hospitals;
- (iv) Investigate and prosecute all violations and abuses committed against children;
- (f) Recalling the public statement by the Chair of the Working Group, and urging the Government to heed the demands contained in this public statement, which are addressed to all parties to the armed conflict;
- (g) Further urging the Government to:
 - (i) Continue to convene regular meetings between the interministerial committee for children and armed conflict and the United Nations country task force on monitoring and reporting to discuss questions related to the protection of children affected by armed conflict in the Syrian Arab Republic and to devise a framework to address and prevent grave violations and abuses committed against children;
 - (ii) Continue the dialogue with the United Nations with a view to preparing and implementing action plans to end the killing and maiming of children, sexual violence against children and attacks on schools and hospitals and their protected personnel.

Direct action by the Working Group

8. The Working Group agreed to send letters from its Chair addressed to the World Bank and donors:

- (a) Highlighting the critical need to mobilize resources to support children affected by the armed conflict in the Syrian Arab Republic, in particular internally displaced children and refugee children, including in neighbouring host countries;
- (b) Calling upon the World Bank and donor community to provide the necessary financial resources to ensure that children affected by armed conflict in the Syrian Arab Republic have access to adequate health care and nutrition, as well as appropriate education and vocational training, and to keep the Working Group informed, as appropriate.