

Children and Armed Conflict
12 July 2011, United Nations Security Council Chamber

Statement by Mr. Wenaweser, Permanent Representative to Lichtenstein

Mr. Wenaweser (Liechtenstein): Thank you very much, Sir, for convening this meeting and for organizing the side event of 30 June as a very good preparation for this open debate. We align ourselves with the statement delivered by Canada on behalf of the Group of Friends on Children and Armed Conflict and would like to add a number of comments in our national capacity.

At the outset, we commend the Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, and her dedicated staff for their excellent work on this topic. We are alarmed by UNESCO's report entitled "Education under Attack", which reports recurrent attacks on students, teaching staff and institutions in situations of armed conflict around the world. The Secretary-General's report (S/2011/250) also documents increasing attacks on schools, which are highlighted in 14 out of the 22 country situations covered by the report and perpetrated by State and non-State actors. In almost all circumstances, attacks on schools violate international humanitarian law, and they may constitute war crimes or crimes against humanity as defined in customary international law.

According to the Rome Statute, intentionally directing attacks against buildings dedicated to education — provided they are not military objectives — is a war crime. We are therefore deeply concerned by reports of the widespread dual use of school buildings as both teaching facilities and military sites and urge all parties to conflicts to refrain from such use of these institutions.

Using school buildings for military purposes may also violate children's fundamental right to education, a right that is enshrined in key international human rights treaties and is non-derogable during times of armed conflict. We commend the Council for taking concrete action on this important issue through the adoption of resolution 1998 (2011) today.

Parties to conflict that attack schools and hospitals in contravention of applicable international law will now also trigger the monitoring and reporting mechanism. This is an important step in the right direction. We also believe, however, that equal weight must be given to all six grave violations of children's rights in various conflicts. Only with difficulty can differential treatment be squared with the universality and interdependence of human rights and the principles of international humanitarian law.

We are deeply worried about reports of increased recruitment and use of children in various armed conflicts. To respond to such incidents in due time, the Working Group should make better use of all its available tools, including emergency meetings and field visits. We welcome the initiative of your delegation, Sir, as Chair of the Working Group on Children and Armed Conflict, to conduct more frequent field visits, and we are disappointed that other Council members have shown little enthusiasm for this approach. Field visits can send important signals to affected populations and to political and military leaders, and we hope that in the future the Working Group will make more effective use of this important tool.

Sixteen parties to conflicts have been listed in the annexes of the reports of the Secretary-General for more than five years for having committed serious violations of the rights of children in armed conflict. Those persistent violators must be subject to the Council's strong and urgent attention and action. Measures taken by the Working Group should be complemented by effective enforcement measures such as sanctions, including arms embargos, bans on military assistance and the imposition of travel restrictions.

We thus call on the Security Council to consider taking such measures when establishing or renewing the mandate of relevant sanctions committees, as agreed in the Council's presidential statement of June 2010 (S/PRST/2010/10). Where no designated sanctions committee is in place, the Council should consider the use of a thematic sanctions committee. Furthermore, it should bear in mind the option of referring situations to relevant national and international justice mechanisms, such as the International Criminal Court, while considering the option of having the financing of such decisions borne by the United Nations budget.

Ultimately, the responsibility to respect the rights of children in armed conflict rests with the parties themselves. We call on all persistent violators to develop and implement an action plan that may eventually lead to their de-listing. To that end, the States concerned should allow direct contacts between the office of the Special Representative of the Secretary-General and relevant non-State actors.