

**FEDERAL PUBLIC SERVICE FOREIGN AFFAIRS, FOREIGN TRADE AND
DEVELOPMENT COOPERATION**

Strategy Paper

Respect for the Rights of the Child
in the Belgian Development Cooperation

DIRECTORATE-GENERAL FOR DEVELOPMENT COOPERATION

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Strategy paper “Respect for the Rights of the Child”

Foreword by Mr Charles Michel, Minister of Development Cooperation

Children are essential for the future development of a society. They constitute the majority of the world population.

All children must have the same rights and liberties, without distinction of any kind. Because they are children, they are also entitled to special care and support. The 'International Convention on the Rights of the Child' (ICRC), which was approved by the General Assembly of the United Nations (UN) in 1989 and which entered into force in Belgium in 1992, expresses these fundamental rights intrinsic to human dignity and the harmonious development of each child. The ICRC, a binding international legal instrument, is the most ratified convention in the world on human rights.

The Belgian parliament took into account this international concern by amending the law on International Cooperation in 2005. 'Respect for the Rights of the Child' hence became the fourth transversal theme of the Belgian development cooperation.

The analysis of the ICRC and the lessons drawn from the experience in the field, for the direct bilateral cooperation in the five priority sectors as well as for the indirect bilateral cooperation with the other actors of the Belgian development cooperation, provided the groundwork for this thematic policy document. Through analysis of the ICRC and by drawing lessons from the practical experience of many actors, this paper tries to take children's rights more into account when identifying, carrying out and following up cooperation activities.

In this policy paper, the emphasis is clearly on the ICRC and its additional protocols. But other relevant conventions and commitments are also taken into consideration, such as the 'Convention on the Elimination of All Forms of Discrimination Against Women' (CEDAW) and various international initiatives like 'A World Fit for Children', the 'Beijing Platform for Action', in the field of gender, and the 'Cairo Programme of Action on Sexual and Reproductive Rights'. The relevant recommendations of the 'Belgian Commission on Women and Development' and the 'Belgian Federal Council for Sustainable Development' were also taken into consideration. These inspiring cross-references also allowed to integrate other important aspects, like the gender approach, into the children's rights policy.

This strategy paper takes into account the recent developments in international cooperation which attempt to evolve from 'donorship' to 'ownership'. In this view, the developing country is responsible for its development policy and the donor is responsible for its cooperation policy. Both partners reciprocally propose improvements in their policy dialogue. From this perspective, the Belgian strategy papers are not (or rather: no longer) a blueprint for projects concerning development cooperation, but an instrument for the policy dialogue and the practice in the field. Finally, the paper seeks to contribute to the harmonisation of the cooperation policy of the various donors, predominantly in the framework of the European cooperation.

After a few introductory remarks, this paper, which is divided into five chapters, examines how the rights of the child can better be guaranteed in the five sectors of Belgian cooperation. Policy and technical recommendations are being formulated sector by sector. The principles of Protection (protecting children), Provision (guaranteeing children's access to various services and facilities) and Participation (listening to children) – the 3 Ps – are used to give structure to this exercise.

Special attention is given to children in armed conflicts, in an annex of this strategy paper. The problem is well known and subject to a great deal of condemnation in, among others, the Security Council. Despite everything, the number of children in the world who are part of armed groups, is today still estimated at 300,000. However, it is not only a matter of human rights, humanitarian aid or development cooperation. It is also a matter of peace and security. Based on this global view, Belgium intends to promote the Rights of the Child in general with a special focus on children and armed conflicts.

A greater emphasis on the respect for children's rights will increase the effectiveness of both the development and the cooperation policy. If children's rights are integrated in the policy (which this document pleads for) the development and cooperation policy will become more effective due to the legally enforceable nature of children's rights in the convention

I hope that this paper allows the Belgian actors to be better armed to defend the Rights of the Child in this world and to give international shape to the Belgian commitment in this matter. Respect for the Rights of the Child must not remain a simple ideal but become a daily reality.

Charles MICHEL

THE 'INTERNATIONAL CONVENTION ON THE RIGHTS OF THE CHILD'

- 1) The attitude of adults towards children has drastically changed in the course of history and in different societies. The 'Geneva Declaration' (1924) was a first step, followed by the 'Declaration of the Rights of the Child' (1959) and the 'International Convention on the Rights of the Child' (ICRC). This convention was approved in 1989 and entered into force in September 1990.
- 2) The ICRC contains an extensive preamble which constitutes the interpretation framework for the 54 articles that follow. The first 41 articles describe the substantial fundamental rights (the civil, political, economic, social and cultural rights) of the child and the obligations of third parties towards the child. They are supplemented by two optional protocols concerning children in armed conflicts and concerning the sale of children, child prostitution and child pornography. The last 13 articles (Art 42 to 54) stipulate how and when the convention enters into force and who brings it into force (the Committee for the Rights of the Child in Geneva); how the convention is implemented and its practical interpretation organised. The technique of the 'General Comments' is used, a particularly useful instrument to implement the cross-cutting aspect of the theme of children's rights in Belgian policy as well. It is therefore surprising that the ICRC in both spirit and practice is all too often conceived as a 'Declaration', in other words, a moral code or 'soft law' and not as a Treaty

The scope of the ICRC

- 3) The ICRC defines the child as 'any person under the age of 18 unless, under the law applicable to the child, majority is attained earlier. 'The architects of the convention do not admit distinctions between, or priorities to be set amongst, the different rights.

Four basic principles can be distinguished in the ICRC:

- non-discrimination (Art 2);
 - the interest of the child (Art 3);
 - the right of life (survival) and development (Art 6);
 - the right of participation (Art 12).
- 4) These basic principles are inextricably connected and are applied in a cross-cutting fashion. For practical reasons – but without denying the inextricable nature of the different rights – the rights of the child are divided into **3 categories**, the so-called 3 Ps: **Protection** (*protecting children*), **Provision** (*guaranteeing services and facilities for children*) and **Participation** (*giving children a voice*).

The international context of the ICRC

- 5) The ICRC is not an isolated document. It builds on previous human rights treaties. The changed image of the child and the ensuing obligations thereof, although in weakened form, were confirmed by the heads of state in the framework of the Millennium Summit in 2000 (Millennium Development Goals). 'A world fit for children', the final document of the United Nations Special Session on Children (2002), reconfirms the commitments of the ICRC. The

EU communication 'Towards an EU Strategy on the Rights of the Child' (2006)) is the first step towards a stronger policy coherence concerning the rights of the child in conformity with the ICRC and other relevant human rights instruments.

- 6) The ICRC repeatedly states that the international (development) cooperation must contribute to the full accomplishment of the rights acknowledged in the ICRC and that the needs of the developing countries must expressly be taken into account in doing so.

The Belgian cooperation policy and the ICRC

- 7) The Belgian Parliament has transposed the international commitments Belgium entered into to the Belgian context through the ratification of the ICRC on 7 June 2005. In practice, this means that the Belgian legislation seeks to respect the four principles mentioned in the ICRC in the five priority sectors of the Belgian development cooperation.
- 8) The required interaction between the cross-cutting theme 'respect for the rights of the child' and the other cross-cutting themes – environment, social economy, gender equality – is obvious.
 - As regards **gender equality** because of:
 - a. the present inequality between boys and girls;
 - b. the economic, legal and social status of woman and the link to the welfare of the child.
 - As regards **environment**, it must be emphasized that the current environmental degradation will weigh heavily on future generations and already has (underestimated) negative effects on children right now;
 - As regards **social economy** it is essential to bear in mind that children are not only users of but often also actors in the economy.
- 9) The partner country must be respected in its application of the ICRC. This respect, however, may not turn into a pretext for a de facto denial of internationally acknowledged principles and provisions.

Brief summary: The child in the Southern Hemisphere

A child which is born in a developing country, in the majority of cases, faces a series of cumulative problems and setbacks.

Mothers and their children often remain excluded from *health care*, resulting in a high maternal mortality rate as well as a high neonatal and infant mortality rate. This situation is exacerbated by AIDS and various situations of violence, as well as the lack of rights in relation to sexual and reproductive health and integrity, especially for girls.

Children are also the first to suffer from the *lack of food security*, especially in the countryside, while furthermore 70% of the 218 million child labourers work in the agricultural sector, illegally or not.

The right to *education* is not guaranteed either: the educational deficit does not only translate into statistics on out-of-school children - 77 million in 2007, mainly in Sub-Saharan Africa and South-West Asia – but, in general, the school structures are also unsatisfactory and the quality of education is relatively feeble.

Access to education and health care and a certain quality of life in general – specifically the perception of safety – is further hampered by the lack or bad quality of the *basic infrastructures*.

All these elements, which have a negative impact on the evolution of the child, are likely intensified by the various *forms of violence*, whether or not institutionalised: socio-cultural traditions like harmful health care practices, economic and sexual exploitation (child labour and child trafficking) and armed conflicts (casualties, disabled people, refugees, and also child soldiers who often become actors of violence).

This brief summary describes a collection of various, often coinciding, handicaps which threaten the development of the child in developing countries. It is therefore not surprising that seven of the eight Millennium Development Goals, instrumental in breaking the poverty circle, also affect children, directly or indirectly.

RECOMMENDATIONS FOR ‘CHILDREN'S RIGHTS IN THE FIVE PRIORITY SECTORS OF THE BELGIAN COOPERATION’

10) A children's rights approach presumes a simultaneous action at three different levels:

- Strengthening the *structures and mechanisms* to promote and protect children's rights;
- Taking *specific and practical measures* to establish the respect for children's rights;
- *Raising awareness* for children's rights amongst policy makers, professional staff, media, private sector, civil society and the general audience.

The following list is of course not exhaustive.

A. POLICY RECOMMENDATIONS

11) In the framework of the fight against poverty, it is necessary to integrate the promotion of children's rights in the *five priority sectors* of the Belgian cooperation – education, health, agriculture and food security, basic infrastructure and community building – into all stages of the cooperation, starting with the policy dialogue. Together with its other partners and donors, the Belgian government will:

- In terms of the implementation of, and compliance with, the ICRC:
 - ◆ Work to transpose the ICRC and to ratify and transpose the optional Protocols to the ICRC as well as other relevant international human rights instruments into the national legislation;
 - ◆ Work to revoke any reservations and factual limitations in the ratification of the ICRC;
 - ◆ Work to mobilize efforts from partner countries to observe the “Concluding Observations” and “General Comments” published by the Committee for Children's Rights and to take these into account when developing national strategies.
- In terms of coherence in Belgian policy, with regard to the objectives of the international development cooperation, internally and externally:
 - ◆ Internally: work on the integration of children's rights in every aspect of the Belgian policy to reach greater coherence for development; to strengthen the support to promote children's rights, and to communicate clearly with policy makers, professional staff, media, the private sector, the civil society and the Belgian population in general in the process;
 - ◆ Externally: harmonising this policy with other donors, particularly in the context of European cooperation, but also play an active role in the international fora to advance, protect and accomplish children's rights.
 - ◆ Cooperating with qualified organisations, both in developing countries and in

Belgium, particularly through our five priority sectors.

- ◆ Play an active part in international fora:
 - In the field of agriculture (rights of the child as regards of food security);
 - In the field of health (right of the child to health and health care in and through the health-care system) and with special attention to the vulnerable child (AIDS victims, street children, orphans, especially girls) and a clear message of zero tolerance towards harmful (whether or not traditional) practices;
 - As regards community building, by working for a global partnership for the sustainable elimination of harmful child labour, furthermore insisting on respect for the UN Security Council resolutions which recommend an integrated approach of conflict management, peace building and protection measures for children in conflict situations.

- As regards capacity building in our partner countries:
 - ◆ Integrate respect for children's rights in the social and policy dialogue with the partners;

 - ◆ Encourage partner countries to:
 - Integrate children's rights in their *policy formulation* (when drawing up or updating, for instance, a PRSP (Poverty Reduction Strategy Paper) and the corresponding action plans, as well as the implementation, follow-up, monitoring and evaluation thereof;
 - Strive for harmony between the principle of equality and the necessity of supporting the weakest: always pay attention to the rights and needs of the particularly vulnerable children. This vulnerability is connected to the physical, psychological, social, cultural, political and/or economic circumstances which can precipitate children in a position of neglect or lawlessness. The principle of gender equality must also be integrated here;
 - *Carry out* their national policy in harmony with other donors. The emphasis here will be on the reinforcement of national expertise in interventions that (i) protect children, (ii) guarantee services and facilities for children and (iii) give children a voice.

From all the concrete recommendations below, eventually three priorities were chosen as mentioned in paragraph 104, based on the urgency and the impact on the future of the children.

B. TECHNICAL RECOMMENDATIONS

I. IN THE EDUCATION SECTOR

i. Protection: Protecting children

12) Encourage partner countries to take care that:

- teachers and other education staff:
 - will be better trained to prevent, identify and help remedy various forms of violence against and abuse of children at school in which they themselves are sometimes involved;
 - will receive better follow-up and guidance during their entire career;
- they raise awareness amongst the direct (parents/primary educators, family, etc.) and broader environment of the child of violence and sexual abuse (including from/to school). The school can take a leading role in this.

13) Encourage partner countries to take care that:

- Emergency interventions take into account adapted relief and education facilities for vulnerable and often traumatised children. Especially in the context of war and disasters, the school is often the only remaining place where there is to some extent order, regularity and safety;
- The education programmes pay attention to mutual respect, tolerance, peace, non-discrimination and gender equality, also in areas of conflict;
- In surroundings where formal education is (temporarily) not possible, the children receive adapted forms of education (e.g. trauma counselling in refugee camps, reintegration of child soldiers, street children, trafficked and abused children, etc.) while bridges to formal education are provided.

14) Encourage partner countries to take economic measures to raise family incomes. Children who have received no or little education (often because they had to contribute to the family income) prove to be more vulnerable to exploitation. Education is an important instrument in the fight against, among other things, child labour, child trafficking and child prostitution. Also 'life-skills based education' is a means to empower children more against various forms of exploitation, abuse and discrimination.

ii. Provision: Guaranteeing services and facilities for children

15) Encourage (institutional) capacity building in partner countries on a national level and, when this is part of a partner country's policy, regionally and locally.

16) Encourage partner countries to promote the school not only as a place to acquire knowledge but also as a development centre for the entire community which can contribute to progress as

regards, among other things, poverty reduction, hygiene, malnutrition, health including the fight against HIV/AIDS, the fight against all forms of exploitation, abuse and discrimination, including discrimination against girls.

- a. The impact of HIV/AIDS on education should not be underestimated: children as well as parents (resulting in AIDS orphans), teachers and other education staff are hit by the disease, endangering the continuity of education. On the other hand, the impact of education on the fight against HIV/AIDS should not be underestimated either: education can be an important first step to informing children and parents about the disease and preventive measures.
 - b. Malnutrition affects growth, resistance to disease and the learning capacities of children. It has a direct impact on school attendance and results. Nutrition programmes at school teach children how they can make more balanced meals that are rich in vitamins. Offering school meals may be an extra incentive for parents to send their children to school.
 - c. Hygiene education teaches children what hygiene means both at school and at home. The school must give the right example by providing clean drinking water and well-maintained, hygienic sanitary facilities.
 - d. The right to education is of course not limited to the access to education as is specified in MDG 2. Consequently, the phenomenon of '*drop-outs*' can be counteracted by monitoring the general *quality* of education (so that parents are and remain convinced of the importance of school attendance for their child), but also by offering 'life-skills based education'. Special attention must be paid to AIDS orphans to protect their right to education by providing special support and relief.
 - e. Education must play an important role in fighting discrimination against women and girls as well as all other forms of discrimination such as prejudice, intolerance, racism and xenophobia.
 - f. Educational curricula, educational methods and evaluation systems must reflect the spirit and philosophy of the ICRC with regard to education and they must take into account human rights and equity. Human rights education which contextualises those human rights from the children's perception of their environment is a valuable instrument in the curriculum: it makes children more aware of their rights, and more assertive; it increases their empowerment.
- 17) Encourage partner countries to support in the broad sense the education process, which largely takes place outside the school walls. In addition to the biological parents, the extended family and the community often play important roles in this. Parents and primary educators who actively participate in the education of their children, are inclined to encourage them more to excell at school and will allow them to continue their education in secondary school and higher.
- 18) Encourage partner countries to promote the participation of teachers and other education staff so as to increase appreciation of their experience, to motivate them and in this way improve the quality of education.

- 19) Encourage partner countries to recommend also bodies other than the central authorities (such as local authorities, traditional chiefs, religious authorities, elder committees, teachers' trade unions and women's organisations) to organise such forms of (informal) education, in the spirit of the ICRC, specifically art 28 and 29. Local and national authorities involved should be invited to the policy dialogue on quality education with the partner country.
- 20) Encourage partner countries to look at the right to education in the local socio-economic context, always in conformity with the ICRC. Flexible education which allows children, as economic actors, to contribute to the family income when this is indispensable while taking classes at the same time, must be supported. This must be done in accordance with the international legislation concerned, including the ILO Convention 182 and the ICRC and must contribute to the welfare of the child and its family.
- 21) Encourage partner countries to offer education in the child's mother tongue or in a (local) language understandable by the child. Education in the language of the child (at least partly and in the earliest years), in addition to education in the official language, improves initial accessibility to education, the quality of the learning process and the learning results.
- 22) Encourage partner countries to promote preschool education (up until the age of 5) to lay a foundation for the development of mental, psychosocial and motor skills. Parents, primary educators and policy makers must be made aware of the importance of preschool training.
- 23) Encourage partner countries to assist children who did not yet have primary education to make up this lost ground (e.g. via second chance education).
- 24) Encourage partner countries to offer children a balance between the acquisition of knowledge, their physical, mental and emotional development and the right to play.
- 25) Encourage partner countries to broaden the focus on primary education to include (i) moving up to income-generating training and professionalising education and (ii) qualitative secondary education, including technical and vocational education.

iii. Participation: Giving children a voice

- 26) Encourage partner countries so that children's freedom of expression, freedom of thought and the right to have their own views on issues that concern them, are respected and supported in and by education.
- 27) Encourage partner countries to involve children actively in the school activities; getting the opportunity to express themselves in a democratic way (e.g. via school councils and school parliaments). The contribution of children often offers a refreshing view on things and creates the opportunity to tune education programmes more to the needs of children. Children's school involvement can be encouraged by stimulating adapted forms of participation (like 'peer education' within or outside of the school) on matters like, for example, exploitation, violence, child trafficking, HIV/AIDS prevention, etc.
- 28) Encourage partner countries to strengthen child organisations so that children, by participating themselves from an early age, can develop their participation capacities.

II. IN THE HEALTH SECTOR

i. Protection: Protecting children

- 29) Encourage partner countries to protect children against discrimination and stigmatisation and to improve access to a qualitative health care.
- 30) Encourage partner countries to organise awareness activities with a policy of zero tolerance to harmful (whether or not traditional) practices like female genital mutilation (FGM).
- 31) Encourage partner countries to strengthen the socio-economic and legal position of children and women to reduce their vulnerability (particularly against infection with HIV/AIDS).
- 32) Encourage partner countries to develop a system of social protection, in which children too can take part, with special attention to children who contribute towards the family income.
- 33) Encourage partner countries to:
 - Draw up local and national measures to protect children against harmful stimulants like drugs and alcohol;
 - Organise, in addition to adequate legislation and the fight against impunity from prosecution, awareness campaigns amongst children, families and communities on the health risks associated with underage marriages and pregnancies, on harmful (whether or not traditional) practices like female genital mutilation (FGM), sexual exploitation and violence.
- 34) In its humanitarian aid, Belgium will pay particular attention to the protection of children and mothers.

ii. Provision: Services and facilities for children

- 35) Encourage partner countries to assure health services have the required means (especially personnel, medical equipment and medication) at their disposal to offer qualitative health care. High child and mother mortality rates demonstrate that children and mothers are the first victims of the bad state of the health-care systems.
- 36) Encourage partner countries to guarantee the right to health care for children by allocating more means and paying more attention to their health-care systems and community facilities which aim at improving health care. These systems and facilities must:
 - Guarantee mothers and children access to health care;
 - Pay attention to health, growth and development of the young child and the family as the primary caregiver;
 - Guarantee support to mothers during pregnancy and through delivery;

- Give families access to health education and preventive measures like mosquito nets, vaccinations, contraceptives, etc.;
 - Pay special attention to the prevention of HIV/AIDS transmission from mother to child;
 - Pay special attention to diagnosis, paediatric treatment of and care for HIV positive children and AIDS orphans.
- 37) Encourage partner countries so that care providers get (extra) training on care for children and are motivated to offer care specifically designed for children.
- 38) Encourage partner countries to stimulate programmes which organise care tailored to disabled and mentally weak children and advocate an integrated approach to the concept of disability in health care.
- 39) Encourage partner countries, if necessary through emergency aid and humanitarian actions, to take care of children who have suffered traumas from abuse, child trafficking and war while paying attention to improve the care of the sexual health of these children.
- 40) Encourage partner countries to:
- Further develop their capacity to draw up preventive national and local strategies regarding sexual behaviour, including the use of condoms;
 - Stimulate education on sexual and reproductive health and rights within schools and child-friendly services (e.g. youth organisations) in order to prevent HIV/AIDS and other STD infections, and pregnancies at an early age;
 - Make health services child-friendly by organising specific medical and social care for underage pregnancies and safe abortions.
- 41) Encourage partner countries to promote the respect of the right of children to correct information on health, sexual and reproductive health and rights in practice through, among other mechanisms, educational actions and information tailored to children, parents, family and the local community on health of and nutrition for the child. This information serves not only to convey knowledge but also to teach attitudes and skills related to sexual and reproductive health and rights. Through campaigns, stimulating empowerment and providing relief, a change in mentality regarding drugs and alcohol addiction, sexual violence, HIV/AIDS and other STDs, underage marriage and pregnancy can be established.

iii. Participation: Giving children a voice

- 42) Encourage partner countries to respect the right of free speech of children and their right to have their own views on matters which concern them.
- 43) Encourage partner countries to make children realise their right to participate in the organisation of health services. And in doing so, to:
- Urge future and young mothers to speak out on education and health-care services concerning their young children;
 - Encourage children to have their voice heard and be actively involved in discussions about their health and health care, including sensitive health issues like sexual and

- reproductive health, HIV/AIDS and other STDs, violence, addictions, harmful (whether or not traditional) practices like female genital mutilation (FGM), etc;
- Have vulnerable children participate in the development of adapted care.

III. IN THE AGRICULTURAL SECTOR AND FOOD SECURITY

i. Protection: Protecting children

- 44) Encourage partner countries to diversify production, to increase the family income and to guarantee the right to food security of all children. In addition, special attention must be paid to women in a rural environment and in urban slums so as to combat (chronic) malnutrition in vulnerable groups like children of under five years.
- 45) Encourage partner countries to realise the right of children to drinkable water. The increasing privatisation of water means that this right might be threatened.
- 46) Encourage partner countries to combat, in a structural and sustainable way, harmful forms of child labour in agriculture. It is important to distinguish between *economically active children* who, for example, occasionally help on the field to contribute to the family income, *child labourers*, who work in violation of ILO Convention No. 138 on minimum age and *children who have to perform work that is dangerous or harmful* to their health, safety and moral development.
- 47) Encourage partner countries to:
- Protect children against the trafficking in young workers in the agricultural sector;
 - Adjust agricultural activities to children employed in the field, and to ensure their safety
 - Take measures to prevent exposure of children and pregnant women to health risks which are linked to their activity in agriculture, for instance, by raising awareness amongst producers and vendors of agricultural products and equipment, big landowners, workers in agriculture, farmers and farmer organisations;
 - Agree on the necessity to follow up and enforce standards related to safe (e.g. the ban on the use of dangerous machines and harmful substances) and dignified working conditions for children and pregnant women ;
 - Agree equally on the need to actively fight trafficking in young workers in the agricultural sector
- 48) Encourage partner countries to promote the rights of children by pursuing gender equality, inter alia through
- Strengthening the capacity of women (and their organisations) to participate in the decision making regarding agriculture and food security;
 - Promoting participation possibilities and the political representation of women on all consultation levels;
 - Advancing the economic independence of women, with special attention to the access of women to property (agricultural land, storage facilities, etc.), market access and access

- to infrastructure and basic input like micro-credit;
- Supporting local organisations that strive for an improvement of the legal position of women;
- Being alert to situations in which girls and women are systematically disadvantaged.

ii. Provision: Guaranteeing services and facilities for children

- 49) Provide priority access to food reserves for the most vulnerable groups, particularly children, in cases of famine and conflict.
- 50) Encourage partner countries to deal with the causes of child labour (poverty, social and economic exploitation, social and cultural values, environmental decline, etc.). Those concerned must be actively involved as much as possible in setting up a policy of measures to discourage child labour and instead respect the right to education:
 - Providing mandatory, free and quality education for each child (children who work run a higher risk of remaining out-of-school);
 - Creating through social mobilisation a protected environment around the child and improving the harmful attitudes and habits (taking it for granted that children, especially girls, work and are exploited in doing so). The employers must also be involved in this;
 - Offering micro-credit to generate income and diversify activities for women (e.g. diversified crops, stock breeding, crafts, retail trade);
 - Improving access to water and energy.
- 51) Encourage partner countries to improve the (legal) position of children who are responsible for the family income, offering, among other strategies, support in obtaining an income (e.g. access to materials and other basic inputs, flexible forms of education), so that they can be head of the household but still enjoy their rights as children at the same time.
- 52) Encourage partner countries in the conservation and good management of natural riches (fauna, flora, woods, water, nature reserves, etc.) and to promote the education of children, families and communities on environmental management and conservation so that ecosystems are affected as little as possible and the natural resources that support agricultural production are used sustainably.

iii. Participation: Giving children a voice

- 53) Encourage partner countries to make users, including the children also, participate, in the development and management of interventions in the field of agriculture and food security, including water and energy.
- 54) Encourage partner countries to offer children adapted information and training so that they can contribute to improved agriculture and food security. This can be done for instance, by training the children, in the application of improved agricultural techniques using school gardens. Because they take this knowledge home with them, children will be heard more and their rights respected better.

- 55) Encourage partner countries to involve children actively in drawing up programmes which :
- Boost the *Empowerment* of children through adapted information on safe and dignified labour conditions and their rights as economic workers. A useful instrument to this end is *peer-to-peer education*;
 - Tackle child labour in the agricultural sector. Active participation of children leads to acceptable, realistic alternatives such as flexible teaching time (e.g. class in the morning or a break during the harvest), vocational education or organising income generating activities at school;
 - Raise awareness on themes which affect the agricultural population.

The use of adapted media, like radio, can support and strengthen the role of children in awareness-raising processes.

IV. IN BASIC INFRASTRUCTURES

i. Protection: Protecting children

- 56) Encourage partner countries to improve the safety of the basic infrastructures for children, for instance by walled water wells that can be closed off, adapted sanitary installations, fences, shielded electricity conduits, etc.
- 57) Encourage partner countries to realise a better living environment for children:
- In setting up basic infrastructures, the location and surroundings are important. With a good location and accessibility of basic infrastructures, the risk of child abuse can be avoided. Their access to that infrastructure must be improved, the risks they may encounter limited as much as possible, for instance, by installing lighting or making bicycles available to them.
 - Safety must be also taken into consideration when building houses. This may imply that the cheapest solution is not always the best for children. As such, (temporary or permanent) single-room accommodations lead to sexual abuse of children more often.
- 58) Adapt the infrastructure of refugee camps to the needs and rights of its inhabitants while taking into account the specific needs of women and children and preventing gender-related violence.

ii. Provision: Guaranteeing services and facilities for children

- 59) Encourage partner countries in the management of community facilities and basic infrastructure from a participative approach, particularly concerning:
- Water supply and reorganisation:
 - Children are often responsible for collecting water. Attention must be paid to the accessibility and safety of water facilities for children;
 - The standard of existing water infrastructure must be high so that the quality of

drinking water remains guaranteed.

- Energy use: for, among other purposes, electricity supply to rural areas to satisfy various domestic needs;
- Transport: the accessibility of health centres, schools, etc.;
- Environmental sanitation and protection by the community: e.g., with solar energy which can limit logging or wood gathering by children;
- The storage, processing and commercialisation of products: e.g., storage facilities for home produced foods and the construction of access roads to local markets;
- Health infrastructure for ante and postnatal care and qualitative basic medical infrastructure to reduce child and mother mortality rates;
- Supporting education and health: e.g., via libraries, community centres, '*Early Childhood Care for Development*' (ECCD) Centres, sport and youth centres, IT systems. Such infrastructure encourages children to collect information independently and adopt attitudes of autonomy.

iii. Participation: Giving children a voice

- 60) Encourage partner countries to give children the right and the opportunity as well as to strengthen their capacity to express their views on issues related to their living conditions. Child participation in the development and the management of basic infrastructures improves the quality of the interventions.
- 61) Encourage partner countries to:
 - Look for forms and methods of participation that are adapted to the growing capacities of the child. A possible method is to collect reactions from children and take these into account when formulating interventions.
 - Give children access to the right communication channels so that they can put their rights and needs on the agenda. Radio programmes made by children are an excellent instrument for promoting child participation in the social debate, including (planned) basic infrastructures in their living environment.

V. IN THE COMMUNITY-BUILDING SECTOR

i. Protection: Protecting children

- 62) Raise the awareness of partner countries to create 'a protective environment' that extends beyond mere physical safety and that, apart from protection against all forms of exploitation, offers children the opportunity to develop self-respect and various social skills in a stimulating social environment.

Birth registration

- 63) Raise the awareness of partner countries of the impact of birth registration in the long term. If necessary, insist on the need to amend the legislation and support them in:

- Removing administrative, financial and other obstacles to birth registration;
- Providing accessible infrastructure for birth registration;
- Strengthening the capacity of civil servants to deal with birth registration;
- Raising awareness of the public on the importance of birth registration.

Violence

- 64) Encourage partner countries to deal with the causes of violence, e.g., by conducting an equal opportunity and gender policy in order to:
- Change mentality and habits by stimulating public debate and enabling people who deal with children to recognise forms of violence and provide sufficient protection of children;
 - Take measures to combat immunity from prosecution. In some countries the belief prevails that violence in the family is a private affair. In other countries, the inadequate police/legal/penitentiary apparatus does not take it into account;
 - Prevent conflicts concerning policy or priorities between the actors involved (authorities, civil society, parents, family, primary educators, community, teachers and other educational staff, employers) by stimulating cooperation on the level of child protection;
 - Spread good practice experiences concerning the prevention of violence towards children.
- 65) Encourage partner countries to build the capacity:
- Of policy makers, nationally and locally so that they apply the principles and the provisions of the ICRC in their daily practice;
 - Of all bodies that deal with children (traditional community structures, police, justice, ombudsmen, truth and reconciliation commissions, teachers and other educational staff, care providers, relief workers and doctors) so that they listen, protect, mediate, take preventive and remedial action and adopt and apply codes of conduct which conform with the principles and provisions of the ICRC;
 - So that learning objectives and education processes are harmonised with the principles and provisions of the ICRC.
- 66) Encourage partner countries to create awareness amongst the general public with regard to:
- Recognising and strengthening the current positive trends in society which protect children;
 - Highlighting the importance of programmes of equal opportunity for boys and girls;
 - Applying nonviolent forms of discipline;
 - Highlighting the importance of empowerment training for children;
 - Underline the fight against harmful (whether or not traditional) practices like genital mutilation.
- 67) Paying attention to protecting children against violence, including sexual and gender-related violence, and promoting the participation of children in humanitarian interventions (e.g., in

organising the refugee camps and distributing goods). Special attention must be paid here to certain forms of violence against young girls. Partner countries must be supported in this.

- 68) Encouraging partner countries to see to it that legal institutions (closed centres, prisons, reform schools, etc.) respect the principles and the provisions of the ICRC, favour restorative mediation and alternative punishments over deprivation of liberty – which must always be considered as the last remedy – and also:
- Guarantee the right to a treatment adapted to the age of the child;
 - Clearly distinguish the settlement of minor offences and violations (e.g. begging) from severe crimes;
 - Consider trafficked, sexually abused street children as victims, not criminals;
 - Provide effective access to care and legal institutions for independent organisms to investigate claims of violence;
 - Use independent experts to judge the national enforcement of legislation concerning minors;
 - Organise prevention and supervision of access children have to alcohol, drugs and weapons;
 - Organise the link between formal and informal justice, to the extent that the latter conforms with respect for human rights and the principles and provisions of the ICRC (such as the practices of the Truth and Reconciliation Commission in South-Africa).

Adoption

- 69) Encourage partner countries to actively look for valid alternatives to adoption and to ensure that international adoption only takes place in the best interest of the child and respecting the legal provisions of the country insofar as these conform with the principles and the provisions of the ICRC and the Treaty of The Hague concerning intercountry adoption.
- 70) Encourage partner countries, which have not yet done so, to ratify the Hague Convention on International Adoption.

Child trafficking

- 71) Encourage partner countries to develop better prevention and protection methods concerning child trafficking, through cooperation amongst the actors involved (e.g. justice, police, NGOs, public and private sectors including the sport sector).
- 72) Encourage partner countries to:
- Adapt national legislation to the sub-regional, regional and international treaties concerned, insofar as these provide greater protection;
 - Harmonise the national conceptual framework on child trafficking and (sexual) exploitation with that of the international framework;
 - Monitor the observance of the law as regards protection against child trafficking.

Child labour

- 73) Encourage partner countries to make a legal and regulatory distinction between non-harmful

child labour (like periodic help on the fields) and child labour that implies (economic) exploitation and is detrimental to the life and development of the child.

- 74) Encourage partner countries to combat all forms of harmful child labour with a focus on the worst forms of child labour (like prostitution, slave labour, child trafficking and dangerous work as stated in the ILO convention no 182) and forgotten forms of child labour (like forced mendicity).
- 75) Encourage partner countries to provide a legal framework for the legal employment of children, in cooperation with the private sector, unions and the civil society.
- 76) Encourage partner countries to investigate illegal employment of children and, if necessary, take legal action against any employer who is at fault.

Children in armed conflicts

- 77) Put the protection and welfare of children during and after an armed conflict on the agenda of peace operations and negotiations. Special attention must be paid to girls considering their particularly vulnerable position.
- 78) Encourage partner countries to give civilian, police and military personnel which participate in peacekeeping operations suitable training in children's rights.
- 79) Encourage partner countries to:
 - Prevent recruitment of children by armed groups by offering children maximum protection in the shape of, for example, quality education and training, the opportunity to obtain an income, food security, safety;
 - Put a halt to the recruitment and use of child soldiers in armed groups, in accordance with the ICRC, the optional Protocol on children in armed conflict and the Paris Principles by introducing specific criminal legislation against those who recruit child soldiers;
 - Foster effective rehabilitation and reintegration of ex-child soldiers in society with special attention to young girls found in armed groups. The essential role of parents, family and the community will be acknowledged in this and attention will be paid to the danger of stigmatisation by the local community;
 - Organise efficient social replacement structures with attention to gender for ex-child soldiers, when parents, family or the community cannot provide relief.

1 Provision: Guaranteeing services and facilities for children

Violence

- 80) Encourage partner countries to organise:
 - The right to report, for children who have fallen victim to violence;
 - A general duty to report, except for those in professions requiring confidentiality;
 - Reporting points with well-trained confidential advisers;
 - Information for children on their rights and on these facilities.
- 81) Support women's organisations to be present at peace negotiations so that they can put on the agenda any relevant issues on the rights of the child (like the protection of children and possible abuse by the army and armed groups).
- 82) Encourage partner countries to develop relief and reintegration programmes which aim to let children who have become victims of violence recover their sense of self-esteem and, when possible, reintegrate in their family or local community.
- 83) Encourage partner countries to organise a representative body for children at the highest level (such as the children's rights commissioner) to facilitate children's access to the administration of justice.
- 84) Encourage partner countries to develop indicators to map the extent of violence and the impact on children, family and the community.

Adoption

- 85) Encourage partner countries to set up 'acculturation processes' for the biological parents, the adoptive parents and the adopted children who are confronted with far-reaching consequences of adoption.
- 86) Encourage, in partner countries, a preference for national adoption over international adoption as much as possible.

Child trafficking

- 87) Encourage partner countries to set up a network of specialised services and care providers for a fast and proper assessment of the issues of trafficking; they should draw up suitable remedial measures (like refugee and repatriation centres for the victims) as well as reporting mechanisms.
- 88) Actively combat sex tourism through awareness-raising campaigns and training in the tourist sector in Belgium. Encourage partner countries to set up similar measures within their own borders.

Child labour

- 89) Encourage partner countries to set up recovery and reintegration programmes for children illegally at work, with bridges to education or vocational training programmes.
- 90) Encourage partner countries to organise flexible forms of education for children working in authorised conditions.
- 91) Encourage partner countries to ensure children have access to adapted information on their rights as legal child workers.

Children in armed conflicts

- 92) Encourage partner countries to organise training sessions for all actors involved, in international humanitarian law, the protection, rights and welfare of children in armed conflicts and the demobilisation and reintegration of child soldiers including a gender approach.
- 93) Encourage partner countries to adopt a holistic approach when they set up reintegration programmes for ex-child soldiers, including a gender approach, in the fields of:
 - Health care (disabilities, injuries, infections, addiction, psychological support);
 - Education (e.g. peace education and prevention on the dangers of anti-personnel mines);
 - Employment modules.
- 94) Encourage partner countries to start up the demobilisation process without waiting for the end of the peace negotiations while acknowledging the essential role of parents, family and the community and the danger of stigmatisation of ex-child soldiers by the local community.

2. Participation: Giving children a voice

- 95) Encourage partner countries to allow children to exert their social participation and citizenship, especially with regard to the school and the local community by ensuring their access to local participation methods (such as 'peer-to-peer education', negotiation, dialogue), structures (for example youth organisations) and channels (such as the spoken and written media).

Violence

- 96) Encourage partner countries to involve children actively in setting up, carrying out and evaluating prevention campaigns and aid programmes against violence towards children. The participation of children in the quest for solutions strengthens their ability to defend themselves against violence.
- 97) Encourage partner countries to strengthen the participation of children in family life, in the local community, in schools and institutions, at work, in counselling and learning processes and in talks prior to possible adoption procedures through, among other actions, raising awareness and offering 'life-skills based education'.

Child trafficking

- 98) Encourage partner countries to acknowledge ex-victims of child trafficking as “hands-on experts” and involve them actively in setting up, carrying out and evaluating prevention, relief and reintegration programmes and in counselling other children who are victims of child trafficking.

Child labour

- 99) Encourage partner countries to actively involve child workers in a reflection on ways to safeguard their rights as children while they are legally employed.
- 100) Encourage partner countries to involve the children who have to perform harmful or exploitative work in seeking sustainable, structural solutions.

Children in armed conflicts

- 101) Encourage partner countries to acknowledge ex-child soldiers (including girls); involve them actively in setting up, carrying out and evaluating prevention, relief and reintegration programmes taking into account their specific experience in the matter (as witnesses and valuable dialogue partners).

GENERAL POLICY OPTIONS

The Belgian government will:

102) Monitor and take measures to improve the **coherence** of the various domains of Belgian policy with regard to the respect for children's rights in order to fulfil the international obligations resulting from the ICRC and its Optional Protocols and in the adoption of the action plans from different UN conferences.

The Belgian Cooperation can contribute to greater policy coherence by actively participating in the activities of the National Commission for Children's Rights;

103) Systematically take into account (i) the ownership of the development policy by the partner country and (ii) the 'General Comments' and 'Concluding Observations' of the UN committee for the Rights of the Child (CRC) in its cooperation policy.

104) Belgium will also, in its policy dialogue with all partners, pay particular and urgent attention to:

- Quality primary education for all (MDG 2) and girls in particular;
- Children in a conflict or post-conflict situation, like child soldiers;
- Children in situations of violence and exploitation (child labour, sexual exploitation, mutilation and related harmful practices, child trafficking and slavery).

105) The sectoral and general recommendations of this children's rights paper:

- a) Where relevant, will be turned into focused and operational attention to children's rights when designing and implementing development policies, both in the multilateral and direct and indirect bilateral cooperation;
- b) Will be introduced to the **partner countries of direct bilateral cooperation**, during, among other opportunities, the policy dialogue on the occasion of reviews of their development policy.

The children's rights situation will:

- in the current Belgian cooperation programme, be described by BTC/CTB (Belgian Technical Cooperation Agency) in its preparation of each new indicative cooperation programme;
 - in the partner country, be assessed by the development cooperation attaché when drafting the background note(i.e.blueprint) of the future indicative cooperation programme.
- c) be communicated to the **other donors** in the partner countries ;the Belgian Cooperation will be propose them to integrate the respect for children's rights in the policy dialogue with the partner country on, among others, the occasion of the reviews of the partner country's development policy;
 - d) be recommended to its **multilateral and regional partners** when, among other

- occasions, discussing their cooperation policy;
- e) be included in the assessment of the subsidised policy of its **indirect bilateral partners**. Pursuant to the Royal Decree on programme and project co-financing, this policy is checked against the respect for the four cross-cutting themes of the law on international cooperation;
- 106) Take measures to promote the sustainable integration of children's rights in the Belgian cooperation policy. These include:
- a. **Organising training sessions** on children's rights and the recommendations in this paper for (i) DGDC and BTC representatives in the field, (ii) DGDC and BTC desk officers at headquarters (e.g., on the correct use of the marker 'children's rights' in the ODA.be database) and (iii) the participants of the BTC information cycles;
 - b. **Institutionally anchoring** the theme of children's rights in the Belgian cooperation administrations assisted by a BTC expert in children's rights and a children's rights contact point within DGDC. Both will (i) ensure the sustainable integration of the respect for the theme of children's rights in Belgian cooperation policy, (ii) ensure the communication and the consultation with relevant dialogue partners like the National Commission for Children's Rights) and Platform for children's rights in development cooperation, (iii) take into account the relevant recommendations of the Federal Council for Sustainable Development (*Federale Raad voor Duurzame ontwikkeling*) and the Commission on Women and Development (and (iv) organise an annual consultation moment with the Minister;
 - c. Emphasising respect for children's rights as a **focal point in the evaluations** planned by the D0.4 and S0.4 departments;
 - d. **Advancing** – by BTC in the partner country – **the real participation of children in the interventions that concern them**, through adapted participation methodologies.

ANNEX I: CHILDREN AND ARMED CONFLICTS

1 A topical problem

The attention given to the situation of children in armed conflicts has only increased in recent years and is closely connected to a growing interest in children's rights in general.

Data collection intended to monitor and evaluate the situation in the field has raised the awareness of the international community. The mass media, for their part, have contributed to the knowledge of this disquieting situation.

The problem has increased further in size and importance. Because of the duration of many conflicts, the confusion between military and civilian targets and the wider distribution of light firearms, the involvement of children in conflicts has increased in the past decades.

2 Definition of the problem

The problems which children face in conflict situations are manifold. The war intensifies the socio-economic disarray and further affects the mechanisms that are designed to help protect children. The educational systems, the health-care networks, the legal services and also the social services feel the repercussions of the armed conflicts.

It is therefore unsurprising that most of these conflicts are located in the so-called “vulnerable” States. These States are facing particularly difficult challenges as regards development, like extreme poverty, weak government policy, continuous social tensions, multifaceted political instability, violence and exploitation. This devastating combination of factors is fertile ground for conflicts to take root, the victims of which are generally the weakest, more specifically, the children.

In this context of instability, the risk of children becoming child soldiers is great. If thousands among them are recruited by force, a large number of them are recruited “voluntarily” because of a lack of better opportunities. The poverty, the social inequalities, the lack of access to opportunities in terms of education or work, the desire to take revenge on those who have committed atrocities on their families are all factors that contribute to the decision to take part in an armed conflict. The desire to escape from a forced marriage or a situation of domestic violence can be an additional motive for young girls.

What is meant by “child soldier”?

A child soldier is “any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys, and girls used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child which is taking or has participated directly in hostilities.” (The Paris Principles, March 2007)

For the armed groups and forces which are not troubled by ethical considerations, children are docile, malleable and cheap recruits who are easily intimidated.

Whether they were recruited, separated from their family or whether they became fugitives because of a conflict, the majority of the children no longer have access to education and basic health care. The bad treatment, the violence and exploitation and the difficulty to circulate humanitarian aid sufficiently often result in an extremely complex situation. The sexual violence against children, for instance, is often used as a weapon in war.

The conflicts also make victims of children who were able to stay home with their family. The destruction of infrastructures, the collapse of the educational system and the difficulty in distributing humanitarian aid make the situation very complex. These troubling elements are added to the serious violations of children's rights in wartime, as identified by the UN Security Council:¹

- Murder or mutilation of children;
- Recruitment or use of child soldiers;
- Attacks against schools or hospitals;
- Rape of children and other severe forms of sexual violence to which children fall victim;
- Abduction of children;
- Refusal of access to humanitarian organisations for children.

The consequences on children of the conflicts are devastating. In the long term, they can have serious consequences and severely damage their psychological, physical and social development. Consequently, they can have a pernicious impact on the development, the welfare, the democratisation and the stability of the society to which the child belongs. Rescuing children from conflicts means reducing considerably the risk of future conflicts and improving the chances of the children to return to a more stable society.

The international community must be fully involved in the solution of this problem because this is not only a case of human rights, humanitarian aid or development cooperation. It is also a matter of peace and security.

3 Which role for the development cooperation?

The problem of children in conflict situations must be approached in a multidisciplinary way in which diplomacy and those involved in justice, in the military and in development aid play a role.

Belgium has committed itself to this cause ,at various levels, including public advocacy actions, cooperation with the International Court of Justice and sustained efforts within the UN Security Council and its working group on children and armed conflicts, to name a few.

The connection between children, armed conflicts and development is complex. Development can be at the same time a cause and a solution to a problem. Poverty and social inequality are fertile ground for new conflicts. Conversely, development aid can have the means at its disposal to weaken the causes of armed conflicts by restricting these social injustices and thus protect children. By advancing the physical and psychological welfare of the young generations, it lays a solid foundation for the development of the society.

Most development aid initiatives can be placed in the phases before (prevention) and after the conflict

¹ Belgium will remain a member of the Security Council until the end of 2009

(reconstruction).

During the phase of the conflict itself, the cooperation opportunities, like emergency aid and relief for refugees, are usually carried out in close cooperation with other international bodies or local partners. This way, several measures can be put in place for the protection of the children: emergency and primary care (food and medical aid), protection against sexual violence, organisation of temporary education in the refugee camps, etc. The registration of the children and the collection of data on these children are an essential step for their demobilisation and return to their family. The demobilisation of the children may not depend on the peace process. Efforts must always be made, also and especially during conflict periods, to demobilise children who are part of armed groups or forces with a view to speedy reintegration.

The cross-border aspect of the conflicts necessitates a regional approach to the problem: this must be given special attention in the identification of the courses of actions. For instance, the subsequent recruitment of demobilised children by armed groups in neighbouring countries must be avoided.

3.1. With regard to prevention:

The protection of the child will be ensured by:

- *Promoting respect for children's rights*, by involving civil society, the religious authorities, the media, the national networks and the traditional authorities. The family and the community often offer the best protection to and for children. This is why it is important to involve them in prevention and awareness programmes. The children must be informed of their rights, including their sexual and reproductive rights, and they must be directed to people and institutions who can protect them.
In its political dialogue with its partners, the development cooperation will emphasize the importance of the respect for children's rights and the ratification of the different legal texts that refer to it. It will condemn any abuse in this area and will make the fight against impunity one of the essential aspects of its policy.
- *Birth Registration*. The right of the child to registration of birth is fundamental because it gives the child a name and an identity. Being registered equals existence. In conflict situations, the absence of a birth certificate increases the vulnerability of children who become more sensitive to exploitation and other forms of violence. Without birth certificates, children are more easily recruited as child soldiers in an army or armed militia. The non-existence of an official proof of identity complicates the persecution of the recruiters and war lords. Birth registers also allow identification of children who were separated from their family or are unaccompanied and facilitate the reunion with their families.
- *Good quality and free education* with special attention to girls. In a crisis situation, the school constitutes a beacon around which children can develop a certain routine. This is comforting and reassuring. As such, education allows maintaining a regular rhythm which the children need for their psychosocial balance. Indeed, the fence around the school forms a protection against recruitment by armed groups and against all other forms of abuse and exploitation. The school can also convey skills and knowledge to the child which may prove to be of vital importance in conflict periods (health education, risks of anti-personnel mines).
- *General fight against poverty and exclusion*. The fight against poverty and exclusion must be

fought: they contribute to a greater vulnerability of the children. In conflict situations, these factors increase the risk of exploitation and human trafficking to which children fall victim. Precarious living conditions and social inequalities can easily push children, who are looking for social acknowledgement, voluntarily into the arms of the armed forces

3.2 **With regard to rebuilding peace**

- *Rescuing children* who have been separated from their family and returning them to a normal life must be organised as quickly as possible.
If children cannot be reunited with their family, placing them in an adoptive family is preferred to an institution. The community plays a fundamental role in facilitating the return of the children to and their acceptance back into the community.
- *Reintegrating the children* is essential so as not to perpetuate the cycle of violence. Disarmament, Demobilisation and Reintegration Programmes must be adapted to children and their specific needs. The reintegration efforts may not be limited to child soldiers only but must be extended to include all categories of vulnerable children. A positive discrimination towards ex-child soldiers would be a sign of preferential treatment. This could give the false impression that their involvement in armed groups is somehow being rewarded. This would indeed further increase the stigmatisation, of which they were victim already.
- The support in the reintegration must be multisectoral, *with a specific emphasis on adapted education that meets the specific needs of the children involved*. The aim is to send or to return children to school who have not completed their education. A flexible education system must be quickly installed, one that takes into account the learning disadvantage and the traumas suffered. This education must be accessible to all, including disabled children, children who are heads of family and girls. Therefore the timetables must be adjusted so that children who must earn their own living can come to the classes after their day job. To have access to education, child mothers must be able to enjoy special arrangements like daycare. Innovative methods of education must also be worked out to reach the isolated children (e.g. by radio, travelling school). The educational programmes must take into account the needs the children have formulated. Vocational training and the acquisition of practical skills that correspond to the demand on the labour market will better meet the expectations of children who have to make their own living. Training that allows a broader development of young people's life experiences must be included in the curriculum, primarily health, sexuality and nutrition.
- Children must be able to enjoy *adapted health care* which simultaneously treats the physical disorders and the psychological traumas. Attention must also be paid to problems of drug addiction. The teaching staff must be trained to be able to deal with the specific needs of vulnerable children and take care of the victims of sexual violence and exploitation. War provides fertile ground for the spread of HIV/AIDS and other infections.
- *In the economic sphere, funding* must be provided quickly and without bureaucratic hassle in order to guarantee the protection and the return of the children to a normal life. Special care will be given to the situation of children who find themselves at the head of their family, to ensure monitoring and follow-up. Also, support must be given to the families and communities who will look after children in order to aid the integration of the latter. The grant of micro-credits and other income-generating opportunities is recommended.

- Children must also be given the opportunity to *deal with their traumatic experiences* by, for instance, having their testimonies heard and using these experiences to develop a sustainable policy for their future. They must also be kept informed about the progress concerning the fight against immunity from prosecution by telling them, for instance, about the activities of the International Criminal Court, and explaining to them that the traumas which they endured will lead to convictions. The children must also be made aware of the legal consequences they would be exposed to if they were to decide, having reached adulthood, to join armed groups. This argument can be very a effective deterrent.
- Support must also be given to the efforts to deal summarily with the immunity from prosecution of those who must answer for war crimes against children. The presence of experts in child protection must be encouraged to ensure that child affairs are taken seriously in the peace processes.

The strategic paper “Respect for the Rights of the Child” offers a number of proposals to implement these measures (see General Policy Options).

4 Categories of particularly vulnerable children

Certain categories of children are particularly vulnerable in times of armed conflicts. These include disabled children, children who are heads of family, child refugees (locally or abroad) and girls. The forced displacement resulting from the armed conflicts tear children away from their environment and blot out their bearings. In the confusion and the turmoil inherent to these mass migrations, children can be separated from their family. This situation increases their vulnerability in terms of exploitation and other forms of violence. Displaced children, separated from their family are also a favourite prey of armed forces attempting to enlist new recruits.

In peace time, gender inequality makes girls more vulnerable to exploitation and other forms of abuse. This situation deteriorates further in unstable periods. Young girls are often the first victims of sexual violence that may cause unwanted pregnancies and STDs, but also important psychological traumas. In fact, increasingly they are recruited by armed forces as sex slaves or as “wives”. As a consequence, they will be seriously stigmatised by the community. Some are cast out and end up with no support. This forces them into prostitution which further contributes to their marginalisation. In order to escape from this ostracism, some girls prefer to remain in the background which causes them to stay off the radar of the relief programmes set up for disarmament, demobilisation and reintegration.

Particular attention should of necessity be paid to the specific needs of the girls; their extreme vulnerability acknowledged to develop of programmes that are adapted to their situation. The return of girl soldiers or rape victims to their community must be made easier to avoid any rejection. Those who do not wish to return to their community must have access to specific relief, health care (including sexual and reproductive health), legal aid, psychosocial support and access to education. It is also essential to offer them possibilities for sustainable survival.

5 International standards and commitments

The most important legal texts which refer to the problem of child soldiers are:

- The Geneva Conventions (1949) and their additional protocols (1977);
- The International Convention on the Rights of the Child (1989) and its optional protocol on the involvement of children in armed conflicts (2000);
- The Rome Statute of the International Criminal Court (1998);
- ILO (International Labour Organisation) Convention no 182 on the worst forms of child labour (1999);
- The African Charter on the Rights and the Welfare of the African Child (1999);
- The UN Security Council Resolution 1612 (2005) and the preceding resolutions.

In addition to these legal documents, non-binding directives were also approved by a large majority:

- The Cape Town Principles (1997);
- The EU Guidelines on Children and Armed Conflicts (2003);
- The Paris Principles and commitments (2007).

ANNEX II: Crucial references on children's rights

A few documents/websites:

- Child Rights Information Network: <http://www.crin.org/>
- CRC: <http://www.ohchr.org/english/bodies/crc/index.htm>
- EUGEN VERHELLEN, *Convention on the rights of the child: background, motivation, strategies, main themes*. Garant ed., Antwerpen-Apeldoorn, 2006,
- UNICEF, *Implementation Handbook for the Convention on the Rights of the Child. Fully Revised 3rd Edition*. 2007.
- UNICEF: <http://www.unicef.org>
- National action plans of the Belgian DC: <http://www.dgos.be/nl/themas/index.html>
- Refugees, internally displaced persons, victims of war: <http://unhcr.ch>
- Participation: <http://www.plan-ik.org>
- Child labour: <http://ilo.org>
- Children and HIV/AIDS: <http://www.uniteforchildren.org>
- Basic infrastructure: <http://www.plan-belgie.org>