

Humanitarian engagement of armed non-state actors in child protection. Recommendation to the Council

2014/2012(INI) - 12/03/2014 - Text adopted by Parliament, single reading

The European Parliament adopted, without vote, in accordance with Rules 97(4) of the Rules of Procedure of the European Parliament, a resolution with a proposal for a European Parliament recommendation to the Council on humanitarian engagement of armed non-state actors in child protection.

Parliament recalled that the Statute of the International Criminal Court **criminalises the act of conscripting or enlisting children under the age of 15 into armed forces or groups**, or using them to participate actively in hostilities. Parliament also recalled that international humanitarian norms apply to and bind all parties in an armed conflict and that **international law prohibits all forms of sexual violence, including against children**.

Parliament addressed a series of recommendations to the Commissioner for Development and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy. They may be summarised as follows:

- encourage the signing of **action plans for the protection of children in armed conflict** with the UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict;
- recognise the efforts made by the UN and international and non-governmental organisations to persuade armed non-state actors to **protect children**, while reiterating that this does not imply support for, or recognition of, the legitimacy of the activities of those actors;
- include in political dialogues with third countries, for instance within the framework of the Cotonou Agreement, the **goal of preventing and stopping the recruitment and forced involvement of children under the age of 18** and ensuring their release and reintegration into society;
- reiterate that states and armed non-state actors must comply with international humanitarian law and international humanitarian customary law, and support them in their efforts to take special measures to protect civilians, in particular children, while recalling that such activity with armed non-state actors does not imply support for, or recognition of the legitimacy of, these groups or their activities;
- engage directly, or indirectly through specialised NGOs and humanitarian organisations, with armed non-state actors on the issue of the protection of girls and boys, **with a view to alleviating child suffering in armed conflict** and urging armed non-state actors to sign the Deed of Commitment under the Geneva Call for the Protection of Children from the Effects of Armed Conflict;
- **support humanitarian organisations** that engage in dialogue with armed non-state actors in order to promote respect for international humanitarian norms in armed conflict.

Respect of international law: moreover, Parliament recalled that:

- that states and armed non-state actors must comply with **international humanitarian law** and international humanitarian customary law, and support them in their efforts to take special measures to protect civilians;
- international humanitarian law is a **legal framework which binds** armed non-state groups and that Common Article 3 of the Geneva Conventions and the Second Additional Protocol of 1977 both serve to this end, as do a large number of customary international humanitarian law rules.

Lastly, it called for the examination of whether existing rules governing international humanitarian law are adequate to deal with non-state actors or whether **further regulation is needed**.