

PARIS COMMITMENTS – Consolidated Version

THE PARIS COMMITMENTS TO PROTECT CHILDREN FROM UNLAWFUL RECRUITMENT OR USE BY ARMED FORCES OR ARMED GROUPS

We,

Ministers and representatives of countries having gathered in Paris on 5 and 6 February 2007 to strongly reaffirm our collective concern at the plight of children affected by armed conflict, our recognition of the physical, developmental, emotional, mental, social and spiritual harm to children resulting from the violation of their rights during armed conflict, and our commitment to identifying and implementing lasting solutions to the problem of unlawful recruitment or use of children in armed conflict,

Recalling all the international instruments relevant to the prevention of recruitment or use of children in armed conflict, their protection and reintegration, and to the fight against impunity for violators of children's rights, as well as relevant regional instruments, as listed in the Annexe hereto, and in particular calling upon all States which have not done so yet to consider ratifying as a matter of priority the Convention on the Rights of the Child and the Optional Protocols thereto,

Recalling UN Security Council resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005) which have repeatedly condemned and called for an end to the unlawful recruitment and use of children by parties to armed conflict contrary to international law, and led to the establishment of a Monitoring and Reporting mechanism and of a Working Group to address violations of children's rights committed in times of armed conflict,

Recalling the 1997 Cape Town principles ("Cape Town principles and best practices on the prevention of recruitment of children into the armed forces and on demobilization and social reintegration of child soldiers in Africa"), that have been helpful to guide decisions and actions taken to prevent the unlawful recruitment of children under 18 years of age into armed forces or groups, stop their use, secure their release, provide protection and support their reintegration or integration into family, community and civilian life.

Deeply concerned that girls continue to be largely invisible in programming and diplomatic initiatives regarding the unlawful recruitment and use of children by armed forces or groups and *committed* to reversing and redressing this imbalance,

Deeply concerned that the Millennium Development Goals of universal primary education and the development of decent and productive work for youth will not be reached as long as children continue to be unlawfully recruited or used in armed conflicts,

Recognizing that States bear the primary responsibility for providing security to and ensuring the protection of all children within their jurisdiction, that children's reintegration into civilian life is the ultimate goal of the process of securing their release from armed forces or groups, and that planning for reintegration should inform all stages of the process and should commence at the earliest possible stage;

We commit ourselves :

1. To spare no effort to end the unlawful recruitment and use of children by armed forces or groups in all regions of the world, i.a. through the ratification and implementation of all relevant international instruments and through international cooperation;

2. To make every effort to uphold and apply the Paris principles (“The Guidelines to Protect Children from Unlawful Recruitment or Use by Armed Forces and Armed Groups”) wherever possible in our political, diplomatic, humanitarian, technical assistance and funding roles and consistent with our international obligations.

In particular, we commit ourselves:

3. To ensure that conscription and enlistment procedures for recruitment into armed forces are established and that they comply with applicable international law, including the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and to establish mechanisms to ensure that age of entry requirements are fully respected and that responsibility for establishing the age of the recruit rests with the recruiting party,

4. To take all feasible measures, including legal and administrative measures, to prevent armed groups within the jurisdiction of our State that are distinct from our armed forces from recruiting or using children under 18 years of age in hostilities.

5. To adhere to the principle that the release of all children recruited or used contrary to international law by armed forces or groups shall be sought unconditionally at all times, including during armed conflict, and that actions to secure the release, protection and reintegration of such children should not be dependent on a cease-fire or peace agreement or on any release or demobilisation process for adults,

6. To fight against impunity, and to effectively investigate and prosecute those persons who have unlawfully recruited children under 18 years of age into armed forces or groups, or used them to participate actively in hostilities, bearing in mind that peace or other agreements aiming to bring about an end to hostilities should not include amnesty provisions for perpetrators of crimes under international law, including those committed against children,

7. To use all available means to support monitoring and reporting efforts at the national, regional and international levels on violations of child rights during of armed conflict, including in relation to the unlawful recruitment or use of children, and in particular to support the monitoring and reporting mechanism established by Security Council resolutions 1539 and 1612,

8. To fully cooperate with the implementation of targeted measures taken by Security Council against parties to an armed conflict which unlawfully recruit or use children, such as, but not limited to, a ban on arms and equipment transfers or military-assistance to these parties.

9. To take all necessary measures, including the elaboration of rules of engagement and standard operating procedures, and the training of all relevant personnel therein, to ensure that children recruited or used by enemy armed forces or groups who are deprived of their liberty are treated in accordance with international humanitarian law and human rights law, with special consideration for their status as children.

10. To ensure that all children under 18 years of age who are detained on criminal charges are treated in accordance with relevant international law and standards, including those provisions which are specifically applicable to children; and that children who have been unlawfully recruited or used by armed forces are not considered as deserters under applicable domestic law.

11. To ensure that children under 18 years of age who are or who have been unlawfully recruited or used by armed forces or groups and are accused of crimes against international law are considered primarily as victims of violations against international law and not only as alleged perpetrators. They should be treated in accordance with international standards for juvenile justice, such as in a framework of restorative justice and social rehabilitation.

12. In line with the Convention on the Rights of the Child and other international standards for juvenile justice, to seek alternatives to judicial proceedings wherever appropriate and desirable, and to ensure that, where truth-seeking and reconciliation mechanisms are established, the involvement of children is supported and promoted, that measures are taken to protect the rights of children throughout the process, and in particular that children's participation is voluntary.

13. To ensure that children who are released from or have left armed forces or groups are not used for political purposes by any party, including political propaganda.

14. To ensure that children who cross international borders are treated in accordance with international human rights and humanitarian and refugee law, and in particular, that children who flee to another country to escape unlawful recruitment or use by armed forces or armed groups can effectively exercise their right to seek asylum, that asylum procedures are age and gender-sensitive and that the refugee definition is interpreted in an age and gender-sensitive manner taking into account the particular forms of persecution experienced by girls and boys, including unlawful under-age recruitment or use in armed conflict, and that no child is returned in any manner to the borders of a State where there is real risk of torture or cruel and unusual treatment or punishment or when that child is recognized as a Convention refugee according to the 1951 Refugee Convention, or of unlawful recruitment, re-recruitment or use by armed forces or groups, assessed on a case by case basis.

15. To ensure that children who are not in their state of nationality, including those recognized as refugees and granted asylum are fully entitled to the enjoyment of their human rights on an equal basis with other children.

16. To advocate and seek for the inclusion in peace and ceasefire agreements by parties to armed conflict that have unlawfully recruited or used children of minimum standards regarding the cessation of all recruitments, the registration, the release and the treatment thereafter of children, including provisions to meet the specific needs of girls and their children for protection and assistance.

17. To ensure that any programmes or actions conducted or funded to prevent unlawful recruitment and to support children unlawfully recruited or used by armed forces or groups are based on humanitarian principles, meet applicable minimum standards, and develop systems for accountability, including the adoption of a code of conduct on the protection of children and on sexual exploitation and abuse.

18. To ensure that armed forces or groups having recruited or used children unlawfully are not allowed to secure advantages during peace negotiations and security sector reforms, such as using the number of children in their ranks to increase their share of troop size in a power sharing agreement.

19. To ensure that any funding for child protection is made available as early as possible, including in the absence of any formal peace process and formal disarmament, demobilisation and reintegration (DDR) planning, and to also ensure that funding remains available for the time required and for activities in communities benefiting a wide range of children affected by armed conflict in order to achieve full and effective integration or reintegration into civilian life.

20. In that context, we, Ministers and representatives of countries having gathered in Paris on 5 and 6 February 2007, welcome the update of the 1997 Cape Town principles ("the Paris principles"), which will be a useful guide in our common efforts to fight against the plight of children affected by armed conflicts.

Annexe

International instruments :

- (i) The 1989 Convention on the Rights of the Child
- (ii) The 2000 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- (iii) The four Geneva Conventions of 1949 and their Additional Protocols of 1977
- (iv) The 1951 Refugee Convention and its 1967 Protocol
- (v) The 1999 ILO Worst Forms of Child Labour Convention (182)
- (vi) The Rome Statute of the International Criminal Court

Regional instruments and initiatives:

- (i) The 1999 African Charter on the Rights and Welfare of the Child, and the revised Arab Charter on Human Rights, which prohibits the exploitation of children in armed conflict
- (ii) The Association of South East Asian Nations (ASEAN) Declaration on the Commitments for Children in ASEAN 2001
- (iii) The adoption of “Guidelines on Children and Armed Conflict” by the European Union in 2003 and the Implementation Strategy for the Guidelines agreed in January 2006
- (iv) Resolution 1904 of the Organisation of American States in 2002
- (v) The Cape Town Principles and best practices on the prevention of recruitment into the armed forces and o demobilization and social reintegration of child soldiers in Africa in 1997

Standards, Principles and Codes of Conduct related to personnel:

- Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief, 1994;
- The Sphere Handbook, Humanitarian Charter and Minimum Standards in Disaster Response;
- Interagency Guiding Principles on Unaccompanied and Separated Children, ICRC 2004
- An example of a code of conduct developed by a coalition of organisations is ‘Keeping Children Safe: A toolkit for child protection’, by the Keeping Children Safe Coalition, 2006. The Secretary General’s Bulletin and Code of Conduct