

PROTECTION OF CHILDREN BY THE UNITED NATIONS PEACEKEEPING
MISSION IN THE DEMOCRATIC REPUBLIC OF CONGO

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General Studies

by

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ABSTRACT

PROTECTION OF CHILDREN BY UN PEACEKEEPING MISSION IN THE DEMOCRATIC REPUBLIC OF CONGO (DRC), by MAJ Abdel Salem Abdoulaye Dara, 78 pages.

The MONUC and MONUSCO missions were established with a peacekeeping mandate including protection of civilians in general. Yet, since the release of Graça Machel's report in 1996 pointing out children as a principal victims during armed conflicts, the United Nations adopted several resolutions and appointed a SRSG-CAAC as well as several mechanisms and tools to address a specified six grave violations against children which are : "Recruitment and Use of Children; Killing and Maiming of Children; Sexual Violence Against Children; Attacks Against Schools and Hospitals; Abduction of Children; and Denial of Humanitarian Access." Unfortunately, the MONUSCO cannot fulfil alone this mission of protecting children without cooperating with UN Agencies, humanitarian organizations as well as NGOs. In addition to the physical presence of MONUSCO, a set of legal tools are established against the perpetrators to hold them accountable for any grave violation perpetrated against children.

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TABLE OF CONTENTS

	Page
MASTER OF MILITARY ART AND SCIENCE THESIS APPROVAL PAGE	iii
ABSTRACT.....	iv
ACKNOWLEDGMENTS	v
TABLE OF CONTENTS.....	vi
ACRONYMS.....	viii
ILLUSTRATIONS	xii
CHAPTER 1 INTRODUCTION	1
Background.....	1
Primary Research Question	7
Secondary Research Questions.....	7
Assumptions.....	7
Scope.....	8
Limitations	8
Delimitations.....	9
Definitions	9
Significance of the Studies	12
Summary.....	13
CHAPTER 2 LITERATURE REVIEW	14
United Nations (UN).....	14
Peacekeeping Mission.....	15
The Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG-CAAC)	17
The Six Grave Violations Against Children During Armed Conflict.....	17
Grave Violation 1: “Recruitment and Use of Children”	18
Grave Violation 2: “Killing and Maiming of Children”	19
Grave Violation 3: “Sexual Violence Against Children”	19
Grave Violation 4: “Attacks Against Schools and Hospitals”	21
Grave Violation 5:” Abduction of Children”	21
Grave Violation 6: “Denial of Humanitarian Access”	22
UN and Aid Agencies	23
The United Nations International Children’s Emergency Fund (UNICEF)	23
The United Nations High Commissioner for Refugees (UNHCR).....	24

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA).....	24
The United States Agency for International Development/Office of U.S. Foreign Disaster Assistance (USAID/OFDA)	26
The Rebel Armed Groups in the DRC.....	27
The Lord’s Resistance Army (LRA).....	27
NYATURA Armed Group.....	28
Mouvement du 23 Mars (M23).....	28
Forces Démocratiques de la Libération du Rwanda (FDLR)	29
Congrès National pour la Défense du Peuple (CNDP).....	30
Summary.....	30
CHAPTER 3 RESEARCH METHODOLOGY	32
Summary.....	34
CHAPTER 4 ANALYSIS	36
The Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) Child Protection Policy as a Tool for UN Peacekeepers.....	37
Monitoring and Reporting Mechanism on Grave Violations against Children in Situations of Armed Conflict” (MRM).....	38
Train UN Peacekeepers to Better Provide Protection to Children: “TRAIN- ACT- PROTECT” Training Tool and “Children, Not Soldiers” Campaign.....	39
MONUSCO’s Child Protection Section (CPS)	40
MONUSCO’s Child Protection Advisers (CPAs).....	43
MONUSCO’s Joint Protection Teams (JPT).....	43
Joint Protection Teams Advantages.....	45
UNICEF, MONUSCO’s CPA, NGOs, and Other UN Agencies Collaborative Work.	46
Girls Burden in the DRC’s Armed Conflict	48
MONUSCO’ Implication in the Child Soldiers DDDR Process	52
Summary.....	54
CHAPTER 5 CONCLUSION AND RECOMMENDATIONS	56
Conclusions.....	56
Recommendations.....	59
Summary.....	60
REFERENCE LIST	62

ACRONYMS

ADF	Allied Democratic Forces
APCLS	<i>Alliance des Patriotes pour un Congo Libre et Souverain</i>
CAAC	Children and Armed Conflict
CLI	Community Liaison Interpreters
CNDP	<i>Congrès National pour la Défense du Peuple</i> (National Congress for the Defense of the People)
COB	Company Operating Base
CPA	Child Protection Advisor
CRC	Convention on the Rights of the Children
CTFMR	Country Task Force on Monitoring and Reporting
DDR	Disarmament, Demobilization and Reintegration
DDRR	Disarmament, Demobilization Reintegration and Reinsertion
DFS	Department of Field Support
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
EVD	Ebola Virus Disease
FARDC	<i>Forces Armées de la République Démocratique du Congo</i>
FDLR	<i>Forces Démocratiques de la Libération du Rwanda</i> (Democratic Forces of the Liberation of the Rwanda)
FDLR FoCA	<i>Forces Combattantes Abacunguzi</i>
FDLR RUD	<i>Rassemblement Uni pour la Démocratie</i>
FIB	Force Intervention Brigade
FPLC	<i>Forces Patriotiques pour la Libération du Congo</i>

FPU	Formed Police Unit
HIV	Human Immunodeficiency Virus
HOM	Head of Mission
HQ	Headquarters
ICC	International Criminal Court
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
ILO	International Labour Organization
JPT	Joint Protection Team
LRA	Lord's Resistance Army
M23	<i>Mouvement du 23 Mars</i>
MLC	<i>Mouvement pour la Libération du Congo</i>
MONUC	<i>Mission de l'Organisation des Nations Unies en République Démocratique du Congo</i> (United Nations Organization Mission in the Democratic Republic of Congo)
MONUSCO	<i>Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo</i> (United Nations Organization Stabilization Mission in the Democratic Republic of Congo)
MRM	Monitoring and Reporting Mechanism
NDC	<i>Nduma Défense du Congo</i>
NGO	Non-Governmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the United Nations High Commissioner for Human Rights
ONUC	<i>Opération des Nations Unies au Congo</i>

OSRSG-CAAC	Office of the Special Representative of the Secretary General for Children and Armed Conflict
PARECO	<i>Patriotes Résistants Congolais</i>
PNC	Police National Congolaise
POC	Protection of Civilians
RC	Resident Coordinator
REV	Rape with Extreme Violence
SC	Security Council
SCR	Security Council Resolution
SCSL	Special Court for Sierra Leone
SCWG-CAAC	Security Council Working Group on Children and Armed Conflict
SGBV	Sexual and Gender-Based Violence
SRSR	Special Representatives of the Secretary-General
STD	Sexually Transmitted Disease
TOB	Temporary Operating Base
UE PNDDR	<i>Unité d'Exécution du Programme National de Désarmement, Démobilisation et Réinsertion</i>
UN	United Nations
UNAMSIL	United Nations Mission in Sierra Leone
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNOSOM	United Nations Operation in Somalia
UNPROFOR	United Nations Protection Force in Bosnia
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UPC	<i>Union des Patriotes Congolais</i>
USAID	United States Agency for International Development
USAID/OFDA	The United States Agency for International Development/Office of U.S. Foreign Disaster Assistance
WFP	World Food Program
WWII	World War II

ILLUSTRATIONS

	Page
Figure 1. Map, Facts at a Glance.....	6
Figure 2. MONUSCO Deployment Map, August 2015.....	16
Figure 3. Child Protection Section Field Offices in the DRC	42
Figure 4. Armed Groups Involved in Child Enrollment	48
Figure 5. Girls Use by Armed Groups	50
Figure 6. Children Separated from Armed Groups	50
Figure 7. Children Enrolment by Foreign Armed Groups	51

CHAPTER 1

INTRODUCTION

Children are trusting, and their trust is easily betrayed. This is why we need to give them special protection. If we do not protect the next generation, all our efforts to establish lasting peace will be in vain.

— Hervé Ladsous, quoted in United Nations,
“Child Protection in United Nations Peacekeeping 2014”

Background

The Democratic Republic of Congo (DRC), formerly called ‘Zaire’ is a central African country ranked number 12 worldwide in terms of size, and the quarter of the U.S. (Kjeksrud and Ravndal 2010, 11). It was a former Belgian colony until its independence in 1960 with Patrice Lumumba as its first Prime Minister. The DRC has about 75 million inhabitants (Arieff and Coen 2014, 1) and is extremely rich in terms of mineral resources. Despite its rich subsoil, the DRC remains one of the poorest country in the world, ranked in third place by the global finance magazine in 2019 (Ventura 2019). Additionally, in terms of corruption, the DRC is ranked 161 out of 180 countries by transparency international (Transparency International 2018). The lack of strong defense forces, the weak judicial system, the rampant impunity, the ongoing conflicts waged by armed groups mostly in the richest part of the country, the absence of foreign investment, and corruption are part of the problems impeding the DRC to move forward and to be part of emerging countries. Indeed, the instability started in the early sixties with the mutiny of the armed forces in Katanga region leading to the assassination of the Prime Minister Patrice Lumumba. This mutiny led to the first deployment of the UN peacekeeping

operation in the Congo (ONUC) from 1960 until 1964. In 1965, Colonel Joseph Mobutu took power after a coup and ruled the country until he lost power in 1997 overthrown by Laurent Kabila who changed the name of the country into the DRC.

In 1998, President Laurent Desire Kabila wanted to get rid of Rwandan soldiers who were part of his army that helped him to be in power. As a result, Rwanda and Uganda sent soldiers into the DRC to back up the rebel soldiers against Laurent Kabila's government. Kabila also requested support from Angola, Zimbabwe, Sudan, and some other countries. The conflict was so expanded that it has been called "Africa's World War" and led to a huge humanitarian disaster (Arieff and Coen 2014, 5). In July 1999, the "Lusaka cease-fire agreement" (Holt, Taylor, and Kelly 2009, 242) was signed by the DRC, Angola, Namibia, Zimbabwe, Rwanda, and Uganda, as well as the Mouvement pour la Libération du Congo (MLC). However, the Rassemblement Congolais pour la Démocratie (RCD) did not sign the agreement. In August 1999, the United Nations Security Council (UNSC) decided to deploy a peacekeeping mission in the DRC called United Nations Organization Mission in the Democratic Republic of Congo (MONUC) with a mandate to implement and monitor the peace agreement as well as to protect civilians (Holt, Taylor, and Kelly 2009, 242-243). Two years later, Laurent Kabila was killed and his son Joseph Kabila took over power in 2001.

Unfortunately, MONUC did not meet the expectations, as the violence against the civilian population, mostly in the eastern part of the DRC, was desperately out of control. In 2010, the 'Mission de l'Organisation des Nations Unies pour la Stabilization au Congo' (MONUSCO) was created with a strong mandate to cope with spoiler armed

groups which are undermining the implementation of the peace agreement previously signed. This new mission, MONUSCO was allowed to “use all necessary means to ensure the effective protection of civilians, including humanitarian personnel and human rights defenders.” (Spijkers 2015, 98). Unfortunately, MONUSCO also failed to fully execute its mandate as a new armed group called Mouvement du 23 Mars (M23) took the control of Goma, and perpetrated mass killings against civilians without any intervention from the UN peacekeepers deployed there (Spijkers 2015, 98). As a consequence, the UNSC authorized MONUSCO to create a Force Intervention Brigade (FIB) with a clear intent to “take all necessary measures to carry out targeted offensive operations, either unilaterally or jointly with the [Central Government] to prevent the expansion of all armed groups, neutralize these groups, and to disarm them,” (Spijkers 2015, 100) specifically the M23 armed group. This decision was exceptional and showed the commitment of the UNSC to make peace possible within the country. M23 was defeated in an unexpectedly short time and this victory was seen as a significant move forward by the international community (Spijkers 2015, 100).

Armed conflicts spread all over the world these last two decades leading to large scale violence against civilian populations. This situation clearly shows how important and urgent it is to cope with this increasing tendency of targeting the innocent civilian population. In light of those atrocities and in order to alleviate the civilian population’s sorrow, the United Nations (UN) committed to focus the capacity of UN peacekeeping missions on the protection of civilians during armed conflict. Furthermore, the failure to anticipate the genocide, which took place in Somalia, Bosnia and Herzegovina, and

Rwanda, sounds the alarm about the necessity to have a close look at the plight of civilians in armed conflicts and the urge to step up and handle these kinds of atrocities before they occur in the future (Holt, Taylor, and Kelly 2009, 2). The first peacekeeping operation to include “protection to civilians under imminent threat of physical violence” (Holt, Taylor, and Kelly 2009, 36) as part of their mandate was the United Nations Peacekeeping operations in Sierra Leone (UNAMSIL) adopted through the United Nations Security Council Resolution (UNSCR) 1270 in 1999 (Holt, Taylor, and Kelly 2009, 36).

The United Nations Mission in the Democratic Republic of Congo (MONUC) was authorized to deploy by the UNSCR 1258 of 6 August 1999 (UN 1999). The mission was composed of 90 military liaison officers and civilian workers. The specific mandate was to oversee the peace agreement in close coordination with the belligerents who signed the Lusaka cease-fire in July 1999 (Holt, Taylor, and Kelly 2009, 243). The second UNSCR 1291 of 24 February 2000, in addition to the overseeing of the Lusaka cease-fire, included the necessity of “protecting civilians under imminent threat of physical violence” (Holt, Taylor, and Kelly 2009, 36). Nevertheless, it did not give the mission the necessary means in terms of manpower as only 5,537 personnel and 550 UN military observers were deployed (Holt, Taylor, and Kelly 2009, 245). In 2002, the mission changed its posture with the break out of Kisangani Crisis followed by the Ituri and Bukavu mass killing in 2003 (Holt, Taylor, and Kelly 2009, 246). In 2008, the UNSC adopted the resolution 1856 as a consequence of Goma and Kiwanja killing spree (Holt,

Taylor, and Kelly 2009, 247). All those events pointed out the MONUC's inability to fulfill its Protection of Civilians (POC) mandate as expected.

While advocating for more action, Belgium expressed its concern regarding the mission limitations as follow: "The capacity of MONUC is limited. It cannot be ubiquitous and act everywhere simultaneously; but where it is present, where it can be deployed in time and where civilian lives are endangered, it must act" (Holt, Taylor, and Kelly 2009, 49). The United Kingdom, like Belgium, brought up its concern regarding sexual and gender-based violence (SGBV) perpetrated against women in these terms: "Systematic rape seems to be used by groups, like the Forces Démocratiques de la Libération du Rwanda (FDLR), as a weapon to subjugate and divide local communities. UN state members look to MONUC to do more to bring an end to that horrific practice and to do more to protect women as they go about their daily business" (Holt, Taylor, and Kelly 2009, 49). Later on, the MONUC peacekeeping mission was replaced by the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) created by UNSC resolution 1925 on 1 July 2010. This change was the consequence of the Peace Accord of March 23rd, 2009, in which the government of the DRC and the National Congress for the Defense of the People of the Congo (CNDP) agreed to turn the CNDP into a political party and to integrate its military branch into the Armed Forces of the Democratic Republic of Congo (FARDC). The MONUSCO strength was composed of 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 members of Formed Police Unit (FPU). The mandate of MONUSCO was more focused on "the POC populations, the preservation of the DRC's integrity, and

preventing armed groups from perpetrating atrocities mostly in the Kivus and the Orientale Province.” (Kayode 2018, 104).

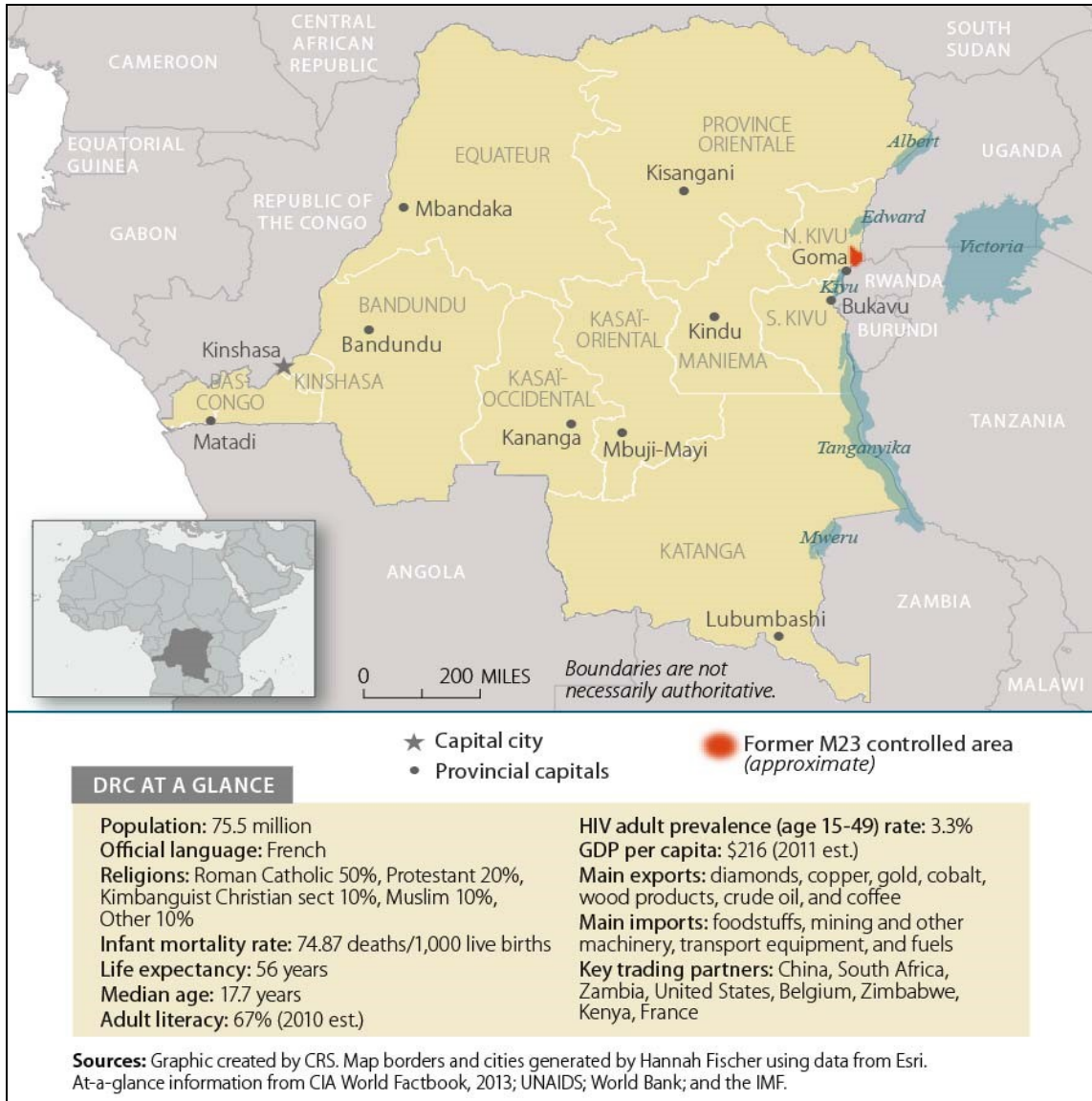


Figure 1. Map, Facts at a Glance

Source: Arieff and Coen 2014

Primary Research Question

How does the United Nations peacekeeping mission in the Democratic Republic of Congo and other aid agencies protect children?

Secondary Research Questions

How well does UN peacekeeping mission in the DRC protect children?

How well does the UN peacekeeping mission in the DRC cooperate with aid agencies to protect the children?

Assumptions

The UN peacekeeping mission in the DRC is relentlessly criticized, accused of not being efficient enough or to not meet the expectations of the host nation and some UN member states. An assumption is that the peacekeeping mission in the DRC is not sized and equipped to meet those expectations for the simple reason that the DRC itself is a huge country with a huge population of about 75 million (Arieff and Coen 2014, 1). Another assumption is that the UN peacekeeping mission in the DRC is the only legal mission which is authorized by the international community to handle the problems in this country:

The plight of civilians is no longer something which can be neglected or made secondary because it complicates political negotiations or interests. It is fundamental to the central mandate of organization. The responsibility for the protection of civilians cannot be transferred to others. the United Nations is the only international organization with the reach and authority to end these practices. (Holt, Taylor, and Kelly 2009, 1)

Another assumption is that the UNSC is the only UN body which can issue resolutions with a stronger mandate for protection of civilians including the vulnerable

population allowing peacekeepers to have a strong legal framework for the use of force to fulfill their mission. Consequently, this led to the deployment of ‘the Intervention Brigade’ for the Congo. This force accomplished some great things in terms of bringing back peace and security in some areas, but there is still a great deal to do in the South and North Kivu (Spijkers 2015, 100). Thus, the UNSC must take into account the requirement of the mission to meet the expectation by allocating more troops, financial resources, and equipment in regard of the difficult environment of operation and the way armed groups are thriving within the DRC.

Scope

The scope of this research will be restrained to the United Nations Organization as well as its two peacekeeping missions in the Democratic Republic of Congo, namely MONUC and MONUSCO. The thesis will be focused on vulnerable population, especially children. The UN agencies, aid agencies, as well as the NGOs both national and international involved in child protection activities in the DRC will be part of the thesis.

Limitations

The research on this subject is limited in terms of lack of cooperation and information sharing from the DRC’s Forces Armées de la République Démocratique du Congo (FARDC) about the recruitment of children and other cases of abuse. The reliability of governmental as well as the local national NGOs data constitutes a serious concern. Furthermore, this thesis will address violation against children perpetrated by Armed groups and DRC’s Governmental armed forces.

Delimitations

This thesis will be focused on the protection of children as the most vulnerable victims in the DRC's armed conflict. The research will not address the first UN mission (ONUC) in the Congo in 1960. This thesis will not address violations against children by civilians as they are also involved in these atrocities. This thesis will cover the period of time from the creation of the MONUC and MONUSCO peacekeeping missions respectively in 1999 and 2010 until 2018. The thesis will not address the MONUC/MONUSCO's peacekeepers involved in children rights violation. The thesis will not address the case of children working with armed groups operating in neighboring countries like Rwanda, Uganda, South Sudan, or Central African Republic. However, any children serving under armed groups within the DRC will be addressed regardless of their nationality or origin.

Definitions

DPKO/DFS: "Department of Peacekeeping Operations is responsible for providing United Nations peacekeeping operations with policy guidance and strategic direction, while Department of Field Support is responsible for providing logistical and administrative support." (UNPKO 2008, 75-92)

UNSC: United Nations Security Council is mainly responsible for keeping the international peace and security by determining what constitute a threat to the international peace or act of aggression. It adopts the resolutions to cope with specific peace and security matter (UNPK n.d., "Role of the Security Council"). The UN Security Council organ defines what constitute a menace to the peace or hostile behavior. It

manages to get a party in a conflict to end hostilities through peace talks. However, in case of failure of peaceful approaches, it can also use a forceful means to compel parties in conflicts to end their disagreement for the sake of “international peace and security” (UN n.d.).

UNICEF: United Nations Children’s Fund is a UN agency which provides humanitarian assistance to children and also protection and education (UNICEF n.d., “Who we are”).

UNOCHA: Office for the Coordination of Humanitarian affairs is a UN Agency in charge of coordinating the humanitarian actions in order to avoid duplication of same humanitarian activities on the field, and also make sure that the assistance reached the most vulnerable people (UNOCHA n.d., “Our Work”).

USAID: United States Agency for International Development is an International Organization which aims are to promote the development, curb the poverty, provide humanitarian assistance, promote a good-governance through democracy (USAID n.d., “Who we are”).

Child: “a person below the age of 18 according to the convention on the rights of the child.” However, the convention also encourages the countries which laws determined a majority age below 18 to advocate for the change of this law and provide better protection to them (UNICEF n.d., *The Convention on the Rights of the Child*).

Child Associated with an Armed Force or Armed Group: “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 child who is taking or has taken a direct part in hostilities.” (MONUSCO 2015).

Child Soldier: According to UNICEF, “a child soldier is any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks, porters, messengers, and anyone accompanying such groups, other than family members.” (Rakisits 2009, 109).

Nevertheless, this definition also refers to “girls recruited for sexual purposes and for forced marriage” not only the child soldiers or former child soldiers (Rakisits 2009, 109).

Sexual Violence: “any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.” (MONUSCO 2015)

Rape: “perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. The invasion was committed by force or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent.” (MONUSCO 2015)

Sexual Slavery: “perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or

bartering such a person or persons, or by imposing on them a similar deprivation of liberty. The perpetrator caused such a person or persons to engage in one or more acts of a sexual nature.” (MONUSCO 2015)

Sexual Exploitation: “Sexual exploitation is the sexual abuse of children and youth through the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money. Sexual exploitation includes involving children and youth in creating pornography and sexually explicit websites.” (MONUSCO 2015)

UN Peacekeeping Mission: UN Peacekeeping provides countries necessary support to make their way from conflict to build up a peaceful environment. This outcome is reached by deploying peacekeepers (military integrated to civilians) guided by numerous mandates elaborated by the UN security council as well as the General assembly (UNPK n.d., “What Peacekeeping Does.”).

UN Security Council Resolution: United Nations resolutions are the ways through which the UN bodies clearly stated their point of view as well as the measure to be adopted to handle the problem (UNSC n.d., “Resolutions”).

Significance of the Studies

This research is important in terms of MONUC’s and MONUSCO’s capabilities and efforts to provide protection to the children in the DRC. Unlike the previous resolutions at the beginning of the peacekeeping mission in the DRC, the UNSC could definitely improve the future mandate elaboration and make it clearer for a better understanding and its implementation to protect children against violence and other forms of exploitation. This will include the increase of the strength of the peacekeeping

missions, the resources allocated, the adequate equipment as well as the better integration and coordination with the missions' civilian sections as well as UN and aid agencies. As said the former the SRSG Alan Doss: "We need to recognize that protection is more than just having military boots on the ground. It is about how you use them, and how you connect with your civilian staff" (Kjeksrud and Ravndal 2010, 29).

Summary

The multiplicity of armed groups, the size of the country, and the lack of sufficient UN troops within the DRC are part of the numerous reasons hindering the efforts to provide protection to children. Furthermore, the difference of opinion among UNSC members to adopt a resolution which allocates sufficient strength, resources, and strong mandate addressing the protection of civilians including children did not to meet the MONUC mission expectations. Nevertheless, conditions improved with the MONUSCO mission through the deployment of its intervention brigade in 2013 to cope with armed groups hampering the implementation of the peace agreements.

CHAPTER 2

LITERATURE REVIEW

The primary research question asks, How the United Nations peacekeeping mission in the Democratic Republic of Congo and other aid agencies protect children. This chapter reviews the literature pertaining to the United Nations as an international organization from which stems the decision to create peacekeeping missions through the adoption of resolutions by the UN Security Council body. This chapter also reviews the literature pertaining to the Office of the Special Representative of the Secretary General for children and armed conflict OSRSG-CAAC especially created to cope with violations perpetrated against children. This chapter also reviews the literature pertaining to armed groups enrolling and using children among their ranks regardless of international laws protecting children. Finally, this chapter reviews the literature pertaining to some UN and aid agencies.

United Nations (UN)

The UN is an international organization created in 1945 after the end of WWII and is composed of 193 countries. Its main organs are The General Assembly, the Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice, and the Secretariat. The UN Security Council is the principal agency in charge of preserving international peace and security. It also manages to get parties in a conflict to end hostilities through peace talks. The security council is composed of five “permanent members,” which are China, France, the Russian Federation, the United Kingdom, and the United States, and 10 “non-permanent members.” To get a resolution

adopted, nine votes among the 15 members are needed. However, if any permanent member votes negative (a veto right), the resolution is merely rejected (British Council 2014, 4). That explains the difficulties faced by the UN Security Council when voting the resolution creating the United Nations Mission in Congo (MONUC) in 1999 as discrepancies arose among members about the mission strength (troops number), the resources to allocate, and its mandate pertaining to the protection of civilians including children. Nevertheless, the resolution has been voted and its implementation given to the Department of Peacekeeping Operations (DPKO) in charge of implementing the UN Security Council Resolution.

Peacekeeping Mission

The DPKO deploys its peacekeeping missions either under Chapter VI or Chapter VII depending of the current situation and its development within the country. Chapter VI seeks a negotiated solution between belligerents through a set of tools such as dialogue, legal arrangement, or other solutions stemming from a common ground found by parties in conflict (Article 33 of chapter VI). However, in case a peaceful approach failed to solve the conflict, the Security Council may recommend the application of the Chapter VII, which allows the use of force by peacekeepers to address the threat posed by the belligerent hindering the peace agreement. Nevertheless, prior to the use of force, the Security Council uses the coercive means available such as economic or diplomatic pressure (Article 41 of chapter VII) (Reynaert n.d., 10). In 2013, as a compelling example, the UNSC authorized the deployment of the intervention brigade to cope especially with the M23 armed group, which was recruiting children to increase its

The Office of the Special Representative of the Secretary-General for
Children and Armed Conflict (OSRSG-CAAC)

It is unforgivable that children are assaulted, violated, murdered and yet our conscience is not revolted nor our sense of dignity challenged. This represents a fundamental crisis of our civilization.

— Graça Machel, quoted in “The Six Grave Violations Against Children During Armed Conflict: The Legal Foundation”

The OSRSG-CAAC was created in 1997 by the UN General Assembly’s resolution A/RES/51/77 after the release of Graça Machel’s report, “Impact of Armed Conflict on Children” in 1996. Its main goal is to strengthen the protection of children impacted by armed conflict through an international commitment (OSRSG-CAAC, n.d. *A Mandate to Protect Children Affected by Conflict*). The OSRSG-CAAC in the DRC releases an annual report to the General Assembly and the Human Rights Council about the situation of children who are victims of grave violations perpetrated either by armed groups or the governmental forces.

The Six Grave Violations Against Children During Armed Conflict

The OSRSG-CAAC officially recognized six grave violations against children during armed conflict: Recruitment and use of children; Killing and maiming of children; Sexual violence against children; Attacks against schools and hospitals; Abduction of children; and the Denial of humanitarian access (OSRSG-CAAC 2013, 9). Each one of them, when committed, can lead the perpetrators to be prosecuted by the International Criminal Court (ICC).

Grave Violation 1: “Recruitment and Use of Children”

The international humanitarian law clearly forbid the enrolment and employment of children below the age of 15 as fighters. The African Charter on the Rights and Welfare of the Child (1999) forbids “recruitment and direct participation in hostilities of any person under the age of 18 years.” (OSRSG-CAAC 2013, 11-12). Therefore, armed groups responsible of recruiting children under the age of eighteen will be held responsible of violating the children’s’ rights and the international laws, will therefore be prosecuted. This is applicable for both regular armies and rebel groups regardless of the nature of the armed conflict. In the DRC, most of the armed groups as well as the governmental forces recruit children mostly as combatants, porters, cooks, and even concubines regardless of their age. This issue remains a challenge to be addressed as some armed groups like Mayi-mayi; for example, do not have the same definition of children. For them, boys must be able to carry weapons as fighters and protect their family and their community from any threat at the age of 16, and girls can get married at the age of 14 (Couldrey, Marion, and Herson 2010, 24). This is part of their social reality and also culture-related matters, even though the lack of literacy is also an additional factor. However, the higher leaders are aware of the prohibition of those acts by international laws. Moreover, the children separated from armed groups by MONUC/MONUSCO are protected, and provided first assistance before being handed over to the UN agencies, and NGOs specialized in child protection. Nevertheless, governments can prosecute children who perpetrated crimes by the time they were fighting alongside the armed groups. However, as the government lacks of competent judicial system for children, it is encouraged to find better ways to get children

reintegrated into the community they belong to rather than jailing them (OSRSG-CAAC 2013, 13). The Rome Statute of the International Criminal Court (ICC) embraces the same posture (OSRSG-CAAC 2013, 11).

Grave Violation 2: “Killing and Maiming of Children”

International humanitarian law, international human rights law, and international jurisprudence condemn “killing or maiming civilians.” The banning of any form of inhuman behavior including killing, serious injury perpetrated against civilians along with children is placed under a “customary international law,” with worldwide effect regardless of the armed conflicts circumstances. Therefore, parties to conflict either regular armed forces or armed groups will be held accountable for this violation. The LRA operating in the DRC and led by Josef Kony is the most famous armed group well-known for killing and maiming children. Most of the time this atrocity occurred when child tries to escape from the group. Usually they force other children to kill the deserter to serve as an example and dissuade other children from escaping as testified by a girl who witnessed, “One day a boy tried to escape. He was captured and we [the children] were told to kill him by hitting him on the head with sticks until he died.” (MONUSCO 2015, 24) These atrocities still occur in the DRC international laws; prohibiting them must be fully enforced against the perpetrators.

Grave Violation 3: “Sexual Violence Against Children”

“Rape and other forms of sexual violence against children, both boys, and girls, are serious violations of international human rights law and may amount to grave breaches of international humanitarian law.” In 1998, the International criminal law,

which clearly condemns forced sex and sexual harm in armed conflict became universally applicable. Furthermore, the Special Court for Sierra Leone (SCSL) stated that, ‘forced marriage’ is considered as a crime by the international criminal law. Unfortunately, children in the DRC are still experiencing those atrocities perpetrated by armed groups such as M23, FDLR, Mayi-mayi, LRA and other armed groups as well as the FARDC governmental forces. The worst form of sexual abuse occurring in the DRC is the Rape with Extreme Violence (REV). According to Doctor Denis Mukwege (Nobel Peace Prize Winner 2018) in charge of the Panzi hospital located in south Kivu, rape is used as weapons and instrument of warfare by armed groups. The perpetrators conduct a mass rape and mutilate their victims so that they can no longer give birth. Therefore, the victims cannot contribute to increase their community population they belong to and are rejected by the society (Mukwege and Nangini 2009, 1-2). The MONUSCO and its co-worker’s failure to prevent those violations is due to the multiple reasons such as the size of the country compared to the number of troops and civilian workers deployed within the country. The rape occurred most of the time in the remote areas during sporadic attacks or looting against villages. The girls abducted during these attacks, are used as concubines by male combatants, and give birth most of the time. Therefore, unlike boys, they cannot take advantage of the opportunity to flee during clashes between UN forces and armed groups. However, there are improvements as international laws are more and more enforced and armed group leaders are more and more held accountable for the crimes committed by their combatants. For instance, some armed group commanders have been convicted of “a crime against humanity” after compelling girls to get married.

Additionally, the charismatic leader of the Movement for the Liberation of the Congo (MLC) Jean Pierre Bemba Gombo, has been convicted of “war crimes and crimes against humanity” (OSRSG-CAAC 2013, 17) for the sexual abuses against girls committed by his combatants.

Grave Violation 4: “Attacks Against Schools and Hospitals”

The Additional Protocol I of Geneva Conventions condemns any belligerent targeting civilians as combatants. Additionally, attacking schools and hospitals during hostilities can be considered as “war crimes and crimes against humanity” by the international humanitarian law unless they are serving as military facilities. As a matter of fact, schools and hospitals are recognized as a place where civilian population including children, seek refuge and safety in wartime (OSRSG-CAAC 2013, 18). The attacks against schools are extremely detrimental for children as they could not be able to get their basic right, which is the access to education. Moreover, attending schools becomes challenging for children and their parents as kids are more likely to be abducted during armed groups attacks. Therefore, children find themselves illiterate, unoccupied, more vulnerable to join armed groups, sometimes voluntarily seeking for source of income to support their parents living in extreme poverty. Additionally, all the efforts deployed by the NGOs, UN, and aid agencies to build those schools become useless as they are literally deserted by the children.

Grave Violation 5:” Abduction of Children”

The Convention on the Rights of the Child in Article 35 says, “States parties shall take all appropriate national, bilateral, and multilateral measures to prevent the abduction

of, the sale of or traffic in children for any purpose or in any form.” (OSRSG-CAAC 2013, 21). As a matter of fact, kidnapping or taking away children by force or without the consent of their adult representative is considered unlawful. It can be recognized as a serious violation of the Geneva Conventions and even considered as “war crimes and crimes against humanity,” depending on the situations. One of the most compelling examples remains the case of the Lord’s Resistance Army (LRA) led by Josef Kony. This armed group is held responsible, not just for the abduction of children, but also for all other grave violations against children. The abduction occurred in the villages, on the routes to the markets, in the schools, and even in the hospitals. This group, operating in the DRC, prefer abducting children as they are easier to indoctrinate, more loyal, and fearless unlike adults who are not, according to the LRA. Unfortunately, a lot of children separated from armed groups and reinserted in their community of origin by MONUSCO and its partners are sometimes abducted for the second time, even a third time by the armed groups as they are considered as experienced fighters, therefore, not require a training.

Grave Violation 6: “Denial of Humanitarian Access”

The 4th Geneva Convention and its Additional Protocols consider this violation as a war crime and a crime against humanity (OSRSG-CAAC 2013, 23). The belligerents are urged to provide easy access to the hostile areas or their areas of influence so that the civilian population, including children trapped can be reached by the humanitarian workers to provide aid and assistance they do need (OSRSG-CAAC 2013, 23). MONUSCO provides security and transport assistance to humanitarian workers so that

they can reach remote areas where civilians, including children are in extreme need of healthcare and food assistance. In south Kivu province, MONUSCO provides an escort to the Panzi hospital healthcare teams travelling across the province to assist local population (Whitman 2010, 3).

UN and Aid Agencies

The United Nations International Children's Emergency Fund (UNICEF)

UNICEF is an UN agency in charge of addressing matters related to children's well-being by providing them food, shelter, healthcare, access to education as well as facilitating the rehabilitation and reinsertion of children separated from armed groups through Disarmament, Demobilization Reintegration and Reinsertion (DDRR) process. UNICEF works closely with other UN agencies, such as UNOCHA, UNHCR and partners mostly national and international NGOs operating in the DRC. The MONUSCO cooperates widely with UNICEF to provide more efficient response to protect children against violations perpetrated by armed groups as well as regular armed forces. The MONUSCO's child protection section is the mission focal point dealing with children matters in close coordination with UNICEF. Whenever, children escape and separate from armed groups reach MONUSCO camps, they are taken in and cared for by the child protection section, which provide them the basic assistance and then hands them over to the UNICEF office, which is more qualified and possess the required resources to fully take care of these children. For those children who experience atrocities such as mass rape, participation to mass killing, maiming, UNICEF makes sure that a psychological

support is provided to help them overcome the trauma (MONUSCO n.d., “Child Protection Activities”).

The United Nations High Commissioner for Refugees (UNHCR)

Unlike UNICEF, who is specialized in Children matters, the UNHCR is a UN agency in charge of addressing any problems related to refugee men, women, and children. UNHCR and UNICEF missions are quite similar when handling the children’s issues. They all seek their wellbeing even though UNHCR is more focused on their refugee status (UNHCR n.d., “What We Do”). Indeed, many children serving under armed groups are sometimes originated from neighboring countries such as LRA (Uganda), FDLR (Rwanda), and South Sudan. They therefore have a refugee status and are treated accordingly by UNHCR offices. MONUSCO assist UNHCR with transport and protection so they can visit the refugee camps and also assist them to transport children safely who volunteer to go back in their country of origin.

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)

UNOCHA is an UN agency in charge to coordinate humanitarian actions within the country. It makes sure that the humanitarian work meets the expectation in terms of efficiency by preventing the duplication of the same activities by two or more humanitarian organizations or if they do perform the same activities, UNOCHA makes sure they are not overlapping to a certain extent. For example, UNICEF and Save the Children activities in the DRC, UNICEF, and USAID’s child protection activities in the DRC. UNOCHA also collects data about multi humanitarian domains and establishes a

program stating the financial need and also the shortfalls more likely to hinder the adequate response to the upcoming challenges (UNOCHA n.d., “Our Work”). For instance, UNOCHA, in the DRC, mostly in Kasai, Tanganyika, South, and North Kivu provinces, estimated that “12.8 million people are in need of humanitarian assistance and protection in 2019” and “1.3 million children under five are affected by severe acute malnutrition and outbreaks of diseases” like cholera, measles, and Ebola Virus Disease (EVD). This humanitarian crisis coupled with the rampant insecurity increases the vulnerability of children and opens the doors to grave violations to occur, especially the Sexual and Gender-Based Violence (SGBV) perpetrated against girls by armed groups (UNOCHA n.d., “About OCHA DRC”). By sounding this alarm, UNOCHA draws the attention of humanitarian organizations, UN, and aid agencies as well as International, and Local NGOs to be prepared to respond to the crisis. For instance, USAID provides assistance to the girls victim of SGBV and sets mechanisms and programs of prevention and response. In 2017, USAID provided “7,755 survivors of SGBV with medical, legal, and economic reintegration services, strengthened 1,550 organizations to respond, and prevented SGBV in their communities, and established School-Related GBV monitoring committees in 618 schools, and worked with the Ministry of Education to field test, validating the Doorways curriculum aimed at building skills to effectively counter SRGBV.” Over more than 100,000 SGBV victims received assistance from USAID (USAID n.d., DRC-SGBV). The UN peacekeeping mission plays an important role in those crisis responses by providing military escort and protection to the humanitarian and agencies so they can reach the affected areas. Additionally, they also provide

transportation in armored vehicles to improve the safety and facilitate transport emergency cases towards the adequate health centers. They also take advantage during those missions, to collect data about violations perpetrated against children and refine their data base. It is not uncommon, during those missions, to see children escaping from armed groups joining the peacekeepers escorts, asking to be transported to the UN camps. Those children are therefore, protected and registered by the MONUSCO's child protection section and handed over to the competent organization like UNICEF for further procedures (MONUSCO n.d., "Child Protection Activities").

The United States Agency for International Development/Office
of U.S. Foreign Disaster Assistance (USAID/OFDA)

USAID/OFDA is a U.S. international organization whose mission is to provide worldwide assistance wherever disaster occurs regardless to its origin either natural or triggered by human beings. It intervenes in those specific areas of expertise: "Agriculture and livestock; Economic recovery; Health; Monitoring and evaluation; Multi-purpose cash assistance; Nutrition, Protection; Shelter and settlements; vulnerable populations; water; Sanitation; and Hygiene." (USAID n.d.. "Who We Are"). The goal is to relieve the plight of the population impacted by the catastrophe. Moreover, USAID/OFDA provides proactive responses to countries they are operating in through training programs so that they can anticipate and be ready to handle disasters before and when they occur (USAID n.d., "Who We Are"). USAID/OFDA's humanitarian action is challenging, as it takes place sometimes within a hostile environment such as eastern DRC in North and South Kivu province where they work closely with UNICEF to provide better support to children separated from armed groups. For instance, in March 2013, USAID, UNICEF

and local partner RECONFORT assisted 40 children from Kata Katanga armed groups. Those boys aged between 10 to 17 were admitted to the Lubumbashi transit center and received healthcare, security, psychological assistance as well as educational activities and social welfare. Those USAID supported transit centers exist also in Goma, North Kivu and Bukavu, South Kivu. More importantly, USAID supports local NGOs through funding and training so that they can improve their capacity and skill to handle children assistance work. Therefore, about 15 local NGOs and other 70 local groups task have been supported in this way in 2013 (USAID 2013). Since 2011, more than 1,100 children were kept away from armed groups through USAID-UNICEF cooperative work and received assistance in the transit centers. USAID effort helped to send about 5,000 children to school, 15 local NGOs like RECONFORT were funded to assist “children associated with armed groups.” (USAID 2013).

The Rebel Armed Groups in the DRC

The Lord’s Resistance Army (LRA)

The Lord’s Resistance Army (LRA) is an armed group from Uganda led by Joseph Kony, which is well known for its preference for kidnapping children and using them as child soldiers. About 20,000 children are reportedly kidnapped by the LRA (Kelly, Branham, and Decker 2016, 1-2). The LRA does prefer kidnapping children because they require less effort to brain-wash. The abduction happened most of the time in the northeastern part of the DRC and occurred, “On the road, on the field, even in the village” (Kelly, Branham, and Decker 2016, 4). According to the UNSC report, about 591 children were kidnapped over a span of three years (2009-2012) by the LRA

specifically in the DRC, South Sudan, and Central African Republic (Kelly, Branham, and Decker 2016, 2).

NYATURA Armed Group

The NYATURA is an armed group located in the North and South Kivu area and its members are former FARDC soldiers of Hutu ethnicity. This group is more motivated by gaining access to the exploitation of mineral resources than political struggle. This group is scarcely divided into smaller groups without any central command; this makes things difficult when it comes for MONUSCO to establish a dialogue to separate children from its rank. However, his group sometimes conducts operations jointly with the FARDC against another armed group, mainly the M23 armed group. Nevertheless, about 227 children were separated from this group in 2012 and 2013, which is significant in light of the hardship faced by MONUSCO workers due to the lack of a central command for this group (MONUSCO 2013, 8-9).

Mouvement du 23 Mars (M23)

The M23 (Mouvement du 23 Mars) is an armed group mainly formed by a former FARDC soldiers who was previously part of CNDP and the Patriotes Résistants Congolais (PARECO) armed groups before their integration within the FARDC. It was created in 2012 with a political agenda to fight a central government as well as to have access to the mineral resources to sustain the financial funding of the group (MONUSCO 2013, 14).

Forces Démocratiques de la Libération du Rwanda (FDLR)

The Democratic Forces for the Liberation of Rwanda (FDLR) was originally a Rwandese armed group operating both in Rwanda where it is fighting local government and also in the Eastern part of the DRC, which they use as a rear base. It is one of the oldest armed groups, which started operating in the DRC early in 1996-1999. Nowadays this group is split into two distinct factions; the FDLR FoCA (Forces combattantes abacunguzi) and the FDLR RUD (Rassemblement uni pour la démocratie) operating in Rutshuru and North Kivu. Similarly, to the NYATURA armed group, the FDLR also has Rwandese Hutu ethnicity in its ranks which constitute the bulk of its forces, mostly those who was part of the genocide perpetrated against Tutsi; it is also interested into the control of the mineral resources mining sites (MONUSCO 2013, 11). In addition to the clandestine mining, this group also received financial support from some Rwandan supporters living other African countries, the United States as well as in Europe. According to reports, this group also receive some internal support affiliated to the DRC's local authorities. The group has about 6,000 to 8,000 combatants among them; abducted girls and boys and used for different purposes, such as labor force for clandestine mining, fighters, porters, cooks, and concubines. One of the well-known leaders of the FDLR Callixte Mbarushimana was arrested in Paris in 2010 as requested by the ICC, which prosecute him for perpetrating a war crime and crime against humanity (Dagne 2011, 1).

Congrès National pour la Défense du Peuple (CNDP)

The CNDP is an armed group operating in the DRC mainly in North Kivu and led by General Nkunda. The CNDP is organized as a military and political entity, and is deeply involved in power struggle against the government. This group is also hostile to the FDLR armed group, claiming to be chased out of the DRC. The failure to fully implement the agreement revising the CNDP's combatants' integration into governmental forces rank (FARDC) following the 2006 presidential election increased the tension between the belligerents (Rakisits 2009, 212-113). "From June 2006 to May 2007, more than 1,400 children were demobilized in North Kivu from General Nkunda's CNDP armed group." (Rakisits 2009, 114).

Summary

Despite the fact that the United Nations Organization is aware of the challenges facing by the peacekeeping mission in the DRC, it does not bring the required responses to address them. Discrepancies still exist among member states whenever it comes to allocate enough resources in terms of funding and troops. Nevertheless, an intervention brigade was deployed in 2013 to cope with a spoiling M23 armed group as well as other armed groups spreading death and affliction among the civilian population including children. Unfortunately, those efforts did not meet the expected results as armed groups are still violating the children rights by recruiting, killing, and denying them access to education and humanitarian assistance. Nevertheless, MONUSCO and its partners like UN agencies, aid agencies, and NGOs continue to collaborate closely to develop and provide adequate solutions to children suffering in the DRC.

This chapter reviewed the literature of different actors and factors pertaining to this thesis. The next chapter will address the methodology used by the author to answer the research questions.

CHAPTER 3

RESEARCH METHODOLOGY

The primary research question is: How does the United Nations peacekeeping mission in the Democratic Republic of Congo and other aid agencies protect children? To answer this question, the researcher will use a qualitative research methodology and narrative research design. The qualitative research methodology has been selected because the method of data collection, to answer the previous questions, will be focused on articles, journals, reviews, online resources, newspapers, addressing the protection of children matter as well as the implication of peacekeeping mission and aid agencies coping with this issue. Therefore, the narrative research design most suited for this research subject as data collected for the research are, “in the form of field notes; journal records; interview transcripts; one’s own and other’s observations; storytelling...” (Moen 2006, 61)

The data collected for this research stems also from field notes mostly when it comes to Child Protection Section (CPS) which is the MONUSCO’s section in charge of handling child protection issue in the field. The CPS is also part of the integrated Joint Protection Team (JPT). Actually, CPS workers along with JPT colleagues collect and report data about six grave violations against children through the Monitoring and Reporting Mechanism (MRM). Data are derived from numerous sources such as local communities, testimony from children separated from armed groups, MONUSCO’s operating bases leaders, child protection partners like UNICEF and others, as well as NGOs. Other sources, mostly the ones from the OSRSG CAAC, are extremely important

in terms of data gathering. Indeed, they provide the foundation reasons which led to the reflection and the establishment of all those mechanisms, policy, resolutions, legal foundations seeking to protect children for the best. This research also uses reviews and policies stemming from UNICEF, DPKO and DFS in terms of rules and training to implement so that the peacekeepers can respond more efficiently in the field while handling child protection issues.

To analyze the data, the researcher will use “the second approach of narrative analysis described by Ollerenshaw and Creswell” (Creswell 2007, 158) focusing on three parts mentioned by Clandinin and Connelly, “interaction (personal and social), continuity (past, present, and future), and situation (physical places or the storyteller’s places).”(Creswell 2007, 158) Therefore, the field notes, reports, and experiences will be analyzed using these approaches.

Throughout the analysis, the researcher will cover the historical, geographical, economical, and sociopolitical environment within which the UN mission in the DRC evolved from MONUC to MONUSCO. This research analysis will also cover ways Department of Peacekeeping Operations (DPKO) develop policy for the use of peacekeepers as a tool to implement the UNSC resolution addressing the child protection issue. This encompasses policies and mechanisms to be implemented by UN peacekeepers and civilian workers, through the creation of ad hoc teams spread all over the country, and also child protection training programs developed in coordination with UNICEF for peacekeepers to strengthen their capacity to respond efficiently in the field. Additionally, this research analysis will cover the use of MRM by the JPT, CPS and CPA

to provide reliable and accurate reports and data to the senior leaders and organization in charge of conveying those reports to the OSRSG CAAC. This includes the partnership with MONUSCO military component which helps them to extend their operational reach, mostly in the most dangerous areas; also, the interaction between all those entities with aid agencies like UNICEF and other UN agencies as well as NGOs. Furthermore, the girls' burden in the DRC's conflict is also addressed by this research analysis specifically, their daily ordeal as concubines, cooks for armed groups fighters, and even combatants. Last, but not least, the child soldiers DDRR process is also addressed as well as the way MONUSCO handles this process in close coordination with UN aid agencies, international, and local NGOs.

Summary

The researcher will use a qualitative research methodology and narrative research design. The method of data collection will be focused on articles, journals, reviews, online resources, newspapers, books. The researcher will show how MONUC/MONUSCO mission proceed to protect children starting from the elaboration of policies and mechanisms to be implemented by UN peacekeepers and civilian workers, through the creation of ad hoc teams spread all over the country; also child protection training programs developed in coordination with UNICEF for peacekeepers to strengthen their capacity to respond efficiently in the field. In order to reduce bias within the research, the researcher will avoid to use a direct data from local national NGOs for reliability matters, as the members may have an affiliation with a specific armed group.

The researcher will also avoid using data released by the DRCs government or armed groups' leaders because their reliability will be dubious.

CHAPTER 4

ANALYSIS

Since its creation in 1945, the United Nations Organization always seeks to maintain and preserve international peace and security despite the complexity of the problems, which occurs worldwide. The most recurrent problem remains armed conflicts opposing the belligerents, which can be either state or non-state actors (armed groups and governmental armed forces). They are fighting each other for specific interests ranging from power struggle, mineral resources, identity, or claim to independence recognition. To handle those conflicts, the UN primarily prioritizes a peaceful approach aiming to establish a dialogue between parties in conflict, encouraging them to find a common-ground through peaceful means like a negotiation. However, if the peaceful means failed to solve the problem, the UN can impose the peace by forceful means to parties in conflict, including the governments if they failed to protect the civilian population. The Security Council is one of the main organ of the UN establishing resolutions and mandates necessary to the peacekeeping mission to be deployed. The implementation of those resolutions is fulfilled by the Department of Peacekeeping Operations (DPKO) through the deployment of peacekeeping missions and this mission will be operating either under Chapter VI or Chapter VII, depending on their mandate provided by the UNSC. One of the main concerns highlighted within the UNSCR is the Protection of civilians, especially the vulnerable population including children. Therefore, to better protect children, the Department of Peacekeeping Operations (DPKO), along with the

Department of Field Support (DFS), developed a “Policy” applicable to all peacekeepers to better address the question of protecting children.

The Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) Child Protection Policy as a Tool for UN Peacekeepers

Early in 1999, the Security Council recognized through its resolution 1261, that “the protection of children in armed conflicts is a fundamental peace and security concern,” (DPKO/DFS 2011, 3) and therefore adopted later six (06) additional resolutions specifically 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1820 (2008) to address the problem (DPKO/DFS 2011, 3). Subsequently, the DPKO, along with the DFS, established this policy, which applies to all peacekeepers in order to strengthen, formalize, and make more efficient DPKO’s commitment in compliance with Security Council resolutions about children and armed conflict. The DPKO, in compliance with the SCR 1612, admitted that the safety of children suffering from hostilities must be taken into consideration and inserted within DPKO’s global approach and its commitment in hostilities (DPKO/DFS 2011, 4). Furthermore, the Special Representatives of the Secretary-General (SRSGs) as well as Head of Missions (HOMs) have to use their influence as they are the UN highest authorities within the host nation to advocate children rights protection. Furthermore, the Resident Coordinators (RCs) and UNICEF can also use the diplomatic ways to promote dialogue between belligerents and encourage them to find a common ground so that the children’s plight could be significantly mitigated (DPKO/DFS 2011, 5).

Monitoring and Reporting Mechanism on Grave Violations
against Children in Situations of Armed Conflict” (MRM)

“The MRM is an UN-led mechanism of reporting on grave violation against children during armed conflict established by the UNSCR 1612 (2005).” (DPKO/DFS 2011, 7). For the sake of reliability, the Security Council Working Group on Children and Armed Conflict (SCWG-CAAC) has been created by the same resolution to check information collected through MRM (DPKO/DFS 2011, 7). The MRM allows MONUSCO, UN agencies, and NGOs to collect trustworthy information about a violation inflicted on children so they can be used to prosecute perpetrators. Additionally, it also allows to have a deep understanding of the dynamic to improve the mechanism efficiency and develop new approaches to better protect children (OSRSG-CAAC 2014, 7). At country level, the MRM is implemented through the Country Task Force on Monitoring and Reporting (CFTMR) jointly led by the SRSR (or the deputy), RC, and UNICEF representative. Therefore, these three officials make sure that MONUSCO, UN agencies, NGOs are part of the CFTMR, and check the trustworthiness of the MRM information they provide. Within the MONUSCO, the CPAs are the best fitted to carry out MRM, however other ONUSCO military and civilian components participate actively in support to CFTMR work (OSRSG-CAAC 2014, D.1). Furthermore, the MRM constitutes a source of information for the “Global Annual Report of the Secretary-General on Children and Armed Conflict.” The main purpose of this report is to deal with the matter related to the children during hostilities, mostly the six graves violations perpetrated against children in the DRC. Therefore, the suggestions stemming from the Secretary-General report on CAAC serves as a foundation to the vote of resolutions on

Children and Armed Conflict by the Security Council (OSRSG-CAAC 2014, 16). The MONUSCO's Child Protection Sections are those who observe and report on grave violation committed against children by belligerents. They also establish discussions within the framework of MRM so that to convince them to stop enrolling children as combatants during hostilities (MONUSCO 2015, 2-3). Factually, the Secretary-General in his report on CAAC, released on 25 May 2018, stated that a total of 11,542 'grave violations' were perpetrated against children in the Democratic Republic of Congo (DRC) from 1 January 2014 to 31 December 2017. About "7,736 children among them were 7,125 boys and 611 girls were recruited; 1,008 children among them 327 boys and 170 girls were killed, and 57 boys and 154 girls were maimed; 877 children among them eight boys experienced rape and sexual violence; 1,288 children among them 928 boys and 360 girls were abducted; 434 attacks against schools were reported; 71 humanitarian workers were maimed, nine killed and 70 abducted." (UNSC 2018)

Train UN Peacekeepers to Better Provide Protection to Children: "TRAIN-ACT-PROTECT" Training Tool and "Children, Not Soldiers" Campaign

The Under-Secretary-General for Peacekeeping Operations Mr. Hervé Ladsous said, "Children are trusting, and their trust is easily betrayed. This is why we need to give them special protection. If we do not protect the next generation, all our efforts to establish lasting peace will be in vain." (UN 2014, 9) Indeed, The UNSC Resolution 2143 (2014) pointed out the urgency to get peacekeepers trained to better understand and address the child protection aspect of their mission (UN 2014, 4). In the same framework, the Under-Secretary-General for Peacekeeping Operations Hervé LADSOUS initiated on 8 April 2014, a program on child protection for UN peacekeepers named 'TRAIN-ACT-

PROTECT.’ As he said, “This training is all about better delivery on the implementation of the mandate, higher efficiency of our troops and police and ultimately, let’s never forget, providing the children better protection.” (UN 2014, 6)

In March 2014, the campaign ‘Children, Not Soldiers’ was initiated by Leila ZERROUGUI the SRSG-CAAC in close coordination with UNICEF and the DPKO. The clear goal of this initiative was to curb the enrolment and employment of children by regular armed forces with the expectation to end those practices by December 2016 (UN 2014, 3). In the DRC, this campaign boosted the government military and police commitment to address vigorously the problem of children enrolment by both armed groups and governmental forces. Within the same framework, in 2012, the DRC government along with UN agreed to come up with an Action Plan to deter the FARDC from enrolling and sexually abusing children. Nevertheless, this Action Plan is weakly implemented, and sexual abuses perpetrated by the FARDC as well as the DRC national police are still reported to UN (OSRSG-CAAC and UNICEF 2016). Furthermore, the DPKO initiative to provide a pre-deployment training to peacekeepers on the protection of children was extremely important in that it helps peacekeepers to efficiently implement the UNSCR about protection of children. Additionally, it was useful to understand and apply the UNICEF’s ‘Children, not Soldiers’ campaign in the field.

MONUSCO’s Child Protection Section (CPS)

The Child Protection Section is the key component for MONUSCO’s Child Protection mandate implementation. This section is dedicated to provide support and assistance to children in need especially when it comes to cope with the six graves

violations. Their work also consists of enforcing the international and national laws, protecting children's rights by reporting on their violation by any armed groups or governmental forces to keep them accountable for their actions. Nationwide, the CPS has its offices spread out mostly in the Eastern part of the DRC, namely in Goma, Beni, Bukavu, Uvira, Dungu, Bunia, Kisangani, and Kalemie including its main office located in the MONUSCO's headquarters in Kinshasa (MONUSCO n.d., *Child Protection Mandate and Objectives*). However, it is important to point out that CPS does not have the capability to satisfy children's needs, on the contrary they refer them to the UN agency like UNICEF and NGOs, which have the resources and capabilities to provide them a full support and assistance. A large range of activities are carried out by the MONUSCO's CPS to protect children such as Collection of data about grave violations perpetrated against children by belligerents as well as local governmental forces. In this regard, the most reported violation remains sexual abuse against girls aged under 18 after abduction. Unfortunately, the lack of law enforcement to hold the perpetrators accountable for their crimes at national level do not help to stop those practices. CPS encourages both armed groups and governmental force to remove children from their ranks, and provides protection and shelter for those children who ran away from armed group to join MONUSCO's camps. The CPS also makes sure that children are handed over to UNICEF and its affiliated local and international NGOs. In addition, CPS workers ensure that children are not arrested or jailed without any reason by the local police or without being prosecuted. Additionally, the judicial system is not competent enough to deal with children issues. Therefore, it needs to be rebuilt and trained so that

they can provide an adequate response to the children judicial cases. CPS facilitate the contact between NGOs, UNPOL and FPU able to provide assistance and expertise to the Congolese national police. When it comes to judicial system workers, the CPS provide training to better address judicial issues related to children. The children separated from foreign countries, such as a Rwandese FDLR militia and the Ugandese LRA militia are sent back to their origin countries for those who desire. MONUSCO’s CPS works closely with NGOs, UNICEF, and ICRC in this regard (MONUSCO n.d., “Child Protection Activities”).



Figure 3. Child Protection Section Field Offices in the DRC

Source: MONUSCO, n.d.

MONUSCO's Child Protection Advisers (CPAs)

According to the DPKO child protection policy, military peacekeepers must include the CPAs during the planning and conduct of their operations. Additionally, this policy also addresses the cooperation between the CPAs, uniformed peacekeepers, UN Country Team, and UN agencies partners such as UNICEF, UNHCR, OHCHR, ILO, UNFPA in conformity with their mandate clearly defined by the UNSCR (DPKO/DFS 2011, 2).

Child Protection Advisers (CPAs) could be considered as the peacekeeping mission's backbone in terms of implementation of UNSCRs on children and armed conflict. They are ones who submit recommendations to SRSGs/HOMs as well as the peacekeeping mission planners to better handle the matter. They serve as a go-between, linking peacekeepers and other partners working in the same framework to provide the better life to children (DPKO/DFS 2011, 5). Additionally, the CPAs collaborate with "Human Rights, the Rule of Law Unit or Judicial Section, Political Affairs, DDR, SSR, Gender, HIV, the UN Police, and Military Observers" (DPKO/DFS 2011, 6) and provide them training on child protection. Nevertheless, it is important to clearly specify that the protection of children within the framework of UN peacekeeping is a collaborative work alongside with specialized UN agencies (DPKO/DFS 2011, 6).

MONUSCO's Joint Protection Teams (JPT)

"JPT's are small, ad hoc teams of UN civilian, military, and police staff with diverse expertise that deploy to high-risk areas to generate recommendations for advancing the protection of civilians and building confidence between the UN and local

communities.” (Whitman 2010, 1). The use of JPTs is an approach used by the MONUSCO mission to foster the peacekeepers’ commitment to fulfilling their mission of protection of civilians including children. However, JPTs themselves cannot alone end civilians suffering, but they can contribute to improve their conditions of living and prevent some atrocities to occur. Additionally, they facilitate interaction between peacekeepers and civilian population living in the same areas (Whitman 2010, 1). MONUSCO started sending these teams on the ground in 2009, with the main goal to establish cooperation and strengthen a relationship between peacekeepers and civilian population. Therefore, MONUSCO’s SRSG Alan Doss endorsed by the Deputy SRSG Leila Zerrougui, promoted the use of the same pattern to cope with problems in the eastern part of the DRC. Even though the JPTs are usually under the Civil Affairs leadership, the fact remains that they still need the participation of other MONUSCO’s civilian sections such as, “Political Affairs, Human Rights, Child Protection, Gender Affairs, Public Information, UN police, Military Observers” as well as humanitarian partners (Whitman 2010, 1-2). The advantage of having people coming from different sections is that each team member brings his experience and expertise while dealing with a specific problem during the JPTs mission. For example, child protection section personnel can handle the release of children enrolled by belligerents as it is his domain of expertise (Kjeksrud and Ravndal 2010, 23). The Civil Affairs is the head section to build the JPTs based on the urgent need such as imminent threat posed by armed groups or IDPs movement in specific areas. JPTs establish their HQ for a few days within the ‘UN company operating base (COB) or temporary operating base (TOB),’ which are the

nearest to their area of interest. During this time, JPTs hold exchange and dialogue to develop particular protection advice ranging from the necessity to keep in place a specific ‘operating base’ to the prioritization of the actors requiring protection. Furthermore, JPTs help the population by explaining to them the risky and safe zones as well as where they might find MONUSCO’s patrols whenever they are in danger. In order to improve the quality of their missions, JPTs included the Community Liaison Interpreters (CLIs) as part of their teams. Their participation is extremely useful in that they help JPTs to better convey their messages and build up mutual trust between them and the local population (Whitman 2010, 2). The outcomes, stemming from JPTs recommendation, helped the peacekeepers to increase their footprint within some specific localities as well as to better protect some key axes within both North Kivu and South Kivu provinces (Whitman 2010, 3). Additionally, it also facilitates collaboration between peacekeepers and Panzi hospital healthcare providers so they can be escorted to reach hostile areas to provide healthcare, mostly to women and girls included who were sexually abused in South Kivu province (Whitman 2010, 3).

Joint Protection Teams Advantages

The use of JPTs in the MONUSCO mission provided a significant advantage, mostly by providing peacekeepers a better understanding of the situation. To carry out their mission safely, in the remote dangerous areas, the MONUSCO military component provides escort and security to continually help, mostly the civilian component specialists to extend their operational reach. The JPTs final reports allow the peacekeepers to anticipate violence or other attacks to occur by positioning their forces ahead of time

within the localities under imminent threat. The JPTs activities foster trust building and mutual support between peacekeepers and local population by interacting with them through meetings and open dialogue. One big advantage is the presence of females among the JPTs. This helps to better address women and girls concerns and permits them to report without any barrier or shame what they experienced or continue to experience; like sexual abuse and rape. This is not the case with males because of gender matters and sometimes, cultural barriers. Therefore, the increase of number of female MONUSCO civilians as well as military and police workers are necessary to help the JPTs to better address women and girls' concerns. The data collected from those victims will later help peacekeepers to develop an adequate approach to provide safety and security to the vulnerable population (Whitman 2010, 4).

UNICEF, MONUSCO's CPA, NGOs, and Other
UN Agencies Collaborative Work

UN peacekeeping operations, wherever they are deployed, must be fully committed to protecting children as well as establishing negotiations between belligerents to get them more engaged to provide safety and security for the children. The CPAs in charge of gathering and authentication of information about 'grave violations' are required to promote a proactive measure to better protect children. Additionally, they serve as intermediaries between the peacekeeping mission and partners mostly UNICEF. Nevertheless, other additional UN agencies remain also committed such as the 'International Labour Organization (ILO),' 'United Nations Office for the Coordination of Humanitarian Affairs (OCHA),' 'Office of the United Nations High Commissioner for Human Rights (OHCHR),' 'United Nations Development Program (UNDP),' 'United

Nations Educational, Scientific and Cultural Organization (UNESCO), 'United Nations Population Fund (UNFPA),' 'United Nations High Commissioner for Refugees (UNHCR),' 'United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women),' and 'World Food Program (WFP)'." (OSRSG-CAAC 2014, D1-3) Furthermore, the International and local NGOs can be considered as the backbone of the implementation of MRM amidst the key actors. Actually, they are closer to host nation population and have access to the remote areas which are extremely difficult to reach. Furthermore, they are an inestimable database as they have been operating within the country for many years handling several issues, but also because they built up a strong relationship, dialogue and mutual trust with local population. However, the CTFMR needs to check that information from NGOs mostly local ones, which might provide a biased information. Additionally, if CTFMR does not sometimes abide by the rules established by those NGOs through a flexible approach while cooperating together, they might hinder or merely undermine the mutual trust they built up with the local population (OSRSG-CAAC 2014, D1.4-5). Therefore, coordinated work among MONUSCO and its child protection partners is extremely important for the success of the mission.

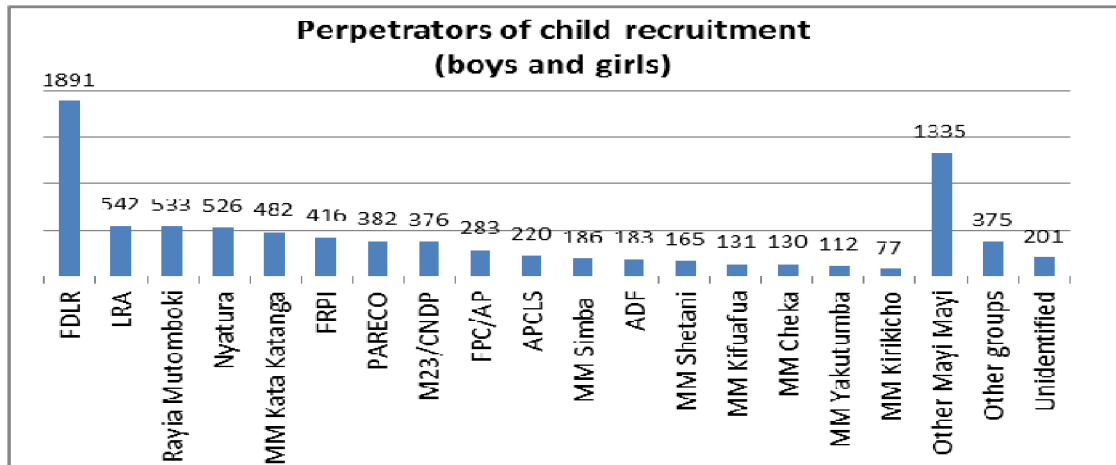


Figure 4. Armed Groups Involved in Child Enrollment

Source: MONUSCO 2015, 7

Girls Burden in the DRC's Armed Conflict

It is extremely complicated to determine the number of girls below 18 associated with rebel groups. Therefore, most of the figures are based on testimonies instead of precise evaluation. This lack of accuracy is due to the absence of transparency from the armed groups during the screening to liberate those girls. As a compelling example, the FDLR combatants cover up the real status of those girls within the groups by saying that they are their daughters even though they are using them as spouses, porters and even fighters (MONUSCO 2015, 8). Girls, during their captivity, play multiple roles within the armed groups on a daily basis activity. The tasks they are assigned to fulfill can be a cook, household chores, carriers, sexual slaves, fighters, workforces, and they are even used as a spy sometimes. Out of three hundred girls interviewed, 218 reported performing household chores and cooking during their captivity, 199 were carriers carrying mostly

the goods stolen from looting after attacking villages, 153 reported being sexually abused and continually raped, 56 served as fighters. Many of those girls reported what they went through by testifying. For example, a 16-year-old boy explained the training he experienced along with other girls during their captivity with M23 armed group:

We were treated very badly during the training; we had to run in the night and were often beaten. There were three girls in my group, S. who was 16 and an Adjutant, F. who was 17 and a First Sergeant and D. who was only 11; S. had two small children who were killed by Captain [S.] on the way to Runyoni under the orders of Major [K.]. (MONUSCO 2015, 19)

A 15-year-old boy reported to MONUSCO:

I underwent military training, after that I was mainly used as a cook and domestic worker. My group was composed of 40 elements, including 10 girls, aged between 16 and 17 years who were used as wives of combatants. We all fought together with FDLR against the Nyatura group of Colonel Muchoma. (MONUSCO 2015, 20)

A 12-year-old girl abducted by Mayi-Mayi armed group her plight as carrier:

They attacked [our village] in the morning, and we were forced to carry the things they had stolen to the bush. I was with my mother and my older sister. We were raped by the same men many times... they attacked other villages and forced us to go with them to carry things. After three weeks they let us go. I am back in school with my friends. It's very difficult. (MONUSCO 2015, 21)

A 17-year-old boy reported to MONUSCO what M23 armed group committed against abducted girls:

There were many children in Rumangabo [...]. Beautiful girls are being taken by M23 combatants for sexual abuse. Bosco ordered the combatants to rape girls on looting expeditions and that if we find a girl we should rape her without protection. We were told that if a combatant rapes a girl during the day, he must threaten her to death if she denounced him, as she would have seen his face. At night, combatants just abandon the girl where they rape her. (MONUSCO 2015, 24)

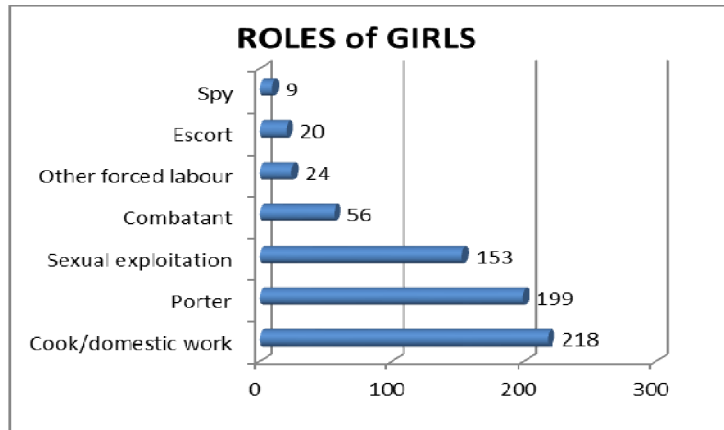


Figure 5. Girls Use by Armed Groups

Source: MONUSCO 2015, 18

According to MONUSCO, among them, 600 girls out of 7,946 children were liberated from rebel factions in the DRC between 2009 and 2015. Some of them found shelter within the FARDC and the MONUSCO facilities under the supervision of Child Protection personnel and other alike organization (MONUSCO 2015, 4).

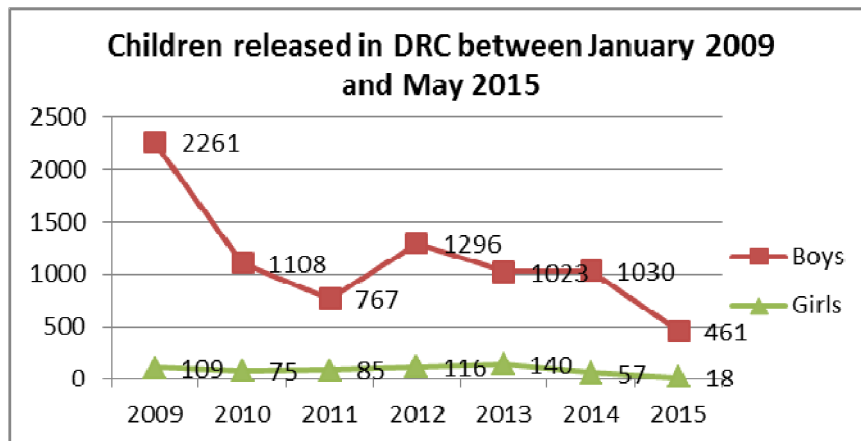


Figure 6. Children Separated from Armed Groups

Source: MONUSCO 2015, 4.

About 2000 children were liberated by MONUSCO and Child Protection co-workers from the CNDP, Alliance des Patriotes pour un Congo Libre et Souverain (APCLS), PARECO as well as an additional various rebel faction during their incorporation into the FARDC (MONUSCO 2015, 4-5).

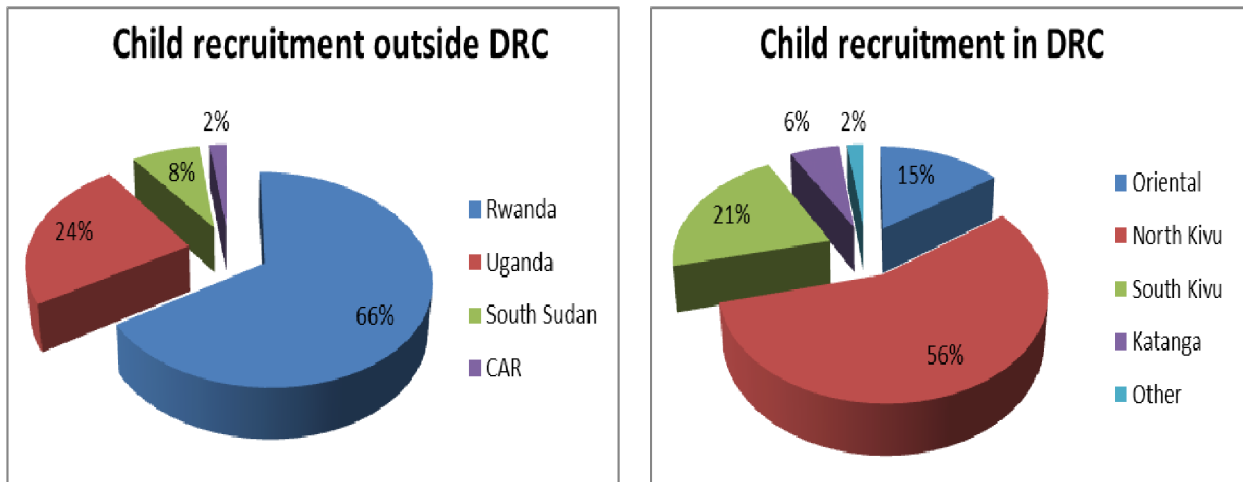


Figure 7. Children Enrolment by Foreign Armed Groups

Source: MONUSCO 2015, 6

Additionally, MONUSCO liberated children below 18 from Nyatura rebel faction, and 78 others just fled to seek protection from MONUSCO peacekeepers (MONUSCO 2013, 9). The reason for which there are fewer girls escaping to join MONUSCO camps or child Protection workers; unlike boys, girls are pregnant or have already given birth and cannot escape with them. Additionally, they are not able or ready to endure the hardship they will face during their escape through the forest as they can be also abducted by other groups before reaching MONUSCO camps or child protection personnel.

Furthermore, it is more difficult for girls than boys to be accepted by her community during the reinsertion process after escaping from armed groups. The reason is just that they are rejected because they have been abused by rebels and may be infected by ‘Sexually Transmitted Disease (STD).’ (MONUSCO 2015, 9-10) From November to December 2013, MONUSCO and Child Protection co-workers liberated 14 girls from Nyatura armed group. When it comes to APCLS, only seven girls were reported by MONUSCO and its co-workers as part of this armed group. However, boys from the same group said that there were more than 65 girls serving within APCLS as adult fighter spouses. Armed group leaders like Nduma Défense du Congo/Sheka (NDC/Sheka) do prefer to hide girls associated with their groups during the release process in order to do not be prosecuted (MONUSCO 2013, 9).

MONUSCO’ Implication in the Child Soldiers DDRR Process

The DDRR section and the CPS are the MONUSCO’s sections handling child soldiers’ matters. The DDRR section make sure that the child soldiers they demobilized were really child enrolled by armed groups or governmental forces as a soldier, to avoid those other children who never been in contact with armed groups to be part of this process for multiple reasons (Nduwimana 2013, 12). Additionally, they do not use the same process as for adults. As a matter of fact, children and adults DDRR processes are conducted differently. The reason is because adult former combatants can be prosecuted after being demobilized if they committed crimes whereas children are considered as being forced to perpetrate some atrocities without their consent. The most common DDR process consists of disarming child soldiers, which is mostly performed by MONUSCO’s

military component in collaboration with the related armed groups. The second phase, which is demobilization is usually conducted by the MONUSCO's DDRR and CPS sections who are civilian workers as well as NGOs. This phase consists of supporting children conversion from combatants' status to the civilians and provide them a psychological support. The Third phase consists of the reintegration followed by the reinsertion of the children into society by setting the conditions so they can have access to education, learn some 'income-generating activities' and join their parents, temporary adoption family with the intent to provide children a safe haven (Pauletto and Patel 2010, 42-43). Unfortunately, this last phase does not work well most of the time because of the risk of 'Re-recruitment' by the armed groups looking for more combatants to strengthen their ranks. Indeed, the fact that the conflict is still on going in the DRC makes the DDRR process inefficient followed with a high risk of not meeting the expectation. Three reasons can explain this pattern. The first reason is because some former child soldiers, after their rehabilitation, found themselves living in the hostile areas where there is no protection or security from both government forces FARDC or MONUSCO's peacekeepers. Comparatively, those living in Goma for example, benefit from protection from FARDC or MONUSCO's peacekeepers. The second reason is because the armed groups target former child soldiers as a first choice for recruitment, as they already have combat experience and skills compared to new recruits who need to be trained and indoctrinated. The third reason is the conflict environment in which former child soldiers are more likely to join armed groups where they can get those basic needs because of the poverty and lack of security (Pauletto and Patel 2010, 44). Despite these difficulties the

DDRR, CPS along with NGOs continue to conduct DDRR process across the country supported by the MONUSCO's military component who provide them security assistance and transport so they can reach the furthest areas (Nduwimana 2013, 21). MONUSCO provides the same assistance when it comes to sending back demobilized child soldiers originating from neighboring countries like Rwanda or Uganda. From 2002 to 2011, about 25,000 soldiers have been returned to their countries of origin, mostly to Rwanda (Nduwimana 2013, 12). Additionally, MONUSCO uses its private local radio 'OKAPI' to convey message to the armed groups encouraging them to separate children from their ranks and explain them the importance of the DDRR process as well as the judicial prosecution they might face if caught violating international law condemning recruitment and use of children as fighters (Nduwimana 2013, 11).

Summary

Despite all the efforts to curb children rights violations by both armed groups and regular armed forces, atrocities against them are still occurring in the DRC. However, a noticeable result has been achieved by the UN peacekeeping and partners. The DPKO/DFS policy allowed peacekeepers to be aware of children plights during armed conflicts. That helped to improve the peacekeepers approach when dealing with the child protection issue. The MONUSCO's child protection section plays an important role as they are the mission expert in terms of child protection. They collect data, participate in the military operation elaboration and execution to provide their expertise, and also take part to the ad hoc Joint Protection Teams as child protection advisers. They take in charge children separated from armed groups before handing them over to the partners especially

UNICEF for more complete assistance. The JPTs enable the UN peacekeepers to take proactive measures to protect children and civilians in general from armed groups. Their actions in the field are extremely efficient as they allow the UN mission to deploy patrols in the villages and areas recognized at risk. Furthermore, their reports and data collected during their stay on the field enable the separation of children from armed groups, and prevent mass rape and abduction in villages. The cooperative work between the UN peacekeeping mission and partners occurred at all levels starting from children separated from armed groups through their reinsertion, rehabilitation, and even the repatriation to their countries of origin. They cooperate closely during the DDDR process, food shortage response, diseases, SGBV victim assistance, and other numerous areas of activities. Finally, a great deal needs to be done when considering increasing and developing other ways to efficiently protect children. Fostering the partnership and establishing better coordinations among MONUSCO and its partners is critical for the success of this mission of protecting children. Additionally, international laws protecting children must be enforced against perpetrators and government of the DRC must be held accountable for any violation perpetrated by its armed forces therefore, stop the impunity.

CHAPTER 5

CONCLUSION AND RECOMMENDATIONS

Conclusions

The researcher answered the primary research question and secondary research questions throughout this thesis analysis. The creation of the OSRSG-CAAC by the UNSC was a huge step towards the protection of children in armed conflict. Indeed, the UN General Assembly, adopted the resolution A/RES/51/77 following the Graça Machel's report. This resolution gives a strong tool to the ORSG-CAAC to better collect, monitor, and report on the grave violations perpetrated against children in the situation of armed conflict. The six grave violations are: Recruitment and use of children; Killing or maiming of children; Sexual violence against children; Attacks against schools or hospitals; Abduction of children; and Denial of humanitarian access. Additionally, these six grave violations were legally enforced by international laws so that the perpetrators could be legally prosecuted in case of violating any of them. To support the effort to protect children from the six grave violations, the ORSG-CAAC established in 2005 "The Guidelines on the Monitoring and Reporting Mechanism on Grave Violations against Children in Situations of Armed Conflict" in close coordination with the United Nations Department of Peacekeeping Operations (UNDPKO), United Nations Children's Fund (UNICEF) as well as NGOs and other humanitarian partners. The MONUSCO implementation of the MRM was put into practice through its JPTs as well as CPAs actions in close coordination with their UN agencies partners like UNICEF and NGOs. The data collected in the field are reported to the OSRSG-CAAC and conveyed to the

UNSC through the SRSG-CAAC's annual report on grave violations perpetrated against children as well as the perpetrators. MONUSCO and its partners work closely with the government of the DRC to enhance and boost their effort to stop the grave violations perpetrated against children by both regular and non-regular forces. The FARDC and the PNC are encouraged to release children from their ranks and to stop violating children rights. Within this framework, the authorities of the DRC show their will to cope with this issue by appointing, in 2014, a "Special Advisor to the President on sexual violence and child recruitment." (OSRSG-CAAC and UNICEF 2016) Therefore, in 2015, more than 17,000 FARDC soldiers were screened to separate children from their ranks. This initiative was supported by the UN through its MONUSCO's peacekeeping mission.

When it comes to the separation of children from armed groups, a great deal of effort has been deployed by MONUSCO, NGOs, UN agencies and local actors to remove children from armed groups ranks as well as from governmental FARDC. The dialogue established by child protection actors with the armed groups and FARDC facilitated the screening and other DDRR process to take place and allow numbers of children to go back to school, to learn income-generating activities, and join their communities, sometimes after a psychological support. However, the risk of re-recruitment of released or demobilized children by armed groups is still more likely to occur among those same vulnerable kids to strengthen their ranks. This risk of re-recruitment is higher due to the lack of security within the areas where children are reinserted or living with their relatives. The level of poverty also encourages those children to voluntarily join the

armed groups as they provide them protection, food and shelter unlike the local government and their communities.

Furthermore, the DRC is committed to stop child enrollment by armed groups as well as by its own armed forces. Indeed, the DRC shows its will to end this practice by being part of signatories' countries to abide by the international laws protecting children from participating in armed conflict as well as by increasing to 18 years old, the required age to be recruited in armed forces. However, much remains to be done as some uncontrolled elements of FARDC are still recruiting children while fulfilling their mission, mostly within the eastern part of the DRC, as well as some other armed groups continue enrolling children as fighters. Nevertheless, several armed groups, such as FDLR, APCLS, M23 vow to work hand in hand with UNICEF and the SRSG-CAAC to release children from their ranks therefore, to abide by "the optional protocol on the involvement of children in armed conflict." Additionally, the prosecution of Thomas Lubanga Dyilo the former commander of the Union des Patriotes Congolais/Union of the Congolese Patriots (UPC) by the ICC as well as the surrender of Bosco Ntaganda to the same International court marked the starting point to the end of impunity for those who violate children rights; they will be held accountable for their actions. Therefore, armed groups become more receptive to MONUSCO and UNICEF efforts to get children demobilized and reintegrated to the normal life through DDR process (Nduwimana 2013, 19-20).

Recommendations

It will be important to professionalize DRC's army, police, and judicial system through a cooperation with partner's countries, to better defend the population's rights, and more importantly judicial system for children so they can deal with child's rights cases at the national level. The Security Sector Reform (SSR) program, with partner countries, will help to significantly increase the DRC's security forces capacities and competencies to better respond to the civilian expectation, mostly children. This SSR program can also be extended to the neighboring countries, mostly Rwanda and Uganda, so these three countries can build joint border control forces to deter armed groups from crossing borders to abduct and use children as combatants or for others uses. Tracking and arresting Joseph Kony will significantly curb the tendency.

Defeat armed groups thriving and using children along with some FARDC leaders mostly in the eastern part of the DRC. Stop the illegal mining and illegal trade of diamond, gold, coltan, cobalt, and so on. However, this will not be efficient if the industrialists and multinationals continue dealing with armed groups with impunity. Indeed, they are indirectly responsible for the children's plight as they do not track efficiently the origin of those minerals coming from either legal or illegal mining. As a matter of fact, the cobalt used for electrical cars production is most of the time coming from eastern DRC illegal mining and most of workers are children. Unfortunately, children will continue to suffer as the electrical car market is booming nowadays; same problem with coltan minerals used by electronic industries (CNN 10 2019). Therefore, it will be important to get the mineral resources controlled by central government and make

sure they are transparently managed in favor of the country's economy to curb the poverty. This will be possible only by fighting corruption which is rampant countrywide.

The increase of MONUSCO peacekeepers (Civilians sections, military components, UN police) in the DRC will help to improve the mission efficiency. Increase the number of female peacekeepers best suited to cope with women and girls who are sexually abused or raped. Actually, it is easier for those female peacekeepers to talk to female UN peacekeepers than male, and this will help to better understand their ordeal and improve significantly a data collection about child abuse regarding mostly girls. This will also allow these three MONUSCO's components to deploy largely across the entire country, more importantly in the regions they do not cover until now, and where the civilians, mostly children, are still vulnerable. More JPTs need to be formed, and also the duration of their mission in the field, need to be extended so they can continue providing early warning reports to prevent and mitigate attacks against vulnerable populations, mostly children. More importantly, additional funding will be needed to support all those efforts in the field. Unfortunately, the announcement of MONUSCO's budget cut is going to significantly affect child protection efforts in the DRC (TheDefensePost 2019).

Summary

As a bottom line, it appears that so many problems are either directly or indirectly linked to the child protection issue in the DRC. The lack of good governance, weak institutions, poverty, and lack of security undermine the efforts deployed within the country. However, solutions still exist if wisely and progressively implemented. The SSR program in favor of defense and security forces, the training program to rebuild the

judicial system, the fight against impunity, and corruption are parts of the solutions. Furthermore, the child protection problem could be significantly curbed by allocating more resources and increasing MONUSCO strength and mostly female peacekeepers as well as UN civilian experts in the field. The question remains how to wisely use the financial and human resources so that they are not going to be wasted instead of ameliorating the situation.

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