

## Internally displaced children and adolescents

Three-quarters of the world's 25 million people internally displaced by conflict are believed to be women and children. This handout is an introduction to the impact of displacement on children, the basic principles and mechanisms governing the protection of internally displaced children (IDP children), recommendations and further reading.

### The impact of displacement on children

The UN Study on the Impact of Armed Conflict on Children (the Machel Study) drew attention to the fact that children, including adolescents, are not just bystanders in armed conflicts, but frequently deliberate targets.<sup>1</sup> Conflict has a physical, emotional and psychological impact on all children. At the same time, internally displaced children encounter specific risks and challenges. The very nature of displacement jeopardises most of the human rights guaranteed to the child in international law, exposing displaced children to sexual exploitation, abuse and violence, forced labour, abduction and recruitment by armed groups.<sup>2</sup>

In the turmoil of displacement, family and community structures are likely to break down while traditional and social norms have disintegrated, which places displaced children at greater risk of infringements of their basic rights than other children. Children in situations of displacement are more readily exposed to malnutrition, illness, violence and violations of their physical integrity, psychosocial wellbeing and development.

The poor living conditions in IDP settlements may result in an increase in domestic and sexual violence. Displaced girls and adolescents are particularly vulnerable to trafficking, sexual exploitation, and other forms of gender-based violence (GBV). In protracted situations of displacement, internally displaced children may spend their entire childhood in camps or temporary shelters.<sup>3</sup> Many displaced children are unable to attend school because of insecurity, lack of infrastructure, fees, discrimination and language barriers. Girls' education is of particular concern, as girls are more likely to drop out of school. Schools are frequently lacking in IDP camps and local schools may lack the capacity to integrate influxes of displaced or returnee children. In addition, education for IDPs rarely goes beyond the primary level.

Internally displaced children face additional threats to their wellbeing during the processes of return and reintegration. IDP children going home after conflict may be more vulnerable to landmines and unexploded explosives.

#### **Testimony of a displaced mother**

*B.A. (46) has been displaced twice in the last 16 years, first to Labonyo IDP camp in Gulu District [Uganda], then to Olwal, another camp for displaced persons, where she now lives with her six children.*

<sup>1</sup> UN, Impact of Armed Conflict on Children, 26 August 1996, prepared by Graça Machel, <http://www.unicef.org/graca/>

<sup>2</sup> UNICEF, The needs of internally displaced women and children: Guiding Principles and Considerations, Office of the Emergency Programmes Working Paper Series, September 1998, <http://www.reliefweb.int/rw/lib.nsf/db900SID/VONN-5G8JWG?OpenDocument>

<sup>3</sup> Kastberg, Nils. "Strengthening the response to displaced children" FMR, Volume 15, October 2002, p.13-15, <http://www.fmreview.org/FMRpdfs/FMR15/fmr15full.pdf>

I have been living in the camps for the last 16 years. The first time we were displaced, we were taken to Labonyo. We lived there for 10 years. One day, rebels attacked our camp. They burned our huts and destroyed everything we had. My husband was killed in the attack. That is when the army brought us to Olwal.

Life in these camps has been very difficult. We don't have anything to depend on other than the WFP food, and this is even not enough.

We only eat a meal a day. Those of us who were displaced from Labonyo have no land to cultivate. The local community here does not give us land for free. We have to rent it. Even space for building a small latrine has to be rented. But we have no money. At the moment, our compound is too squeezed up. Most of us now depend on working on other people's fields.

Some of the fields are too far away from the camp. When you hear something, you must run away very quickly. There is lot of fear. You can't move around with the children. If you take them with you to the fields, they get abducted.

The little we get from working in the fields, we spend on other basic needs like medicine and schoolbooks for our children. But even this is not adequate. We are forced to exchange some of the food we get for soap and other necessities.

The insecurity is also preventing us from carrying out our normal domestic activities such as collecting firewood and wild vegetables, and fetching water. These used to be women's leisure activities. But now, if you go out of the camp, you get abducted, raped or even killed.

Camp life has completely distorted and destroyed our culture. Our children no longer respect us. The poverty here is promoting prostitution and early marriages. Children don't go to school any more. Girls and boys are marrying even at the age of 14.

Before the war, the Acholi society was not dependent on distributed food. We had domestic animals and birds. We were able to buy all our basic needs, salt, soap, and even ate a balanced diet. If I got sick, I could easily sell a goat or a chicken in order to meet the cost of treatment.

Now we only get maize and beans. This is not even our staple food. We hate it but we can't refuse it because of this condition. They bring us the grain, but we still have to meet the cost of milling. There is no way out because we have no choice.

Even the little food we get from WFP sometimes is taken away by rebels when they attack. We really have no future. The camp is not a good place for human beings to live in. Our children are growing up without any future. But the government is still forcing us to stay in the camps. And the army is not even protecting us. We are still prisoners in our own land. We are restricted by the activities of both the rebels and the army. When will this end?

**Source:** IRIN Web special on the crisis in Northern Uganda, September 2003  
[http://www.irinnews.org/webspecials/uga\\_crisis/OR.asp](http://www.irinnews.org/webspecials/uga_crisis/OR.asp)

## Displaced children with special needs<sup>4</sup>

<sup>4</sup> This section draws mainly from NRC, Camp Management Toolkit, Chapter 6: Child protection, April 2004, [http://www.nrc.no/camp/cmt\\_kap6.pdf](http://www.nrc.no/camp/cmt_kap6.pdf)



It is important to note: “As with any displaced population, children are not a homogenous group. Although all displaced children are vulnerable, some are more vulnerable than others.”<sup>5</sup>

- During conflict and displacement, children and adolescents are often separated from their families or caretakers, or those who would normally provide them with protection and care. These are the most vulnerable displaced children. They are more likely to be exposed to abuse and neglect, including recruitment into armed forces, child trafficking, sexual exploitation and abuse.

The *Interagency Guiding Principles on Unaccompanied and Separated Children* (January 2004) define **separated children** as those who have been separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may include children accompanied by other adult family members. **Unaccompanied children** are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.<sup>6</sup>

- **Disabled children** are frequently more vulnerable in situations of displacement, as the special care they need is often not available. Access to educational and recreational activities that are vital for the development and well-being of the child is also limited during displacement.
- **Child-headed households** are common in crises of displacement and may also require special care. In the chaos of displacement and conflict, groups of children are often left without an adult to care for them. A child will assume an adult role (head of household) caring for younger siblings – often dropping out of school to do so. Child-headed households may face a number of difficulties in securing physical safety, shelter, food, health and education.
- **Child combatants and ex-combatants** constitute an additional group that may require special protection and assistance. Displaced children are frequently targets of abduction and armed recruitment by non-state actors (paramilitary and rebel groups) and government forces. The recruitment of internally displaced children often occurs near or inside IDP settlements and camps. Some children are not forcibly recruited but volunteer in order to protect themselves or because of lack of choices, poverty or a desire for revenge.<sup>7</sup> Many former child soldiers (also called ex-combatants) also become displaced due to the potential dangers they may face upon return, such as re-recruitment, punishment by family or opposing groups. Ex-child soldiers often become traumatised and have difficulty reintegrating into normal life. It is important to note that both boys and girls are recruited, but that military recruitment affects boys and girls in different ways. Boys are more frequently engaged in combat and other military activities. While girls may also fight on the front lines, they are more likely to be recruited for sexual purposes and forced marriage.
- **Internally displaced adolescents** have different needs than IDP children and infants. Adolescents face an increased risk of sexual abuse and exploitation and forced labour. Unaccompanied adolescent girls are particularly vulnerable to sexual abuse, violence and exploitation as well as unwanted and sometimes dangerous pregnancies. Such acts are

<sup>5</sup> See NRC citation above.

<sup>6</sup> Interagency Guiding Principles on Unaccompanied and Separated Children, January 2004  
<http://www.unhcr.ch/cgi-bin/texis/vtx/home/+bwwBmLeYfz3wwwqwwwwwwwwhFqA72ZR0gRfZntFqr72ZR0gRzFqmRbZAFqA72ZR0gRfZNDzmxwwwwww1FqmRbZ/opedoc.pdf>

<sup>7</sup> World Vision, Displaced, uprooted and refugee children: Back from the margins, September 2004  
<http://www.child-rights.org/PolicyAdvocacy/pahome2.5.nsf/0/7A35F81E694C167D88256F68007F2136?OpenDocument>

perpetrated within families and communities, as well as by a wide range of actors with access to IDP populations, including peacekeepers, UN agency workers, and national and internationally recruited NGO staff.<sup>8</sup> Studies among internally displaced adolescents furthermore indicate a lack of information about reproductive and sexual health, increasing exposure to HIV/AIDS and other sexually transmitted diseases.<sup>9</sup>

## Human Rights Law

The *Convention on the Rights of the Child (CRC)*, 1989 is the most comprehensive compilation of international legal standards for the protection of the human rights of children. The CRC is also the most widely ratified international human rights treaty, ratified by all countries in the world, with the exception of two. The Convention acknowledges children as individuals with rights and responsibilities according to their age and development (rather than the property of their parents or as victims), as well as members of a family and community. Underlying the Convention are four main principles: non-discrimination, the best interests of the child, the right to life, survival and development and the right to participation. The principle of non-discrimination contained in Article 2 of the Convention is of particular importance for internally displaced children. Article 2(1) calls on governments to respect and ensure the rights enumerated in the Convention to each child regardless of factors like sex, social and ethnic origin, language, property, birth or other status. The rights under the Convention apply equally to all children within the jurisdiction of a country, *including internally displaced children*.<sup>10</sup>

The Convention on the Rights of the Child defines a child as **any person under the age of 18, unless majority is attained earlier under the applicable national law (Article 1)**

The CRC provides an important rights-based framework for the protection of internally displaced children and adolescents. Under Article 38 of the Convention, state parties agree to undertake “all feasible measures to ensure protection and care of children who are affected by an armed conflict”. Internally displaced children’s rights to protection from physical or mental harm and neglect, including: sexual abuse and exploitation, trafficking, forced labour, forced recruitment and other forms of violence and discrimination, are also established through the CRC. In addition, governments are required to provide physical and psychological treatment and social reintegration to children affected by armed conflict (Article 39).

- The CRC reaffirms children’s basic human rights to health, shelter and education. Special emphasis is placed on safeguarding family unity and the reunification of families (Articles 8, 10, 20).
- The Convention emphasises the right of children and adolescents to participate in all decisions concerning their lives. Participation has been recognised as important for the well-being and protection of internally displaced children and adolescents.<sup>11</sup> For example, encouraging children’s participation within their communities may enable children to speak out against abuse and exploitation.<sup>12</sup>

<sup>8</sup> See World Vision above.

<sup>9</sup> Women’s Commission, *Against all odds: Surviving the War on Adolescents, Promoting the Protection and Capacity of Ugandan and Sudanese Adolescents in Northern Uganda*, 1 November 2001 <http://www.womenscommission.org/pdf/ug.pdf>

<sup>10</sup> ARC, *International Legal Standards*, September 2002, <http://www.unhcr.ch/cgi-bin/texis/vtx/protect/opendoc.pdf?tbl=PROTECTION&id=3e37e5ba7>

<sup>11</sup> Jason Hart, “Children’s clubs: new ways of working with conflict-displaced children in Sri Lanka” and “Beyond consultation: in support of more meaningful adolescent participation” by Jane Lowicki *FMR* 15, 2002, <http://www.fmreview.org/FMRpdfs/FMR15/fmr15full.pdf>

<sup>12</sup> See World Vision above, p.43

- Articles 7 and 8 also establish the child's right to a legal status. Birth registration and identification is crucial in the protection of displaced children who may otherwise be unable to access basic services. Lack of documentation may also complicate the ability of local authorities or organisations to trace the family or guardians of the displaced child.
- Another fundamental right enumerated in the Convention is the child's right to education and the obligation of states to make primary education free and compulsory for all children (Articles 28, 29). Education has also been identified as an effective and essential form of protection for displaced children. For example, displaced children in school may be more protected from the risks of military recruitment, exploitation and abuse. Educational and recreational activities, like sports, can also help children recover from the trauma of conflict and displacement.

The application of the Convention by the states is monitored by the Committee on the Rights of the Child, an independent committee of experts. The Convention was strengthened with the *Optional Protocols to the CRC on the involvement of children in armed conflict* and *on the sale of children, child prostitution and child pornography*, which both entered into force in 2002. While under the CRC, recruitment into armed forces or direct participation in hostilities is prohibited for children under age 15, the Optional Protocol on the involvement of children in armed conflict increases the minimum age to 18 years (Articles 1 and 2). It also prohibits both voluntary and coercive recruitment of children by non-state armed groups (Article 4).

The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) also contains specific protection for internally displaced girls and adolescents. CEDAW places explicit obligations on states to protect women and girls from sexual exploitation and abuse. Additionally, given that there is often an increase in female-headed households in situations of displacement, improved protection of internally displaced women may indirectly result in better protection of their children.<sup>13</sup> Other international instruments, including the Universal Declaration of Human Rights (Article 7), the UN Charter (Articles 1, 13, 55, and 76) and the International Covenant on Civil and Political Rights (Article 24) reaffirm the freedoms and rights of all children, including internally displaced children.

## Humanitarian Law

Article 3, common to the four 1949 Geneva Conventions, sets out minimum standards for the protection of all civilians, including internally displaced children. Importantly, it applies to state and non-state actors in an internal conflict situation.

Humanitarian law bans the recruitment and direct involvement in hostilities of children under 15 years old (1977 Additional Protocols to the four Geneva Conventions). The 1977 Additional Protocols also apply to both government armed forces and non-state actors. The Rome Statute of the International Criminal Court (ICC) (1998) makes the conscription, enlistment or use of children under 15 in hostilities by state and non-state actors an international war crime.

Sexual violence and abuse against civilians, including children, in situations of armed conflict is prohibited under Article 17 of the Fourth Geneva Convention as well as under Article 4(2) Protocol II. The ICC Statute classifies rape, sexual slavery, enforced prostitution, forced pregnancy and other forms of sexual violence as crimes against humanity.

## The Guiding Principles on Internal Displacement

<sup>13</sup> See World Vision, above, p.37

The Guiding Principles highlight specific needs of and additional protective measures for displaced children and adolescents during all stages of displacement. The provisions of the Principles are applicable to all displaced people regardless of age (GP 4(1)). However, the Guiding Principles also recognise that certain displaced groups may be more vulnerable, including children and unaccompanied minors, who may require special protection or have special needs (GP 4(2)).

Explicit provisions in the Principles address the issues of sexual exploitation and forced labour (GP 11(b)) and the recruitment and participation of IDP children in armed hostilities (GP 13(1)). The Principles also reaffirm the displaced child's right to family unity and the national authorities' duty to facilitate family reunification (GP 17(3)). They call for free primary education to be provided to all displaced children and emphasise the full and equal participation of displaced girls in education and training programmes (23(2) and 23(4)). They also call for educational and training opportunities for adolescents (23(4)).

#### **Child and adolescent-specific clauses of the Guiding Principles:**

- The Guiding Principles should be applied *without discrimination* on basis of age 4(1)
- Children and unaccompanied minors are *entitled to protection and assistance required by their condition and to treatment that takes into account their special needs* 4(2)
- *Prohibition on gender-specific violence* (11a)
- *Prohibition on contemporary forms of slavery*, including sexual exploitation and forced labour of children 11(b)
- *Prohibition on the recruitment, participation and condoning of the participation of children in armed hostilities* 13(1)
- *Right to family unity and responsibility of authorities to facilitate and accelerate family reunification* when children are involved 17(3)
- *Right to recognition before the law and the authorities' duty to provide personal identification documents, including birth certificates* 20 (1) (2)
- *Right to education and responsibility of the authorities to ensure free and compulsory education at the primary level* 23(1) and (2)
- *Special efforts* should be made to ensure the *full and equal participation of girls* in education programmes 23(3)
- *Access to educational and training facilities, particularly for adolescents* as soon as conditions permit 23(4)

## **UN resolutions, mechanisms and guidelines**

Since the late 1990s, children's issues have been incorporated into the international peace and security agenda.

- The UN Security Council has adopted six resolutions focused exclusively on the protection of children in armed conflict (UNSC Resolutions 1261(1999), 1314 (2000), 1379 (2001), 1460 (2003), and 1539 (2004)). The most recent, Security Council resolution 1612(2005), endorses the establishment of a systematic and comprehensive monitoring and reporting system on violations against children in armed conflict and agrees to set up a working group of the Security Council on the issue.
- In 1997, the UN Secretary-General appointed a Special Representative on Armed Conflict and Children, Olara Otunnu. This office is mandated to promote the rights and protection of children affected by conflict.
- The Inter-agency Guiding Principles on Unaccompanied and Separated Children (2004) outline international standards for the protection of unaccompanied and separated children and enumerate practical measures for tracing and reunification of families.

- The Minimum Standards for Education in Emergencies, December 2004, are the first global standards on education during and after emergencies, developed by the Inter-Agency Network for Education in Emergencies (INEE). The minimum standards are intended to help improve the provision of quality education and the accountability of the humanitarian actors who provide it.
- The Inter-agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises has developed a number of practical tools to compliment international legal standards to prevent and respond to sexual exploitation and abuse of refugee and displaced children. In addition, UNHCR has issued a number of policies and guidelines regarding sexual exploitation, abuse and violence in IDP and refugee settings.
- International organisations, mainly UNICEF, UNHCR, ICRC and various international and local NGOs play a crucial role by monitoring the situation of displaced and other children in conflict areas, advocating for their rights, and by offering services such as family reunification, demobilisation programmes, and schooling. The Watchlist on Children and Armed Conflict, a network of NGOs, is at the forefront in reporting on violations against children in armed conflict and advocating for the rights of internally displaced and other children affected by conflict.

## Selected recommendations

Below are a few recommendations governments and other relevant actors may take to ensure the protection of IDP children and adolescents. The additional resources at the end of this document provide more complete guidance and practical steps.

- Ensure the collection, assessment and monitoring of data disaggregated by age and sex
- Ensure the participation of displaced children and adolescents in needs assessments, aid distribution and in the design, monitoring and evaluation of programmes
- Special efforts should be made to ensure full and equal participation of girls in education programmes
- Ensure internally displaced adolescents and young people have information about and access to reproductive and sexual health services including information about HIV/AIDS and other sexually transmitted diseases
- Special efforts should be made to ensure creative and social activities outlets, educational and training opportunities for adolescents and young people
- Register each unaccompanied and separated child
- Identify and document vulnerable children with particular [or compelling] protection needs
- Establish effective reporting and referral mechanisms for incidents of abuse, exploitation and military recruitment of children
- Extra consideration should be given to monitoring the reintegration of ex-combatant children and adolescents within the displaced community
- Displaced children should be informed about plans being made for them, including placing and care, tracing and reunification
- Support activities to monitor, report and respond to violations against children in situations of armed conflict.

## Resources

**Convention on the Rights of the Child (CRC)**, 1989,  
<http://www.unhcr.ch/html/menu3/b/k2crc.htm>



**Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**, 1979, <http://www.un.org/womenwatch/daw/cedaw/>

NRC, **Camp Management Toolkit**, April 2004, <http://www.nrc.no/camp/>

UNICEF, **The Needs of Internally Displaced Women and Children: Guiding Principles and Considerations**, September 1998  
<http://www.reliefweb.int/rw/lib.nsf/db900SID/VONN-5G8JWG?OpenDocument>

**Inter-agency Guiding Principles on Unaccompanied and Separated Children**, January 2004, <http://www.unhcr.ch/cgi-bin/texis/vtx/home/+bwwBmLeYfz3wwwqwwwwwwwhFqA72ZR0gRfZNtFq72ZR0gRzFqmRbZAFqA72ZR0gRfZNDzmxwwwwww1FqmRbZ/opensdoc.pdf>

INEE, **Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction**, 2004, [http://www.ineesite.org/standards/MSEE\\_report.pdf](http://www.ineesite.org/standards/MSEE_report.pdf)

UN, **Impact of Armed Conflict on Children**, 26 August 1996, prepared by Graça Machel, <http://www.unicef.org/graca/>

UNHCR, **Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response**, May 2003  
<http://www.reliefweb.int/w/lib.nsf/WebPubDocs/AA37DF44415336E6C1256D65002E372E?OpenDocument>

UNHCR, **Refugee Children: Guidelines on Protection and Care**, 1994  
[http://www.unhcr.ch/cgi-bin/texis/vtx/home/+lwwBmetFMI\\_wwwrwwwwwwmFqA72ZR0gRfZNhFqA72ZR0gRfZNtFqrpGdBnqBzFqmRbZAFqA72ZR0gRfZNDzmxwwwwww1FqmRbZ/opensdoc.pdf](http://www.unhcr.ch/cgi-bin/texis/vtx/home/+lwwBmetFMI_wwwrwwwwwwmFqA72ZR0gRfZNhFqA72ZR0gRfZNtFqrpGdBnqBzFqmRbZAFqA72ZR0gRfZNDzmxwwwwww1FqmRbZ/opensdoc.pdf)

### **Websites**

Action for the Rights of Children (ARC), <http://www.savethechildren.net/arc/index.html>

Coalition against the use of child soldiers, <http://www.child-soldiers.org>

Interagency Network for Education in Emergencies (INEE), <http://www.ineesite.org/>

International Committee of the Red Cross (ICRC), Children in War  
<http://www.icrc.org/Web/eng/siteeng0.nsf/html/children>

United Nations Children's Fund (UNICEF), [www.unicef.org](http://www.unicef.org)

United Nations Educational, Scientific and Cultural Organisation (UNESCO), focus on education in emergency, crisis and reconstruction  
[http://portal.unesco.org/education/en/ev.php-URL\\_ID=13433&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=13433&URL_DO=DO_TOPIC&URL_SECTION=201.html)

United Nations High Commissioner for Refugees (UNHCR), a child's world  
<http://www.unhcr.ch/cgi-bin/texis/vtx/home?page=PROTECT&id=3b8373992>

United Nations Special Representative for Children in Armed Conflict  
<http://www.un.org/special-rep/children-armed-conflict/English/index.html>

Watchlist on Children and Armed Conflict, <http://www.watchlist.org/>

