

2.2.2. Weaknesses in mechanisms enforcing compliance by States Parties to international conventions

Improving implementation of the Convention on the Rights of the Child and UN Security Council

Resolution 1261: Testimony of Kathy Vandergrift, Senior Policy Analyst in Advocacy and Government Relations, World Vision, Canada

Kathy Vandergrift opened her testimony by stating that World Vision advocates a comprehensive strategy to address the issue of war-affected children in order to:

- Prevent the involvement of children in armed conflict;
- Protect children from the impact of armed conflict when it does occur;
- Promote children-focused, post-conflict reconciliation and reconstruction;
- Promote the active participation of children and their families at every stage.¹⁸

Her evidence concentrated on the need for better mechanisms to implement and enforce international human rights and humanitarian law in this field. She began by reporting on her attendance at a recent consultation of international NGOs and UN agencies in New York, which had focused on effective implementation of Security Council Resolution 1261, at which the Executive Director of

Humanitarian agencies said loud and clear that they cannot and will not be a substitute for concrete political action by the UN and the Security Council. 'We are tired,' said some, 'of being the fig leaf' to cover the lack of political will within the international community to deal with difficult situations. Others protested against being the balm for the conscience of the world's political leaders.

Kathy Vandergrift, Senior Policy Analyst in Advocacy and Government Relations, World Vision, Canada

UNICEF and the UN Special Representative had both given presentations. She drew the Tribunal's attention to the fact that suggestions from this two-day meeting will contribute to a report being prepared by the UN Secretary General, which was due to be submitted to the Security Council in July 2000. These suggestions will also be incorporated into the ongoing advocacy work of the NGOs involved. Successful implementation of these resolutions, which cover prevention, protection and post-conflict reintegration, will require co-operation between young people, community groups, inter-

national NGOs, UN Agencies and the Security Council. A key aspect of the consultation had been the strong opinion expressed by humanitarian agencies that assistance aid is no substitute for concrete political action by UN agencies and the Security Council.

Ms. Vandergrift stated that, according to her experience over several years in this field, she sensed 'a growing impatience with lack of concrete political action, while the number of children impacted by war grows instead of decreasing'. This impatience is accompanied by a stronger insistence that reporting of violations should be improved and that action should be taken as a result. At the consultation¹⁹ after New York, NGOs renewed their commitment to support people who speak up for the rights of children and called to account those who remain silent in the face of systematic violations, such as the silence on Sudan and Chechnya. At the Oslo Diplomatic Conference in 1997, NGOs had called for the development of country-specific strategies: 'in New York last week the NGOs were determined to focus on specific situations in solidarity, because the UN family is letting children down.'

Ms. Vandergrift then drew attention to aspects of prevention, protection and reintegration that she considered to be of particular interest to the Tribunal. With respect to prevention, she stated that, despite progress made through the adoption of the Optional Protocol, which may lead to reduction in the use of children soldiers once it comes into force, it is equally important to provide concrete alternatives to military service for young people. The young people who are susceptible to recruitment include unaccompanied children, street children, minority youth and poor children. Investment in child development and family support would address the needs of these groups. This would include higher priority and better resources, especially for adolescents, on the part of the World Bank, donor countries and commercial investors. In addition, Ms. Vandergrift expressed the view that States Parties cannot be accountable to the Committee on the Rights of the Child if the International Monetary Fund (IMF) is determining their use of resources. Thus, the IMF should be held accountable in such cases and perhaps child impact assessments should be carried out and made public.

Ms. Vandergrift then turned to the topic of protection. Although the CRC is widely ratified and comprehensive, the mechanisms for its implementation are 'among the weakest for international human rights instruments.' Ms. Vandergrift cited the reporting period of five years, which is a relatively long proportion of the 18 years of childhood, as well as the fact that the Committee on the Rights of the Child is under-resourced and has few powers to ensure enforcement. World Vision, together with

18. Ms Vandergrift referred the Tribunal to the World Vision publication *The Right to Peace*.

19. Referred to at the beginning of Kathy Vandergrift's testimony as the recent consultation of international NGOs and UN agencies in New York, which had focused on effective implementation of Security Council Resolution 1261.