

AS DELIVERED

PERMANENT MISSION OF INDIA TO THE UN, GENEVA

HUMAN RIGHTS COUNCIL

12TH SESSION (14 Sep-02 Oct 2009)

**Annual Report of the Special Representative of the Secretary-General
for Children and Armed Conflict, Ms Radhika Coomaraswamy**

(16 Sep 2009)

Statement by India

Mr. President,

We thank the Special Representative, Ms Radhika Coomaraswamy, for her annual report and presentation yesterday that continue to provide us valuable and crucial updates on this area of concern. As a state party to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, India remains supportive of the Special Representative's useful work that has enhanced our collective understanding of this issue.

2. In her latest report, the Special Rapporteur has highlighted "the need to address impunity and bring to justice those responsible for violations of the rights of children in situations of armed conflict". In this regard, we have taken note of the commitments made by various armed groups and governments cited in the report towards formal action plans to halt the recruitment and use of children, as also to release the child soldiers under their control for rehabilitation. We are also encouraged by the legislative reforms effected by various countries mentioned in the report to address impunity for grave violations against children. In addition, we appreciate the sustained engagement and pressure on parties to the conflict through field visits by the Special Representative.

AS DELIVERED

3. Mr President, the Special Representative has, in her report, drawn our attention to five *outstanding* concerns. Many of her *recommendations* with regard to these five concerns are, realistically speaking, in the domain of action by those states whose capacities may often be strained in their attempts at nation rebuilding or containing internal strife, whereas the violations are often perpetrated by powerful non-state actors of various hues in these states who may straddle national boundaries.

4. Mr President, as we are all aware, on one of the concerns mentioned by the Special Representative, namely rape and sexual violence against children in armed conflict, there has already been some progress in the shape of the UN Security Council resolution 1882 adopted last month, that now, *inter alia*, provides for inclusion of this concern as one of the criteria for listing in the UNSG's reports those parties that recruit or use children in situations of armed conflict. We would, therefore, request the Special Representative to share her thoughts on additional measures that she thinks might be useful to induce meaningful action by – and against, when required - the persistent non-state violators listed in her report.

Thank you, Mr. President.