



The Role of International Community in Tackling the Issue of Child Soldiers in Myanmar

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Abstract

The major aim of this paper is to explore how the international community has taken the role in tackling the issue of child soldiers and Myanmar was chosen as the case study. The recruitment and the use of child soldiers have become widespread in internal armed conflicts in many developing countries for decades and have caused a severe problem in the world. Although the international community has shown serious concern over the issue and has reached out to those countries to help to end the use of child soldiers, there is evidence of using child soldiers in more than 18 countries (Child Soldiers International, 2018). Despite the fact that there is some academic research on the child soldier issue, few of them focus on the response of the international community to end the use of child soldiers and the contribution of international assistance to the progress in those countries using child soldiers. Thus, this paper will make a significant contribution to the study of International Relations, especially the context of human rights. This paper utilized a qualitative method to get the results, mainly from analysis of articles from international journals, reports of International Organizations, and interviews of the experts working in International Organizations, both the United Nations and other relevant Inter-Governmental Organizations as well as Non-Governmental Organizations. The results reveal that international community played a very important role in ending the recruitment and the use of child soldiers in Myanmar in terms of making use of international legal instruments and the actions of the International Organizations, which brought about some progress on this issue in Myanmar.

Keywords: *Child Soldiers, Myanmar, International Legal Instruments, International Organizations, Inter-Governmental Organizations, Non-Governmental Organizations*

1. Introduction

The recruitment and the use of child soldiers by state armed forces and non-state armed groups are one of the most serious global issues (The Coalition to Stop the Use of Child Soldiers, 2001). The use of child soldiers is regarded as one of the most unethical conducts that adults commit towards children who are generally related to a notion of innocence and are referred to persons who need special guidance, care, and protection (Singer, 2006). Millions of children have been exploited and treated badly to serve an adult's interest.

To have a clear understanding of the research topic, it is important to provide the definitions of a "child" and a "child soldier" in the introduction part. According to Paris Principles on the Involvement of Children in Armed Conflict (2007), a "child" was defined as "any person less than 18 years of age in accordance with the Convention on the Rights of the Child" (p.7). Yet, in some countries such as Myanmar, children might be a person whose age is below 16 years old and a child with the age of 18 might be regarded as a youth (Brocklehurst, 2013). According to Paris Principles on the Involvement of Children in Armed conflict (2007), a "child associated with an armed force or armed group" refers to "any person below 18 years old 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, spies or for sexual purposes" (p.7). Children are not only used as fighters in the front line but also play supportive roles in armed forces or armed group.

Although the concept of childhood varies greatly in the context of age standard and obligations, children are in a particular age group that needs special protection and treatment due to their innocence and limited experiences including limited physical and intellectual capabilities (Brocklehurst, 2013). Thus, children should not involve armed conflict and war, which deliver a sense of violence, atrocity, and bloodshed.

Child Soldiers International (2008) reported that approximately 300,000 children have been used as soldiers, particularly in developing countries in Africa, Middle East, Asia and South America where



there are long internal armed conflicts. Moreover, children have become significant manpower in armed conflicts owing to the special characteristics of a child; for example children might be easily brainwashed and manipulated and the proliferation of light, small weapons such as AK-47, small grenades and pistols, which can be easily carried by children and do not require much training (Kaldor, 2013, Singer, 2006, Machel, 1996, Rosen, 2005, The Romeo Dallaire Child Soldiers Initiative, 2017). Thus, the problem of child soldiers has been worse and created a serious concern for the international community. This paper focuses on the role of the international community in tackling the issue of child soldiers in Myanmar and the progress towards achieving goals to end the use of child soldiers in Myanmar with the contribution from the international community.

To begin with, Myanmar has a long history of internal armed conflicts mainly between state armed forces and ethnic armed groups since the 1948 Independence from Britain and there is clear evidence that Myanmar has used child soldiers for decades, particularly when the state armed forces or the so-called “Tatmadaw” wanted to fill up the manpower shortage by issuing the policy of conscription in 1988 (Images Asia, 1997). There has been reported that Myanmar has one of the highest numbers of child soldiers in the world (Child Soldiers International 2018). It is estimated that about 70,000 children in Myanmar have been used as soldiers by state armed forces and ethnic armed groups either voluntarily or forcibly (The Coalition to Stop the Use of Child Soldiers, 2001).

Through the “recruitment economy” in Myanmar and the fact that children have been abducted from the bus station, school and public places, a large number of children have been delivered to the hands of Tatmadaw and ethnic armed groups by their own parents (Watchlist, 2009). Those who recruit children as soldiers typically lure children to join in the armed forces and armed groups with money, access to a better life and good education though in reality child soldiers are treated inhumanely and the lives of those children have not been getting better (Images Asia, 1997). A lot of children decide to join the military themselves as they believe in power and manhood, and specifically, they adore the national war hero, General Aung San, the father of well-known democratic fighter Daw Aung San Suu Kyi (Images Asia, 1997). There is evidence that state armed forces itself committed underage recruitment through the counterfeit documents (United Nations Security Council, 2017). Children in Myanmar have been trapped in the cycle of violence for decades and the issue of child soldiers is still haunting the country. Thus, it is very interesting to study how the international community has taken any role in ending the recruitment and the use of child soldiers in Myanmar.

This paper has applied the Liberalism, one of the main schools of international relations theories to analyze the approach on how the international community tackles the issue of child soldiers. Liberalism emphasizes the importance of cooperation among nation-states through the application of international law and the emergence of international organizations, which will bring about peace and the absence of war (Morgan, 2013). Likewise, the problem of child soldiers can be solved through cooperation from the international community.

Principles of International law are regarded as the guarantee to protect children from being exploited and the guardian of child rights both in wartime and peacetime (Singer, 2006). Besides, an international organization is a very significant tool to end the use of child soldiers. While inter-governmental organization can be compared as a motivation to ensure that children are specially protected and as a supervisor to certify that nation-states follow the principles of international law and international standard, international non-governmental organization acts as a supplement that helps to coordinate with local community and government, which strengthens the effort to end the use of child soldiers (Singer, 2006). Without assistance from the international community, international law might be no longer respected by nation-states the problem of child soldiers might be intensifying.

Nevertheless, with no cooperation from state authorities and non-state actors, the problem will not be effectively solved. The research results are in fact in accordance with the research assumptions that efforts of the international community to tackle the issue of child soldiers leads to the progress in Myanmar which helps to alleviate the problem of child soldiers. The progress in Myanmar regarding the effort to end the use of child soldiers can be a good example for other countries, which still exploit children as child soldiers in internal armed conflicts. At any case, to eliminate the use of child soldiers, the best solution is to end all conflicts.



2. Objectives

1. To explore how the international community tackles the issue of child soldiers in Myanmar.
2. To analyze the progress of the efforts made by state authorities and ethnic armed groups in halting the recruitment and the use of child soldiers in Myanmar.

3. Materials and Methods

This paper is descriptive research, which aims to explore the role of the international community in tackling the issue of child soldiers in Myanmar. This paper employs both primary and secondary sources. In terms of secondary data, the research will be referencing from well-known books regarding the topic of child soldier, reports on the issue of child soldiers by many relevant inter-governmental organizations mainly the United Nations bodies and agencies such as the United Nations Security Council, the United Nations High Commissioner for Refugee, the United Nations Children's Fund and non-governmental organizations such as Human Rights Watch, Warchild, and Child Soldiers International. The international legal instruments, agreements and Internet websites data uploaded from articles in international journals are also the significant information resources for this research.

The primary data is obtained from interviews on experts who have expertise in international law, child rights and child protection from both inter-governmental and non-governmental organizations particularly in the area of the neighboring country of Thailand, Myanmar. The interviews on staff officers working in the United Nations agencies, namely UNHCR and UNICEF as well as NGOs, namely Human Rights Watch, COERR and Equality Myanmar will provide the useful information regarding how the international community plays a role in tackling the issue of child soldiers specifically in Myanmar and if the assistance from the international community contributes to ending the use of child soldiers in Myanmar. Moreover, a viewpoint from a military officer from state armed forces who is an expert in this topic will also be incorporated, which might give relevant comments on how state authorities both government and state armed forces put effort into ending the use of child soldiers in Myanmar to coincide with international standards on human rights protection. Besides, a member of the ethnic armed group will be interviewed, which will provide an opportunity to get information about how ethnic armed group deals with this issue.

4. Results and Discussion

This paper refers to the Liberal International Relations Theory as the topic deals with the role of the international community in tackling the issue of child soldiers. The recruitment and the use of child soldiers have become a global issue so to solve the problem, Liberal International Relations Theory is the best fit for the context. Liberalism is one of the main theories of International Relations, which see the world through optimists' viewpoints placing an emphasis on cooperation among the international community. Moreover, liberalists also give importance to non-state actors in the international system namely international organizations and non-state armed groups, not only focus on nation-states. According to Morgan (2013), liberalists believe that international organizations and international law can act as a constraint on state behavior. Their mechanisms do not only enhance international cooperation but also promote norms and mutual understandings, which bring about mutual respect and accepted the state's behavior, particularly upon human rights issue. To put it simply, this research emphasizes the liberalism's premises that cooperation among the international community has an important role in dealing with the global issue and in this case, the use of child soldiers.

Regarding the results, The paper points out that the international community does play a very significant role in helping Myanmar to tackle the issue of child soldiers through international organizations and international law, which brings about the progress in Myanmar. The research result matches up with the premises of Liberal International Relations Theory. The Government of Myanmar and the state armed forces have cooperated with the international community by realizing that this issue needs to be addressed and attempted to conform to international law, international norms and international standard regarding the protection of child rights. Even though it should be admitted that children in Myanmar are still used as child soldiers by armed forces and ethnic armed groups, either for fighting or playing supportive roles, with the assistance from the international community, the situation regarding the recruitment and the use of child soldiers in Myanmar is getting better.



To begin with, the international community has put a lot of effort in ending the recruitment and the use of child soldiers throughout the world and Myanmar is one of those countries that international community has reached out its hands to halt this problem (The Romeo Dallaire Child Soldiers Initiative, 2017). The United Nations is the leading intergovernmental agency in protecting human rights mainly through its main bodies and agencies, which are the United Nations General Assembly, the United Nations Security Council, the United Nations Human Rights Committee, United Nations Children's Fund (UNICEF) and United Nations High Commissioner for Refugee (UNHCR) (Images Asia, 1997). Besides, the issue of child soldiers has been tackled by the cooperation of other intergovernmental organizations such as International Labour Organization (ILO) and International Criminal Court (ICC) as well non-governmental organizations, namely International Committee of the Red Cross (ICRC), Child Soldiers International, Human Rights Watch including local nongovernmental organizations such as COERR and Equality Myanmar both in terms of theory and practice.

Specifically, in Myanmar, the United Nations Human Rights Council (UNHRC) which originally established a special rapporteur in 1992 to monitor the situation of human rights violation in Myanmar but it was not effective enough to halt the use of child soldiers (The Romeo Dallaire Child Soldiers Initiative, 2017). Later, the UNHRC introduced the process of fact-finding in Myanmar so as to verify the case of human rights violation in Myanmar committed by the state authorities (The Romeo Dallaire Child Soldiers Initiative 2017). More importantly, the United Nations Security Council Resolution 1612 set up the Myanmar Country Task Force on Monitoring and Reporting on grave violations of child rights in armed conflicts in 2007 (UNICEF, 2018). The Country Task Force is a collaboration of the United Nations agencies led by UNICEF, ILO, UNHCR, UN OCHA and international non-governmental organizations such as Save the Children and World Vision, which can be set up in many countries all over the world including Myanmar (UNICEF, 2018). It aims to work closely with the government, the Office of the Special Representative and other relevant actors from national to international levels to end the use of child soldiers and other incidents regarding human rights violation (UNICEF, 2018). Other than the nation-wide campaign launched by the Government under the support of UNICEF, the Country Task Force has played a significant role in ending the use of child soldiers in Myanmar in the sense that it has helped to verify the cases of child recruitment by state armed forces that have been reported or documented by various methods such as the hotline, community monitoring, the complaint mechanism of International Labour Organization and tripartite case review mechanism (United Nations Security Council, 2017). The Country Task Force has also pledged to work hand in hand together with the Government of Myanmar to stop the recruitment and the use of children in state armed forces in many ways such as promoting accountability schemes, particularly the impending adoption of the Child Rights Law and the attempt to discharge children who do not have documents on age verification in accordance with the "benefit of the doubt" principle (UNICEF, 2018). The Country Task Force plays a very important role in pushing the Government to proceed with the Joint Action Plan to prevent possible child recruitment in the future (UNICEF, 2018). Recently in May 2018, Secretary-General of the United Nations's Special Representative on Children and Armed Conflict, Ms. Virginia Gamba paid a visit to Myanmar to discuss with high level of state authorities, which comprise of government officials, high-ranking military officers from state armed forces and representatives from three listed ethnic armed groups upon requests on those relevant actors to put the effort and make a commitment to end the child recruitment (UNICEF, 2018).

Various NGOs have reached out their hands to help Myanmar to tackle the issue of child recruitment. Specifically, Child Soldiers International, the protagonist in halting the child recruitment worldwide, issued a report about the use of child soldiers in Kachin State in 2004 called "A dangerous refuge: Ongoing child recruitment by the Kachin Independence Army (Child Soldiers International, 2014). Kachin Independence Army is one of seven ethnic armed groups, which has been listed by the United Nations Secretary-General as "persistent perpetrators" for recruiting and using the child soldiers in Myanmar of United Nations Security Council of using child soldiers (UNICEF, 2018). This report discussed a lot of key information such as the recruitment of child soldiers, the treatment of child soldiers in the KIA armed group, the efforts to end the recruitment of child soldiers by KIA, recommendations to all relevant parties, which can be beneficial to end the use of child soldiers in Myanmar (Child Soldiers



International, 2014). Furthermore, a non-governmental organization in Kachin known as Wunpawng Ningtoi (WPN) along with the UNICEF and Save the Children fund the platform for projects to train workers on child protection to help protect the children in the Internal Displaced Persons (IDP) Camps in KIA-controlled territory from being created as child soldiers (Child Soldiers International, 2014). They created a protective space known as “child-friendly spaces” for the children who are in conflict-affected areas (Child Soldiers International, 2014).

Regarding international law, the Government of Myanmar started to be aware of this situation by 1990s. International law is recognized as a tool, which sets the standard on the protection of child rights internationally. The Government of Myanmar signed and ratified the 1989 Convention on the Rights of the Child in 1991, which was recognized as the first international human rights law, which signified the concept of international legal standard regarding the protection of child rights (OHCHR, n.d., Singer, 2006). The convention was signed than 130 countries across the world to uphold the Additional Protocol of the Geneva Convention regarding the solutions to the problem of child recruitment and the participation of children in armed conflicts (United Nations Convention on the Rights of the Child, 1989). The Convention also aims to protect and promote child rights including child development and generates more awareness for child rights violation around the world (OHCHR, n.d., Singer, 2006). Article 38 of the Convention on the Rights of the Child directly addresses the issue of child soldiers (United Nations Convention on the Rights of the Child, 1989). For example, as the first statement in the Article 38 is put, “States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which relevant to the child.” (OHCHR, n.d.). Moreover, Article 39 of the Convention on the Rights of the Child makes an important point on solving the problem of the use child soldiers, particularly the process of reintegration as it is put, “States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflict” (OHCHR, n.d.). According to this article, it means that children who are released from armed forces or armed groups will not be ignored and it promotes the concept that those children should be taken care of in terms of physical and psychological matters. This encourages the need of the international community to reunite those children with their families as well as reintegrate them into the community. Intergovernmental and Non-Governmental Organizations also supported this idea in a practical sense. Besides, the Convention on the Rights of the Child established the Committee on the Rights of the Child to oversee the legal compliance regarding the protection of the child rights and ensure that the law comes into effect (United Nation on the Rights of the Child, 1989). States Parties have the obligation to submit a report to the Committee every five years, within two years after they ratified the convention on the measures, policies, and progress that the governments of States Parties have taken to tackle the issue of child soldiers (United Nations on the Rights of the Child, 1989). Nevertheless, the Committee does not have the authority to force State Parties to follow the obligations stated in the convention since it depends on the cooperation of State Parties together with the assistance and support from the international community and States Parties’ willingness to follow those rules.

More significantly, the Optional Protocol to the Convention on the Rights of the Child, which was adopted by the United Nations General Assembly in 2000 and entered into force in 2002, is regarded as the most significant international child rights treaty and is another significant international legal instrument on the issue of child soldiers (Brocklehurst, 2013). It aims to promote and protect child rights and in particular address the international standards specified in the Additional Protocols I and II of the Geneva Conventions to raise up recruitment age from 15 years old to 18 years old (UNHCR, 2000). The Optional Protocol does not only try to reaffirm the principles of the Convention on the Rights of the Child but also emphasizes on that fact that the ban of recruitment of children under 18 years old should be regarded as international standards through the “Straight-18” campaign (Child Soldiers International, 2018, UNHCR, 2000). The Optional Protocol also calls for the governments of States Parties to set out legal measures to prevent and stop the recruitment and the use of child soldiers (UNHCR, 2000).

Another research result is that the Government of Myanmar, the state armed forces or the so-called Tatmadaw and the ethnic armed groups have put some effort in ending the use of child soldiers in



Myanmar, which results in some progress in halting the recruitment and the use of child soldiers. To begin with, the state armed forces and some ethnic armed groups have collaborated with the UN agencies by committing not to use children as soldiers in internal armed conflicts through the signature of a Joint Action Plan in June 2016 (United Nations General Assembly, 2017). The 2012 Joint Action Plan, which the Government of Myanmar signed with the United Nations, was the starting point to trigger state authorities to push this issue to the forefront and regarded as a significant step of Myanmar in making the situation better. The fact that Myanmar signed a Joint Action Plan in 2012 has brought some progress in the effort of the state authorities in ending the recruitment and the use of child soldiers. The Government has signed key international agreements regarding the issue of child soldiers, which signifies the willingness of Myanmar to collaborate with the international community to tackle this issue. In December 2013, the Government ratified ILO Convention on Worst Forms of Child Labor (UNICEF, 2017). On 28 September 2015, the Government of Myanmar signed the Optional Protocol to the Convention on the Rights of Child on the involvement of children in armed conflicts though not ratified until now, followed by the signature of the Paris Principles in February 2017 for the reintegration of children who have been associated with armed forces or armed groups into a civilian life (UNICEF, 2018). The accession of the Government to international human rights law and international agreements regarding the issue of child soldiers has opened up the opportunities for the international community to get in touch with Myanmar to end the use of child soldiers (Images Asia, 1997). In a practical sense, since the signing of the Joint Action Plan in 2012, under the assistance from UNICEF and UNHCR, approximately 924 children who were used by the state armed forces were discharged by the Government of Myanmar after it pledged to disarm, demobilize and send discharged child soldiers back to their families (UNICEF, 2018, United Nations General Assembly, 2017). Recently, the UNICEF reported that the Government of Myanmar has just released 75 children who were recruited as child soldiers by state armed forces, which convinced the co-chairs of the Country Task Force that this was the progress in the effort of the government in ending and preventing the recruitment and the use of child soldiers in Myanmar (UNICEF, 2018). After children, who were recruited and used as child soldiers, are discharged from the state armed forces, with the help from international community they will have an opportunity to benefit from the reintegration process to enable them to have a civilian life and attain education as well as personal development (UNICEF, 2018). This can foster the culture of peace among new generations who are the future of the nation and might bring about everlasting peace in the country in the future. Moreover, according to a report by the UNICEF, the Government of Myanmar has improved the procedures of age assessment to prevent underage recruitment and less created fraud documents on children's ages, which signifies the positive steps of the Government on the issue of child soldiers (UNICEF, 2018). The state armed forces or the so-called Tatmadaw has also lessened the limitation to the United Nations to visit and monitor the military camps (The Romeo Dallaire Child Soldiers Initiative, 2017).

5. Conclusion

According to the research on this paper, it concluded that the international community has played a very significant role in tackling the issue of child soldiers in many countries and Myanmar is one of the most obvious examples though the country has long internal conflicts and the issue of child soldiers is complicated. Besides, with the help from the international community, there has been some progress in the effort of the Government of Myanmar, Tatmadaw as well as ethnic armed groups in ending the recruitment and the use of child soldiers in armed conflicts. International organizations are important forces to stimulate the relevant actors in Myanmar to end the use of child soldiers, and international legal provisions are recognized as deterrence for Tatmadaw and ethnic armed groups in halting them from further using child soldiers. The Government and Tatmadaw implemented international legal instruments and agreements, discharged child soldiers used by armed forces, and developed new military rules and practices to meet international standards and to show that they have the willingness to end and prevent underage recruitment in Myanmar. These acts generate positive outcomes for the country. Major powers like the United States and the European Union heavily sanctioned Myanmar mainly due to the large-scale human rights violation (The Romeo Dallaire Child Soldiers Initiative, 2017). Yet, other than the ease of political tension in the country, the better situation of human rights violation, which includes the release of



hundreds of child soldiers in Myanmar has brought about the lifting in sanctions by the major powers towards Myanmar (The Romeo Dallaire Child Soldiers Initiative, 2017). Nevertheless, there are some challenges that might hinder the road to success for the international community in ending the child recruitment in Myanmar and improvements that the research related to this issue can be further developed.

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