



## STATE PARTY EXAMINATION OF THE HOLY SEE'S INITIAL REPORT ON THE OPTIONAL PROTOCOL ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

65<sup>TH</sup> SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD  
13 JANUARY – 31 JANUARY 2014

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*The Holy See ratified the Optional Protocol on the Involvement of Children in Armed Conflict (OPAC) on 24 October 2001. On 16 January 2014, the Committee on the Rights of the Child (the Committee) examined the initial periodic report of the Holy See.*

### Opening Comments

The delegation of the Holy See was led by Mons. Silvano M. Tomasi, Permanent Observer of the Holy See to the United Nations Office. He was supported by a delegation composed of Mons. Charles Scicluna, Mons. Christopher El-Kassis and professors of law Vincenzo Buonomo and Jane Adolphe.

In his opening statement, Mons. Tomasi said that the Holy See had ratified the OPAC based on its commitment to children's rights. It added that the Holy See aimed to promote and encourage the implementation of such international instrument.

He explained that the State report on the OPAC contained little information as there were no armed forces operating on the territory of the Holy See.

Ms. Kirsten Sandberg, Country Rapporteur for the OPAC, welcomed the delegation and added that she looked forward to the dialogue.

### General Measures of Implementation

#### *Legislation*

The Committee underlined that the definition of crimes under the OPAC. It asked whether the Holy See had modified its laws accordingly and had incorporated that specific definition into canon law. The Committee welcomed the criminalisation of the recruitment of child soldiers as a war crime. It asked why this criminalisation was related to the recruitment of

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[www.childrightsconnect.org/index.php/publications-resources/crc#countrysum](http://www.childrightsconnect.org/index.php/publications-resources/crc#countrysum)

children below the age of 15 and not 18. The delegation responded that it would suggest to the Holy See to extend the criminalisation to the recruitment of children below the age of 18.

### **Prevention**

The Committee asked what measures had been taken in regard to child soldiers. The delegation explained that the Holy See had been working with the UN on disarmament with a focus on small arms. It underlined that the priority was to remove weapons from the hands of children.

### **Protection, recovery and reintegration**

The Committee asked what had been considered as far as international assistance was concerned and if the Holy See was willing to assist in the demobilisation of children. It also asked if the Holy See helped children involved in armed conflict to escape the fighting and assisted them with rehabilitation and reintegration programmes. The delegation explained that such schemes existed and were undertaken through the initiative of local churches. It stated that the Holy See encouraged local churches to take this kind of initiatives, but clarified that it was up to them to decide whether to do it or not. The example of Uganda was given by the delegation, where programmes had been established to help child soldiers to leave non-State armed groups, such as the Lords Army, to return to their communities and families as well as to receive education.

### **Concluding remarks**

Ms. Sandberg thanked the delegation for the interactive discussion. She reminded the delegation that all the discussions were an attempt to ensure the best interest of the child and that the Concluding Observations should be taken very seriously.

The delegation said that it was looking forward to the Concluding Observations. It declared that the interactive dialogue had been positive and that the Holy See would pursue its work in favour of children's rights.