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Child Soldiers

1 Introduction

Worldwide, more than half a million children under-18 have been recruited into government armed forces, paramilitaries, civil militia and a diversity of non-state armed groups in more than 85 countries. At any one time, more than 300,000 of these children are actively fighting as soldiers with government armed forces or armed political groups. Becoming a soldier is usually not a matter of choice for these children, but is usually forced upon them, making them direct participants in war from often a very young age. Children use weapons such as AK-47s, M-16s, serve on the front lines of combat, participate in suicide missions, carry supplies, and act as spies, messengers or lookouts.

Modern warfare kills, maims and exploits children more callously and more systematically than ever before. Caught up in complex conflicts that have multiple causes and little prospect of early resolution, children face an increasing threat. It is a reality that the world has been dealing with and which has by no means disappeared. As a delegate in the Human Rights Council you will be discussing the treatment, protection, demobilization and reintegration of child soldiers. This study guide aims to discuss the scope of the issue, present previous resolutions and legislation and leave you with a foundation to base further research on.

2 Scope of the Topic

2.1 Defining a child soldier

A child soldier is any child under the age of 18 whom directly, or indirectly, participates in armed conflict as part of an armed force or group. Participation can be compulsory, forced, recruited or voluntarily. While some children wield assault rifles, machetes, or rocket-propelled grenades on the front lines, others are used in "combat support" roles as messengers, spies, cooks, porters, sexual slaves and mine clearers. Most are adolescents, though many are 10 years of age and some even younger as seven year olds. The majority of those under 15 are found in non-governmental military organizations and most child soldiers under 18 have been recruited into Governmental armed forces. As children are killed, wounded or grow older, their places are taken by new children, creating a vicious cycle that continues from one generation to the next.

There have been changes in international conventions over the age limit which allows a child to be involved in armed conflict. Previous international standards had allowed children as young as fifteen to be legally recruited and sent into war. The Convention on the Rights of the Child generally defines a child as any person under the age of eighteen. However, in situations of armed conflict, the convention sets fifteen as the minimum age for recruitment and participation in armed conflict. However, the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict ameliorates this and establishes eighteen as the minimum age for direct participation in hostilities, for compulsory recruitment, and for any recruitment or use in hostilities by non-governmental armed groups.

2.2 Locating child soldiers

- **Armed political groups** The majority of the world's child soldiers are involved in a variety of armed political groups. These include government-backed paramilitary groups, militias and self-defense units operating in many conflict zones.
- **Armed, anti-government groups** These are opposed to central government rule, groups composed of ethnic religious and other minorities and clan-based or factional groups fighting governments and each other to defend territory and resources.
- **National Armed forces** Some children are recruited into a country's armed forces, even if the country in question is in a state of peace. For example, the United States Department of Defence sponsors programmes for approximately 400,000 high school boys and girls where children are taught to march, shoot, act and think like soldiers. More than half of all European States accept under-18-year-olds in their armed forces. The United Kingdom routinely sends 17-year-olds into combat. According to United Kingdom official statistics from January 1999, there was a total of

6,676 male and female 16- and 17-year-olds, and over 128,000 cadets from the ages of 10 to 16 in training schools around the country. Governments of Canada, France, Germany, the UK and the USA continue to recruit under-18-year-olds into their armed forces, although they are not allowed to vote. Similarly, military schools are a common feature across Latin America, Asia and Africa.

- **Combat Support** As cooks, cleaners, porters, sexual slaves in indirect conflict

2.3 Why do children become soldiers?

It is important to understand the reasons behind the topic and why children become soldiers and therefore comprehend the differing realities that enter into play be it social, economic or psychological. Firstly, many children are forcibly recruited into armed groups and often adolescents see few alternatives to enlisting - a 'voluntary' choice is largely involuntary due to a plethora of factors, which will be highlighted here. In 1996, in a special report on the impact of armed conflict on children, the author Mrs. Graca Machel explained how children become soldiers:

"Hunger and poverty may drive parents to offer children for service or attract children to volunteer as a way to guarantee regular meals, clothing or medical attention. Some children become soldiers to protect themselves or their families in the face of violence and chaos around them, while others, particularly adolescents, are lured by ideology. Children also identify with social causes, religious expression, self-determination, national liberation or the pursuit of political freedom."

This description highlights many useful points, but is not exhaustive and other sources discuss a number of different possibilities; often children are conscripted, kidnapped or abducted, and forcibly recruited. Many argue that psychologically, children are impressionable and can be easily manipulated into carrying out ruthless acts and being used as unquestioning tools of war; child soldiers committed some of the worst atrocities in Sierra Leone.

Poverty and lack of access to educational or work opportunities are additional factors. Signing up as a soldier often holds out either the promise or the reality of an income or a means of getting one. Family and peer pressure to join up for ideological or political reasons or to honour family tradition can also be motivating factors. Girl soldiers have reported joining up to escape domestic servitude or enforced marriage or to escape domestic violence, exploitation and abuse.

The nature of war is such that the proliferation of lightweight weapons – requiring no physical prowess or technical expertise to manipulate – has made it possible for very young children to bear and use arms. Also, war itself is a major determinant. As society breaks down during conflict, leaving children no access to school, driving them from their homes, or separating them from family members, many children perceive armed groups as their best chance for survival. Youth have reported that desire to avenge the killing of relatives or other violence arising from war was an important motive to become soldiers.

2.4 Effect on children

The following are the key effects on children due to their participation in armed conflicts:

2.4.1 Physical

Children are often given badly made weapons causing them physical damage and harm, in addition to being in war and being far more vulnerable than other combatants. They are also made to carry heavy equipment and loads, often don't get enough sleep and food, and are used as sexual slaves. This is worsened by the fact that they receive inadequate health care and merit no special treatment as children once they are soldiers. Upon non-compliance, they are often at risk of execution, beating, or other punishment; their lives are treated as being more expendable. In addition, both during and after conflicts, children remain exposed to the dangers of landmines and millions of pieces of unexploded ordnance - bombs, shells and grenades that fail to detonate on impact.

2.4.2 Educational

Similarly, the loss of a right to education in war is worsened once a child becomes a soldier. Child soldiers lose their right to education as soldiers and this right is very difficult to regain.

2.4.3 Social

Child soldiers are severed from their community and are forced to leave home and family. As soldiers they live in an environment where they are often mistreated and is not conducive to their growth and well being.

2.4.4 Emotional

Conflict has a deep psychological impact on children. Being a child soldier and an active part of conflict and brutalities is much worse. Child soldiers are illegal and therefore hidden and do not get the same access to psychological care as other children who are victims of war receive. Exposure and participation to cruel and brutal acts also desensitizes children and has a psychological effect. Often they are deliberately exposed to horrific scenes to harden them and make it easier to sever links with their family and community.

2.4.5 Effect on girls

Girl soldiers should merit additional attention in your discussion. In the case of girls, most are forced into sexual slavery and as a result they contract STIS (Sexually Transmitted Infections) and HIV/AIDS. Largely, more than boys, girls usually fulfill multiple roles; while they are frequently recruited and used for sexual purposes, they are virtually always also involved in other military roles, including combat, laying explosives and performing domestic tasks.

3 Disarmament, Demobilization and Reintegration (DDR)

Without the formal recognition by all parties to a conflict that children are within their ranks, the post war healing process is unlikely to include and consider the special needs of child soldiers. There are three primary aspects to rebuilding war-ravaged societies, outlined in 'The Role of United Nations Peacekeeping in Disarmament, Demobilization and Reintegration', the 2000 Report of the Secretary General to the Security council and furthered by experts in the field of child soldiers:

- **Disarmament** The collection of small arms and light and heavy weapons within a conflict zone. It frequently entails the assembly and cantonment of combatants; it should also comprise the development of arms management programmes, including their safe storage and their final disposition, which may entail their destruction. Demining may also be part of this process.
- **Demobilization** The formal registration and release of combatants from duty providing assistance to help them meet basic needs refers to the process by which parties to a conflict begin to disband their military structures and combatants begin the transformation into civilian life. It generally entails registration of former combatants; some kind of assistance to enable them to meet their immediate basic needs; discharge, and transportation to their home communities.
- **Reintegration** The process of helping former combatants to return to civilian life - readjusting socially and economically refers to the process which allows ex-combatants and their families to adapt, economically and socially, to productive civilian life. It generally entails the provision of a package of cash or in-kind compensation, training, and job and income-generating projects. These measures frequently depend for their effectiveness upon other broader undertakings, such as assistance to returning refugees and internally displaced persons; economic development at the community and national level; infrastructure rehabilitation; truth and reconciliation efforts; and institutional reform. Enhancement of local capacity is often crucial for the long-term success of reintegration.

The report emphasizes the importance of including child soldiers into this framework of peace keeping and providing special attention to the needs of child soldiers. Therefore, it is crucial in your discussion, to focus not only on how to prevent the recruitment of child soldiers, but how to effectively deal with child soldiers post conflict. DDR programmes specifically aimed at child soldiers have been

established in many countries, both during and after armed conflict and have assisted former child soldiers to acquire new skills and return to their communities. The UN General Assembly and the Security Council have on many occasions concurred that the demobilization, rehabilitation and reintegration of child soldiers must be integrated into any peace negotiation and resulting peace agreement, as well as dealt with during the conflict itself. Recruitment of children is a violation of their rights and must not await peace talks before it is addressed. Successful demobilization and reintegration can help to prevent continuing cycles of violence. However, this can be difficult as the programmes often lack funds and adequate resources. Children have longer-term needs like education, vocational training and psychological support, which require long-term investment if they are to be effective and this is often difficult especially in war-torn countries. Also, there is daunting lack of basic information on the key characteristics of the children to be demobilized and the best means to ensure their reintegration, making it harder for agencies and donors to plan appropriate demobilization and reintegration programmes for child soldiers. Such efforts should be characterized by a distinct demobilization and reintegration process for children within the framework of the broader programme for all combatants, a focus on the reintegration of children into their communities of origin, and support for existing cultural values and mechanisms such as traditional healing, community mediation and reconciliation. Efforts to demobilize child soldiers in the midst of conflict have been undertaken in Colombia, the Democratic Republic of the Congo, Sierra Leone, Sri Lanka, and the Sudan. Such efforts are crucial: demobilization of children is a necessity that cannot be held hostage to political developments. The prevention of re-recruitment or re-enlistment has been an overwhelming concern yet it cannot occur without putting into place adequately resourced structures and programmes for receiving demobilized child combatants and ensuring their sustainable rehabilitation.

Economically, a revived economic infrastructure with opportunities for youth can be crucial to the immediate success of a demobilization and reintegration programme. This can make available viable economic alternatives and opportunities which can break the cycle of armed conflicts offering economic opportunities that can entice children to enlist as soldiers; demobilized Liberian child soldiers who lacked productive skills or found their skills unmarketable in a shattered economy were quickly re-absorbed into fighting forces in the region and elsewhere or employed in the illicit exploitation and trafficking of minerals and resources. Former child soldiers are at higher risk of being re-recruited than other children because they are already trained. Children separated from their families are at extreme risk of recruitment or re-recruitment. UNHCR, UNICEF, ICRC and a number of non-governmental organizations have launched efforts in conflict zones to prevent separations and reunite separated children with their families in a timely manner. However, such programmes are hampered by ongoing violence and the extent of continuing recruitment means that, even after efforts to reunite these children with their families and rehabilitate them, they are at risk of re-recruitment.

Successful demobilization and reintegration is acknowledged as a key determinant of future stability and demobilization and reintegration of child soldier's features prominently among the concerns of policy makers and programme implementers. However, it remains for the parties to the conflict to desist from recruiting, to ensure access to existing child soldiers, and to refrain from re-recruiting demobilized children. Only then can the international community advance with demobilization and reintegration programmes on the scale necessary to ensure successful family reunification and reintegration to civilian life for the many thousands of children believed fighting today.

3.0.6 Involvement of girls

Despite growing recognition of girls' involvement in armed conflict, girls are often deliberately or inadvertently excluded from DDR programs. Girl soldiers are frequently subjected to rape and other forms of sexual violence as well as being involved in combat and other roles. In some cases their home communities stigmatize them when they return. DDR programmes should be sensitively constructed and designed to respond to the needs of girl soldiers. The particular situation of girls continues to require advocacy and new approaches. It is difficult to identify and gain access to women and girls who may have been abducted and taken as "wives' or dependents of the combatants. These women, girls and their children, often referred to as "camp followers', move from place to place with their abductors, perpetuating a cycle of dependence. In Sierra Leone, a special orientation programme has been developed for women accompanying the combatants to provide information on reproductive health, sexual violence, family tracing, skills training and other subjects. It is hoped that this will encourage abductees

to come forward. Support programmes are in place for girls under 18 and their children identified through these efforts, but there continues to be a gap in support to victims over the age of 18 because of the absence of appropriately targeted programmes.

4 Progress, Action, International Law and Important Organizations

This section aims to outline legislation, International Law and the key parties involved. The websites given are particularly important for your research.

4.1 Important Conventions, Resolutions and Charters

4.1.1 Convention on the Rights of the Child (CRC)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

- Articles 38 and 29
- Since 1989 the Convention on the Rights of the Child has been the authority on the definition, rights and protection of a child and this Convention is crucial in the discussion on Child Soldiers.
- The CRC also sets the age of a child to 18.
- Articles of the Convention that are especially important in wartime include all those related to survival and to family support, as well as those concerned with education, health care and adequate nutrition.
- Other rights that are particularly at risk include rights to: protection against exploitation and violence; protection against torture, or any other cruel, inhuman or degrading treatment or punishment; family reunification; a name and nationality. The Convention also asks States Parties (i.e. Governments) to apply the rules of international humanitarian law that are relevant to the child, and to take every feasible measure "to ensure protection and care of children who are affected by armed conflict."

4.1.2 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

<http://www.ohchr.org/english/law/crc-conflict.htm>

adopted by the General Assembly on 25 May 2000. It strengthens the Convention on the Rights of the Child in a number of ways:

1. Sets the minimum age for compulsory recruitment or direct participation in hostilities at 18
2. Calls upon State parties to raise the minimum age for voluntary recruitment to at least 16 and to provide special protection and safeguards for those under 18
3. Categorically prohibits armed groups from recruiting or using in hostilities anyone under 18
4. Calls upon State parties to provide technical cooperation and financial assistance to help prevent child recruitment and deployment, and to improve the rehabilitation and social reintegration of former child soldiers.

4.1.3 1999 ILO Convention on the Elimination of the Worst Forms of Child Labour

<http://www.ohchr.org/english/law/childlabour.htm>

Prohibits the forced or compulsory recruitment of children under 18 for use in armed conflict.

4.1.4 The 1998 Rome Statute of the International Criminal Court

<http://www.ohchr.org/english/law/criminalcourt.htm> Defines the conscription, enlistment or use of children under 15 in hostilities, by national armed forces or armed groups as war crimes.

4.1.5 The African Charter on the Rights and Welfare of the Child

http://www.ilo.org/public/english/employment/skills/hrdr/instr/afri_3.htm#Article\%2022:\%20Armed\%20Conflicts

Which prohibits the recruitment or direct participation in hostilities or internal strife of anyone under the age of 18 and entered into force in November 1999.

4.1.6 Protocol Additional To The Geneva Conventions of 12 August 1949, And Relating to the Protection Of Victims Of International Armed Conflicts (Protocol I), 8 June 1977

<http://www.un.org/special-rep/children-armed-conflict/KeyDocuments/GCAPI/GCAPIEnglish.html>
Article 77 underlines the protection of children in armed conflict

4.1.7 UN Security Council Resolutions in 1999, 2000, 2001, 2003

<http://www.un.org/special-rep/children-armed-conflict/KeyDocuments/Resolution/S-RES-1460English.html>

4.2 Responsible Bodies and Key Stakeholders

Each of these organizations play an important and strategic role in changing the treatment of child soldiers; their roles vary from policy making to international awareness, to research and to grass root level work and assistance in the field. Some of the key groups and organizations are presented here to supplement Section 4.1 in order to help you understand where key initiatives are coming from. It is important in your research to be especially aware of the role these groups play, and the effect they have on your country. Resources of international organizations, in addition to those presented in section 4.1, are particularly useful to understand these issues and evolve possible solutions.

4.2.1 United Nations

- The UN Security Council has issued a series of resolutions condemning the use of child soldiers and proposing measures to stop child recruitment. These include dialogue with parties to armed conflict aimed at the immediate demobilization of children and targeted measures to sanction those who continue to recruit and use children as soldiers. Such measures could include the suspension of military aid or assistance, weapons or travel bans or asset freezing. In August 2000, a resolution reaffirmed that it was the responsibility of Governments, rebel groups and the private sector to ensure that the fundamental rights of children are protected in times of war, as well as in peacetime. In another important step, the Security Council has asked for the deployment of Child Protection Advisers with UN peacekeeping operations. These civilian personnel will help ensure that the rights and protection of all children are a priority throughout the peacekeeping process.
- The UN Secretary-General, in 1994, appointed Mrs. Graça Machel, former Minister of Education of Mozambique, to study the impact of armed conflict on children. In 1996, after two years of extensive research, consultations and field visits, Mrs. Machel submitted her report, entitled "Impact of Armed Conflict on Children" to the General Assembly at its 51st session.
- In response to the Machel report, the UN General Assembly recommended the appointment of a Special Representative on the impact of armed conflict on children.

- The Secretary-General's first Special Representative for Children and Armed Conflict was Olara Otunnu (1997 – 2005). The Office does not operate programmes directly but works with UN agencies such as UNICEF (United Nations Children's Fund), UNHCR (United Nations High Commissioner for Refugees), and DPKO (Department of Peacekeeping Operations) and with non-governmental organizations that do have programmes in particular countries and conflict areas. <http://www.un.org/special-rep/children-armed-conflict/English/OurMandate.html>
- The UN General Assembly, the UN Commission on Human Rights, the African Union (formerly the Organization for African Unity), the European Union, the Organization of American States and the Organization for Security and Cooperation in Europe have all condemned the recruitment and use of child soldiers
- UN organizations like UNICEF www.unicef.org and UNHCR www.unhcr.org

4.2.2 Regional Organizations

Organization for Security and Cooperation in Europe (OSCE), the Organization of African Unity (OAU), the European Commission, the Council of Europe Parliamentary Assembly, the G-8 meeting in Miyazaki, the Heads of Government of Commonwealth, the Organization of American States (OAS), the Economic Community of West African States (ECOWAS) and others have adopted a child protection agenda including the non-use of child soldiers.

4.2.3 State Governments

As seen, progress has been made in developing an international legal and policy frameworks for protecting children from involvement in armed conflict. An increasing number of governments have "ratified" or agreed to become legally bound by the international laws banning the use of child soldiers in armed conflict.

4.2.4 The statute of the International Criminal Court (ICC)

- Established in 1998, provides for the prosecution and punishment of those found guilty of recruiting children under the age of 15 for use in hostilities.
- In 2004 the ICC announced that it was initiating investigations into crimes committed in the course of armed conflict in Northern Uganda and the Democratic Republic of Congo (DRC).

4.2.5 International (Non-Governmental) Organizations

- Save the Children <http://www.savethechildren.org.uk/scuk/jsp/whatwedo/subtheme.jsp?section=exploitationprotection&subsection=childsoldiers>
- Human Rights Watch <http://hrw.org/campaigns/crp/voices.htm>
- The Coalition to Stop the Use of Child Soldiers <http://www.child-soldiers.org/resources/>
- Amnesty International <http://web.amnesty.org/pages/chilsoldiers-index-eng>

4.2.6 Local NGOs

Respective to your country. These NGOs may work in collaboration with larges INGOs or UN agencies. However, they tend to have a more first hand knowledge of grass root realities and the work of important NGOs in your country may give you a better insight the realities child soldiers face specific to your country, if applicable.

5 Further steps and what to think about for a resolution

Although there is a legal framework in place to firstly protect children from armed conflict, and secondly, aid them through demobilization and reintegration, there is still much to be done. Due to the efforts of the United Nations, the world now knows far more about child soldiers and the plight of children in armed conflict and the UN and regional organizations have also created a legal framework aimed at protecting children. However, far too many children are still serving in armies and armed groups. In a report to the UN Security Council in July 2000, Secretary-General Kofi Annan recommended the next steps Member States should take. They include:

- Ratification of those Conventions and protocols that protect children in situations of armed conflict
- Adjusting national laws to define as national crimes those egregious violations of the rights of children in the context of armed conflict and ensuring that national courts can exercise "universal jurisdiction" in accordance with such crimes as defined by the International Criminal Court
- Excluding genocide, war crimes and other egregious crimes against children from amnesty provisions during peace negotiations
- Concrete steps to prosecute individuals and corporations involved in illegal trafficking of currency, arms and natural resources that fuel conflicts and lead to the abuse of children
- Making any political, diplomatic, financial and military assistance for countries or armed groups contingent on compliance with international child protection standards
- Addressing the root causes of children's recruitment and participation in conflict and giving support to local communities trying to provide protection for their children in times of war
- Financial support for sustained education for all children both during and after conflict, particularly for former child soldiers and others
- Including children's concerns in peace negotiations
- Systematic training to all UN peacekeeping personnel in the rights and protection of children and women
- Making the concern of children central in national priority setting, resource allocation and national policy making during the reconstruction of war-ravaged societies
- Commitment of armed groups to child protection standards of the Convention on the Rights of the Child and its Optional Protocol and to cooperation in monitoring their adherence to those standards.

Effective prevention will have to be directed at the root causes of children's recruitment and participation in conflict, at particularly vulnerable groups of children at risk for recruitment, and at the recruiters themselves. The United Nations, the international and local communities, and countless non-governmental organizations are working worldwide to reduce poverty, improve educational and vocational opportunities, and create avenues for the participation of youth in the development of their communities and countries, however this can be strengthened. In volatile places, such efforts are essential to future peace and security. Efforts to stem the use of children as soldiers must focus on the root causes of child recruitment and on the conduct of the recruiters. Cross-border and region-wide monitoring may be required in many instances if one intended to map and track the phenomenon adequately. However, this is not to undermine the importance of DDR programmes that are sensitive to the needs to children. A strong political message must be sent to all those responsible both for the abductions and for the circumstances in which they are allowed to occur. Governments and armed groups must be held further accountable for their actions, yet they must be assisted to take concrete steps to remove children from conflict and reintegrate them with their families and communities. The international community should continue to promote the revival and strengthening of local norms and value systems that protect children like the prosecution of child recruiters by local, national and international

justice systems. Young people should be involved in the reconstruction and development of their communities – communities in the conflict-affected areas need to be directly involved in those efforts, as local resources and knowledge are often crucial for the sustainability of programme interventions on behalf of war-affected children.

Committing to international treaties is one thing, honoring them is another. Olara Otunnu thinks it is up to the international community to mobilize a movement of political pressure – naming, shaming and refusing support for armed groups that continue to abuse children. “We must also reinforce the other pillar of protection – local standards that say that the abuse of children is a routine part of war is simply unacceptable.”