

# CHILD SOLDIERS: REASONS FOR HOPE AND THE NEED FOR A TRUE COMMITMENT

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### **Abbreviations:**

CSC	International Coalition to Stop the Use of Child Soldiers
DDR	Disarmament, Demobilization, and Reintegration
DRC	Democratic Republic of the Congo
IHT	International Herald Tribune
ILO	International Labor Organization
IDP	Internally Displaced Person
HRW	Human Rights Watch
LRA	Lord's Resistance Army (rebel group, Northern Uganda)
LURD	Liberians United for Reconciliation and Democracy (rebel group, Liberia)
OP-UNCRC	Optional Protocol on Children in Armed Conflict
RUF	Revolutionary United Front (rebel group, Sierra Leone)
SC	Save the Children
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations Children's Emergency Fund

## **I. Introduction**

Throughout history and in many cultures, child soldiers have been extensively used in armed forces. However, since the 1970s, a number of international conventions that try to contain the use of child soldiers in armed conflicts have come into effect. Nevertheless, according to the CSC, the use of child soldiers in armed forces, and their active participation in armed conflicts, is widespread.

In his prizewinning book “Allah n’est pas obligé”, Ahmadou Kourouma wrote that the child soldier is the most famous character of the end of the 20<sup>th</sup> century (Kourouma, 2000). As recently as in June 2008, a HRW Press Release on abducted child soldiers by Uganda’s LRA came out, stating that “at least 100 abductions, and perhaps many more, [were carried out] in the Central African Republic, Southern Sudan, and the Democratic Republic of the Congo since February 2008. The information suggests boys are made to act as porters or subjected to military training while girls are used as sex slaves” (HRW, June 2008). Meanwhile, the Congolese warlord Thomas Lubanga was due to go on trial last month on charges of recruiting child soldiers and sending them to kill and be killed in brutal ethnic conflicts in the DRC between 2002 and 2003 (IHT, July 3, 2008). In July 2005, the ICC also issued warrants for the arrest of the top five LRA leaders, among others Joseph Kony from Uganda. Kony and other leaders of the LRA are accused of war crimes for abducting young children into their armed forces, amongst other things (IHT, July 4, 2008). This is to say that the issue of child soldiering is still highly topical and that child soldiers are not uncommon today, despite the efforts of the international community to eradicate the practice.

In this paper, I intend to find out why such a practice still exists today and how it may effectively be dealt with and especially prevented for the future. In a first part, I will outline the phenomenon of child soldiering in giving a rapid overview and in sketching the underlying causes driving children into war. Why do children become soldiers? In a second part, I plan to answer to the questions: How are children affected by soldiering and how do they cope with this situation? What can be done to enable their reintegration into civilian life? Most importantly: How can children be effectively protected before, during and after armed conflict? What can be done to prevent them from becoming child soldiers in the first place? Thus, I will concentrate on the transition into civilian life through DDR programs, especially focusing on the child’s capacity to show resilience even in such extreme situations, before turning to the prevention strategies both on an international and on a national level.

## II. The Phenomenon of Child Soldiers

### 1. Child Soldiers in the World: An Overview

The 1996 UN study “Impact of Armed Conflict on Children”, the first global study on child soldiers, counted approximately a quarter of a million child soldiers, with the largest numbers in Africa and Asia (Machel 1996). Subsequent reports of the CSC, such as the “Child Soldiers Global Report 2001” (later also 2004 and 2008) estimate that there are around three hundred thousand child soldiers at any point in time.<sup>1</sup> However, no estimate of how many child soldiers there are at a particular moment in time reflects the total number of children who have been in armed groups. As child soldiers die or leave, new ones are constantly recruited. Moreover, the fact that the recruiters are not only governments but also non-state actors (groups that are not part of an official government) makes it more difficult to grasp the number of children actually involved in armed conflict (Wessells, 2006: 10). According to the Child Soldiers Global Report 2008, many tens of thousands of child soldiers exist in all regions of the world, but especially wherever there is armed conflict.<sup>2</sup> Between April 2004 and October 2007, children were actively involved in armed conflict in government forces or non-state armed groups in 19 countries or territories.<sup>3</sup>

However, challenges already arise in defining the term “child soldier”. According to the Cape Town Principles<sup>4</sup>, “any person under 18 years of age who is part of any kind of regular or irregular armed force in any capacity, including but not limited to cooks, porters, messengers, and those accompanying such groups, other than purely as family members. Girls recruited for sexual purposes and forced marriage are included in this definition. It does not, therefore, only refer to a child who is carrying or who has carried arms.” This is a highly diverse category which highlights the multiple roles of children inside armed groups, such as sentries, bodyguards, porters, domestic laborers, medics, guards, sex slaves, spies, cooks, mine sweepers, recruiters etc. This definition suggests neither that the child was a combatant nor that he or she participated in wrongdoing. Rather, it refers to the fact that it is adults who start wars and create the problem of child soldiering.

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<sup>1</sup> [http://www.child-soldiers.org/library/global-reports?root\\_id=159&directory\\_id=215](http://www.child-soldiers.org/library/global-reports?root_id=159&directory_id=215)

<sup>2</sup> <http://www.childsoldiersglobalreport.org/content/facts-and-figures-child-soldiers>

<sup>3</sup> Afghanistan, Burundi, Central African Republic, Chad, Colombia, Côte d’Ivoire, the DRC, India, Indonesia, Iraq, Israel and the Occupied Palestinian Territory, Myanmar, Nepal, Philippines, Somalia, Sri Lanka, Sudan, Thailand and Uganda.

<sup>4</sup> Adopted in April 1997 at the Symposium on the Prevention of Recruitment of Children into the Armed Forces and on Demobilization and Social Reintegration of Child Soldiers in Africa

## 2. The Underlying Causes

Why are children used in armed conflict? According to Wessells, the short answer is that many people and groups stand to benefit from exploiting children as soldiers. Children are convenient since they are available in abundance (thus easily replaced when killed in suicidal operations) and cheap. Whereas adults demand to be paid, children often lack the power to do so or may be intimidated more easily. Forcedly recruited children are terrorized, manipulated and not paid at all. They are considered as “unformed raw material” to be molded as the commanders wish (see Wessells, 2006). Their obedience and loyalty make them more susceptible to propaganda and their formable values cause them to suspend moral judgments more easily (Thompson, 1999: 193). Furthermore, children are desirable due to their high energy levels and because they have “shock value”: people hesitate to kill them on the battlefield. A prominent example from many war-torn countries in West Africa are small boy units who were sent forward naked to confuse and terrorize opponents (see Singer, 2005). Children are also unlikely to be suspected as enemies. Frequently, they are used as spies.

However, the question persists: Why is child soldiering so widespread at this particular moment in history? As several researchers suggest, the answer has to do with recent changes in the nature of armed conflict and the resulting patterns of children’s vulnerability.

Today, most wars are fought in poor developing countries and not with high-technology weapons, but with lightweight weapons such as the AK-47 (Kalashnikov) assault rifle. Such a rifle can be purchased for the price of a chicken in many parts of Africa (see Wessells, 2006: 18). According to Klare, 46 of the 49 conflicts in the world during the 1990s involved only light weapons which were sold or traded mostly by countries such as the United States or the former Soviet Union (see Klare, 1999). Light weapons “enable[...] the arming of factions, creating a context ripe for armed conflict” (Wessells, 2006: 19). Whereas previously, children lacked the size and strength to wield weapons such as swords, spears and shields, today even small children can be effective fighters, a fact which is not lost on commanders.

Since the end of the Cold War, civil wars or intra-state conflicts have increased in a significant manner. These new wars target noncombatant civilians directly since “typically the fighting does not occur on well-defined battlefields but in and around communities” (Wessells, 2006: 19). In addition, the inclusion of civilian communities becomes a “strategy of securing political control” and thereby claims large numbers of civilian casualties (Berry, 2001: 93). Whereas in the first half of the 20<sup>th</sup> century, over 90 percent of war-related deaths were soldiers, in today’s conflicts, 75 percent of casualties are civilians (Garfield and Neugut,

1997). Indeed, the phenomenon of child soldiers is inextricably linked to a crisis of the state as manifested in civil conflict (failed states).

Many children enter into armed forces without being forcibly recruited. According to the official website of the CSC “[m]ost child soldiers are adolescents between the ages of 14 and 18, who have joined up “voluntarily” to survive in war-torn regions or to avenge violence inflicted on family members.”<sup>5</sup> In the situation they find themselves, many enter willingly into armed groups in order to obtain things such as protection, a sense of family, education, training, power, respect, food, medical care, identity, money or a sense of purpose denied to them in civilian life. Given the lack of possibilities and security in war zones, children may decide that joining armed forces is the best survival strategy for them (Wessells, 2006: 31). As Berry puts it: “Many child soldiers fight for a cause that is portrayed as being in their political and economic best interest” (Berry, 2001: 98). Although forced recruitment is pervasive in many conflicts, this one-dimensional portrayal misses an important part of the picture of child soldiering. Children who grow up in war zones might not see any positive place for themselves in society. They feel oppressed, have little or no access to education, feel powerless and alienated, and have been denied positive life options. As Kourouma writes: “When one has no one left on the earth, neither father nor mother, neither brother nor sister, and when one is small, a little boy in a damned and barbaric country where everyone slashes each other’s throats, what does one do? Of course, one becomes a child soldier, a small soldier, to get one’s fair share of eating and butchering as well. Only that remains” (in Singer, 2005: v). As a result, they may see violence as an acceptable and even desirable way to replace the existing social order with one offering social justice and positive economic and political opportunities (see Wessells, 2006).

To sum it up in a nutshell: “Joining a militia group is both meal ticket and substitute education. The pay may be derisory, but weapon training pays quicker dividends than school ever did, soon the AK47 brings food, money, a warm bath and instant adult respect. The combat group substitutes for lost family and friends” (Peters and Richards, 1998: 187).

However, the realities of children’s lives in war zones frequently blur the boundaries between choice and coercion. The question whether it is a free choice or the product of desperation is not easily answered if we look at the fact that the choice reflects the lack of options available in civilian life. It is always an “interplay of perceived or real necessity, obligation, hardship, and agency” (Wessells, 2006: 33). What is also overlooked is the fact that after their choice to

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<sup>5</sup> <http://www.child-soldiers.org/home>

join, children are frequently forced to stay and have no possibility to leave, often regretting their decision.

### **III. Looking Ahead: Transition into Civilian Life and Prevention Strategies**

#### **1. Child Soldiers and the Concept of Resilience**

In the literature on child soldiers, we often encounter statements such as: all children in war zones are “damaged goods”, “emotionally crippled and traumatized” or just “helpless victims”, a “lost generation” which is “beyond repair and unable to assume socially constructive roles”. This cynicism and pessimistic vision is often part of the problem rather than part of the solution. On the contrary, most children in war zones show significant resilience. They continue to play games and make toys, embodying the maxim of child development that “play is the work of children”. A great majority of children remain functional and engage in the roles and activities appropriate to their age, gender, culture and historical context (see Wessells, 2006).

What is resilience and what are the factors which may reinforce or weaken it? Resilience defines an individual’s ability to ‘bounce back’ or return to a normal state following adversity. It is a dynamic process which varies throughout a person’s life. For instance, a child may be resilient in one situation but in another, it may not. Children are not invincible to continual risks but it seems that some are more resilient than others (McAdam-Crisp, 2006: 461).

Resilience is defined in relation to risk and contextual effects. Risk factors increase the probability of a maladaptive state and include elements such as a child’s race, ethnicity and gender whereas risk traits have to do with the biological predisposition that a child is born with (such as a mental or physical disability) or an environment that weakens the biological predisposition (like growing up without care-takers). Contextual effects are such factors as poverty, poor living conditions, political instability, conflicts or war. In addition, risk is strengthened or weakened by cumulative effects or stressors like the loss of parents and the forced recruitment of a child by an armed force. Risk chains, such as being a street child and thus extremely vulnerable to recruitment as a child soldier, further complicate the situation (see McAdam-Crisp, 2006).

Let us consider the factors that may enhance resilience (also referred to as protective factors) and the factors that may limit resilience (also called risk factors).

As McAdam-Crisp argues, protective factors may have various sources. They can be personal factors such as temperament, gender, physical health, age, developmental stage, sense of humor, self-esteem, locus of control, family support, parental discipline, spirituality, community support, intelligence, coping techniques, psychological state, sense of direction or mission, adaptive distancing and realistic appraisal of the environment (McAdam-Crisp, 2006: 463). For instance, children with a high level of self-esteem frequently do have a more positive outlook on life. Intelligent and psychologically balanced children are also more likely to develop effective coping mechanisms to avoid future risks. Another protective factor may be the interaction with others (relationships): Children who have secure attachment to a parental figure are more likely to be resilient. This is the reason why child-tracing programs (conducted by the ICRC, SC and the IRC) are of such importance. Reuniting children with their parents is vital to a child's emotional well-being. The risks occurring if this reunification does not take place are manifold: street children for instance are extremely vulnerable to abduction and re-recruitment as child soldiers (CSC, 2008).

Various risk factors may limit a child's resilience. Poverty for instance is an important risk factor, since for children, poverty also means social exclusion, shame, humiliation, the loss of social status and the lack of material goods. Food insecurity, diseases, damage to infrastructure (no water supply for instance), sanitation, health care (such as environmental damage) are also important risk factors. For example, walking long distances to obtain things is a great risk for girls and women who may fall prey to sexual assault (as the recent example in the Darfur region shows). Another risk factor is orphaning or the separation from parents which may drive children onto the streets. Without the help of a caretaker, they are frequently unable to meet their basic needs. Desperate to survive, they may fall prey to recruiters. Displacement can also be a risk factor. IDPs and refugees are very vulnerable, even in camps which are frequently crowded and lack everything. Displacement also increases the risk of separation from parents during the flight.

Furthermore, the accumulation of such risks as those discussed above may increase children's distress and decrease their capacities for coping. The more there are, the less it is easy for them to cope (Wessells, 2006: 28). The greatest damage to children may come from the accumulation of multiple, often less visible risks. It is also important to note that risks do not end with a ceasefire. A post-conflict situation may be as bad as war when hunger, no education opportunities nor effective health care, are persisting. Wessells also notes that "children's resilience has many sources, including individual temperament, emotional support from a caring adult or parent, the development of age-appropriate competencies, group

support from peers, and participation in local traditions or stable routines that provide a sense of meaning and continuity” (Wessells, 2006: 29). In his opinion, quality education consists in one of the most important sources of resilience since it strengthens children’s developing competencies and increases their capacities for solving problems and coping with adversity. Moreover, children who have strong political or religious ideologies seem to be more resilient and to cope better with adversity. Ideology is an important psychological buffer (McAdam-Crisp, 2006: 471). However, it has also been observed that the presence of strong ideologies perpetuate the cycle of conflict and its accompanying risks, impeding political settlement.

In any case, Ishmael Beah – a former child soldier from Sierra Leone who has written a book about his childhood years in combat – emphasizes: “We can be rehabilitated [...]. I would always tell people that I believe children have the resilience to outlive their sufferings, if given a chance” (Beah, 2007: 169). There is a powerful desire for normalcy and acceptance in people whose childhood experiences were so far from ordinary and this testifies to their resilience. However, and as we will discuss in the next section, the journey from soldiering to civilian life is as much individual as social (Wessells, 2006: 207).

## **2. Disarmament, Demobilization and Reintegration: Successes and Failures**

“I don’t want to go back to my village because I burnt all the houses there. I don’t know what the people would do, but they’d harm me. I don’t think I’ll ever be accepted in my village” (I. age 16 in Singer, 2005: 74). People in a war zone do not trust each other any more since they frequently have had family members killed or maimed by one or another armed group. A survey in Africa found that 82 percent of parents considered former child soldiers to represent a potential danger to the population (ILO in Singer, 2005: 200). This renders reintegration and rehabilitation programs extremely difficult.

Moreover, significant individual differences exist in how rapidly children are resocialized or which experiences have the most impact in the process. For instance, children who have a strong capacity to compartmentalize may successfully maintain their civilian identity and sense of right and wrong despite the training (see Wessells, 2006). Also, children whose families and communities accept to take them back are more likely to pursue a life outside combat (see Beah, 2007). “For many children, however, the longer they stay with an armed group, the more likely they are to internalize the values and behaviors of the armed group” (Boothby and Knudsen, 2000). This is the reason why it is urgent to disarm, demobilize and

reintegrate child soldiers at the earliest possible stage. Disarmament - which entails the removal of the means of combat from ex-belligerents, demobilization - which implies the disbanding of armed groups, and reintegration - which is the process of reintegrating former combatants into civil society, are crucial steps for ensuring against the possibility of a resurgence of armed conflict. However, difficulties may arise during the process.

As a 20-year old from Sierra Leone, who had spent many of his formative years with the RUF, notes: "I know how to be a soldier and to fight. I can use weapons, train, and decide how to attack. I have thought of myself as a soldier for years ... I haven't been in my village since I was a little boy. My parents saw me last when I was a child. I have no job, and people look at me like maybe I am a troublemaker" (in Wessells, 2006: 181). This young man considers himself as a soldier and is uncertain about how he will be regarded in his village and what kind of job and role he will have in a new setting. Social isolation, stigmatization and the belief that former child soldiers are in a state of impurity that threatens both family and village community complicate reintegration. Economic issues also weigh heavily on former child soldiers, who typically return to situations of chronic poverty struggling to get food, clothing, and other necessities. "These issues loom even larger because jobs are scarce and former child soldiers lack the skills they would need to compete for any existing jobs" (Wessells, 2006: 202).

Other difficulties may arise during DDR programs. Ishmael Beah describes being put in a rehabilitation camp without being informed of what was happening to him. At first he felt abandoned by his commander and wished to go back to his squad. "I was angry, because I missed my squad and needed more violence." (Beah, 2007: 140). He was also "unhappy because we needed our guns and drugs." (Beah, 2007: 138). In addition, the rehabilitation camp took in both children from the RUF (rebel army) and the government army. As soon as the children noticed this, they started to try to kill each other. As Beah notes: "[W]e were not children to play with" (Beah, 2007: 137). "Perhaps the naïve foreigners thought that removing us from the war would lessen our hatred for the RUF. It hadn't crossed their minds that a change of environment wouldn't immediately make us normal boys; we were dangerous, and brainwashed to kill. They had just started this process of rehabilitation, so this was one of the first lessons they had to learn" (Beah, 2007: 135).

Furthermore, it is crucial that relief programs working with children operate within the whole system and adapt to the respective and particular context. As Boothby notes, "a basic assumption of the program is that psychological care for children exposed to violence cannot occur in a therapeutic vacuum but must take into account the values, perspectives, and beliefs

of the surrounding community” (Boothby, 1996: 152). To apply our values and social norms to a completely different social context may prolong the process of healing as it does not take into account the previously relied upon coping mechanisms of a fundamentally different culture. Different strategies or interventions might be more appropriate depending on the very different contexts. According to Thompsons findings, many children who emerge from such local rituals such as purification have been able to recount their experiences, considered as basic to the healing process whereas those treated by Western psychoanalysis have never been able to recount their stories (Thompson, 1999: 199). Most mainstream definitions and approaches to civil society have been too narrowly confined by Western traditions to explain social relations, where extended communities and families, not commodities, still define rural life (Thompson, 1999: 202).

Moreover, even though children may be resilient, this does not imply that they are unaffected by war. In addition to material resources which are essential in the short term (water, food, shelter), it is also important to provide psychological health in the long term. Mental health programs that support the development of protective factors to enhance a child’s resilience are crucial. However, they are frequently not perceived as an appropriate allocation of resources by relief and donor agencies. As Boothby notes, it is always easier to address the immediate crisis than to develop long term preventive approaches. Hence, many children develop maladaptive coping mechanisms threatening the social structure, perpetuating a cycle of social unrest and political instability, and again becoming increasingly more vulnerable to continual recruitment.

Research on children notes the importance of a significant parental or adult role model. However and as already mentioned above, specific ideologies that help adults cope have also been shown to perpetuate hatred and civil conflict. This is the reason why programs need to engage not only the child but also the family and the community (see McAdam-Crisp, 2006). Children have to actively participate in the process of recovery and their voices must be heard and “used as a vehicle to inform both policies and practice for children in need of protection.” (McAdam-Crisp, 2006: 474). More participation and child-centered approaches are decisive in order to create successful relief programs and strategies. Children, with their wealth of knowledge regarding the enhancement of resilience should not be disregarded.

Of course, next to the psychological assistance, there is also a strong need for physical construction and support (sectors such as health, water, sanitation, shelter construction, education etc.). “In a war zone, it is vital to recognize the interrelations between the wounds of the past and the current life stresses arising from the lack of basic physical items, from food

to infrastructure” (Wessells, 2006: 189). A holistic approach to integrate child soldiers socially (in their village, family, etc.) is paramount and opportunities have to be created for them in order to give them the chance to start over a new life away from war and combat. In Liberia, for instance, social workers described the thousands of former child soldiers from the first war, who neither received psychological counseling nor were given viable life opportunities, as “ticking time-bombs” (Kamara in Singer, 2005: 109). Thousands of street children who had fought for Charles Taylor a few years earlier switched sides and fought for the new LURD opposition group. Thousands more were remobilized and went to war for the regime (Singer, 2005: 110).

### **3. Prevention Strategies: Efforts to Ban the Practice of Child Soldiering**

As a former boy soldier from Burma argues: “If I hadn’t been a soldier I would have continued and finished high school, then university, and I could have found many good jobs” (HRW, 2002: 160). It is crucial to keep children out of armed groups and to ameliorate the problem of child soldiering on a large scale. Preventing children to enter armed forces is essential for peace and stability in the world. It is the responsibility of adults (parents, families, communities, society and the international community) to create safe and meaningful life opportunities for their children.

According to Wessells, three prevention strategies can be discerned: first, the legal strategy which strengthens and enforces international legal standards and criminalizes child recruitment. Second, there is the conflict prevention strategy which addresses problems of war itself without specifically focusing on child soldiering; and third, there is the systemic prevention strategy in which key actors work at different levels to prevent children’s recruitment and in which family, community, societal, and international levels animating child recruitment are addressed.

Let us concentrate on the legal strategy as a means of prevention. Throughout the 20<sup>th</sup> century, many international human rights law and international humanitarian law treaties have been adopted. The following international conventions protect children in conflict situations: the Four Geneva Conventions (1949), the Additional Protocols I and II to the Geneva Conventions of 1949 (1977), the UNCRC (1989), local agreements and declarations, the Convention 182 of the ILO regarding the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (1999) and the Optional Protocol to the UNCRC on the involvement of children in armed conflict (2000).

The Geneva Conventions consist of four treaties that set the standards for international humanitarian law. They chiefly concern the treatment of non-combatants and prisoners of war. The participation of children in international and in non-international armed conflicts is regulated by the Additional Protocols I and II respectively. Article 77§2 of the Optional Protocol I to the GE Conventions asks the contracting Parties to take all feasible measures to prevent children under the age of 15 to take a direct part in hostilities and asks to give preferential status to the oldest in the case of recruitment of children between the age of 15 and 18.<sup>6</sup> Thus, recruitment into the armed forces is prohibited, but at the same time, the vague phrase “take all feasible measures” allows the issue of general prohibition to be evaded. It also means that young adults between the ages of 15 and 18 are no longer called children and that they could be used as legitimate targets of war. Article 4§3c of the Optional Protocol II to the GE Conventions absolutely prohibits any form of direct and indirect participation of children under the age of 15. However, both Optional Protocols leave gaps. For instance, there is no minimum age limit for childhood, no definition of the terms “direct participation” and “indirect participation” and no application to lower forms of disorder such as isolated acts of violence (see Druba, 2002).

The UNCRC includes the whole spectrum of children’s civil, political, economic, social and cultural rights and has been signed and ratified to date by practically all states in the world. Article 38 of the UNCRC concerns the prevention of children’s active participation in armed hostilities as soldiers.<sup>7</sup> However, although a child is defined as a person under the age of 18 years<sup>8</sup>, article 38§2 restates the 15-years rule. As a result, it repeats the failings of the Geneva Conventions and its Protocols.

The African Charter on the Rights and Welfare of the Child (1990) takes up the minimum age for child soldiering and forbids the recruitment and direct participation of children under the age of 18 in hostilities. A number of other regional declarations have been adopted recently, such as the Capetown Principles (1997), the Montevideo Declaration (1999) and the Berlin Declaration (1999).

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<sup>6</sup> “The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years the Parties to the conflict shall endeavour to give priority to those who are oldest.”

<sup>7</sup> “States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.” (Art. 38§2, UNCRC)

<sup>8</sup> “For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.” (Art. 1, UNCRC)

The ILO adopted a Convention regarding the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, which includes also child soldiering. The treaty prohibits forced or compulsory recruitment, but not voluntary enlisting of children under the age of 18 into armed conflict.

The Optional Protocol to the UNCRC on the Involvement of Children in Armed Conflict proscribes the recruitment of children by armed forces under the age of 18 but allows governmental forces to recruit volunteers under the age of 18 and above the age of 15. The Protocol is the first attempt to reach non-governmental entities and thus, very innovative. However, a total ban on all recruitment of children under the age of 18 has not been achieved to date due to resistances of several countries, including the United States, the United Kingdom and Australia.

As we have seen, an impressive and unprecedented number of international instruments are in place to support efforts to stop the use of child soldiers. They testify to an emerging global consensus on this harmful practice. The Optional Protocol on the involvement of children in armed conflict has been ratified by 120 states; special war crime tribunals and the International Criminal Court are becoming a more important means for bringing the perpetrators of crimes against children to justice. The Security Council has established a working group to closely monitor developments in states where child soldiers are used and the UN has devoted substantial resources to this problem. In February 2007, the Paris Principles and Guidelines on children associated with armed forces and armed groups have been signed.<sup>9</sup> Since then, 66 governments have pledged to work for the release of all child soldiers from fighting forces, and to support programs which genuinely address the complex needs of returning child soldiers.<sup>10</sup>

However, several other steps need to be taken in order to effectively ban the phenomenon of child soldiering (see Berry, 2001): First, there needs to be a global monitoring of arms and effective conflict prevention. Second, the role of the military in internal state politics has to be neutralized from within. Finally, non-state actors need to be made accountable and responsible for their actions. There is a need to educate military personnel in the terms of the UNCRC, to instill the knowledge that in their actions they may cause conditions antithetical to the terms of the human rights law to which their government has bound them. Also, it is urgent to bind military personnel to legal recruitment processes.

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<sup>9</sup> <http://www.unicef.org/protection/files/ParisPrinciples310107English.pdf>

<sup>10</sup> <http://www.childsoldiersglobalreport.org/preface>

#### **IV. Conclusion**

As Kofi Annan, former UN Secretary General, remarks: “If there is any lesson that we can draw from the experience of the past decade, it is that the use of child soldiers is far more than a humanitarian concern; that its impact lasts far beyond the time of actual fighting; and that the scope of the problem vastly exceeds the numbers of children directly involved.” (in Singer, 2005: 94). No society can achieve peace and stability by militarizing its young generation. It is the responsibility of all adults – parents, families, societies and the international community – to protect children from being exploited in wars and to end the scourge of child soldiering. What we urgently need is a true commitment of all stakeholders on all the different levels to ban this exploitative practice.

As we have seen, the international community has been very active in creating legal standards prohibiting the use of child soldiers. However, the implementation of these standards has significantly been slowed down by the lack of commitment and responsibility of both states and societies. With warlords still recruiting children for combat in relative impunity and with light weapons still being sold to war torn countries which are known to use child soldiers, and with few opportunities given to the young generation especially after conflict situations, eradicating the practice of child soldiering still proves to be a lingering process.

However, there is also hope. As we have discussed, the majority of former child soldiers remain functional, continue to assume socially constructive roles, and may effectively be reintegrated and rehabilitated into their families and societies, if only given the chance and with viable future opportunities available for them. Recently, great efforts have also been made on the international as well as national and local level. The creation of the ICC which can now prosecute individuals committing war crimes, crimes against humanity and genocide, is a huge step forward in order to end impunity and to discourage leaders to use child soldiers in the future. These are promising steps which give hope for future commitments by all stakeholders involved in the process. After all, we should never fail to remember that children are the adults of tomorrow. To protect them from re-recruitment is essential for the future peace and stability of all countries and regions in the world.

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