

Research Report

MUNISH '12



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Forum: General Assembly First Committee

Issue: Developing methods to disarm and demobilise child soldiers

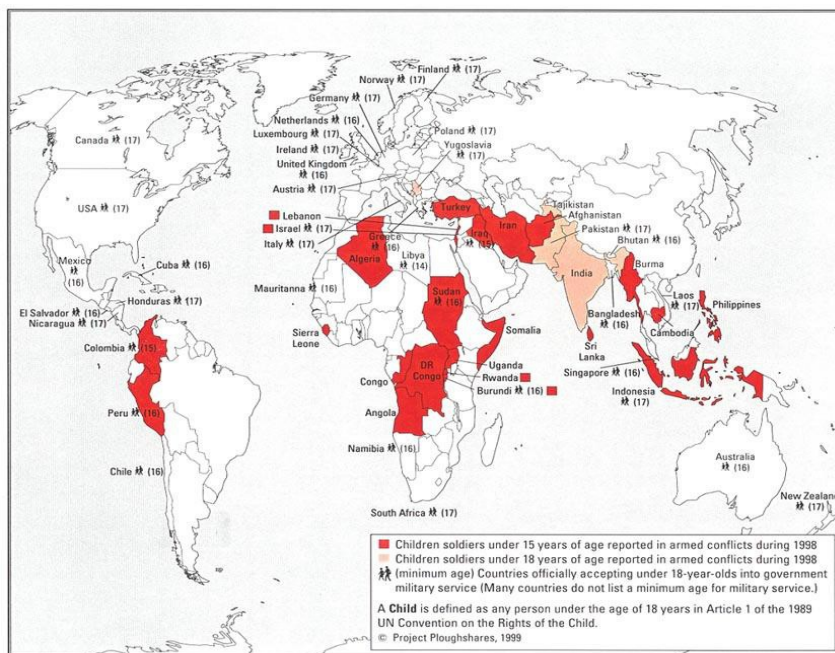
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Introduction

There are three distinct forms of the military use of children: support roles, such as spies or messengers, they can be used for political interests, such as propaganda, or they can be used in armed conflict. This research report will focus on the third form. It will give you an introduction containing useful information about child soldiers and it will focus on the actual issue that is going to be debated, which is centred on the disarmament and demobilization of child soldiers.

According to the website of the Human Rights Watch, children in over twenty countries around the world are direct participants in war. 200,000 to 300,000 children were serving for rebel groups as well as governments in armed conflicts in the year 2007. They have been denied a childhood and are often subjected to horrifying violence. The usage of child soldiers is globally condemned. However rebel groups still use child soldiers in armed conflict and some governments train and deploy them. In the following figure, the worldwide reported usage of child soldiers in armed conflict in 1998 is displayed.



Major sources: Ridda Barnen (Swedish Save the Children); Human Rights Watch.

Definition of Key Terms

Military use of children

The use of humans under the age of eighteen in the interest of the military, through directly taking part in armed conflict and being used for support roles or for political advantages.

Child soldier

A person, under the age of fifteen, that directly takes part in armed conflict.

Signing (of a treaty/convention/protocol)

When a state signs a treaty, convention or protocol it is not legally bound to abiding by the rules of (for example) the treaty. Signing only expresses the state's intent to examine the treaty in order to investigate if it should be ratifying the treaty or not. There is, however, one limitation: the state cannot defeat or undermine the objective of the treaty, for example, it cannot implement legislation to lower the minimal age of participation in military forces to 14 years if it has signed a treaty which aims to raise that age to 18 years.

Ratifying (of a treaty/convention/protocol)

When a state ratifies, a treaty it is legally bound to abide by its rules, and is not allowed to do anything that is contrary to those rules. If a state breaks the rules of the treaty then it would normally lead to punishment by sanctions.

General Overview

Developing methods to disarm and demobilize child soldiers is a tough issue, because there are two problems at hand: either the child soldiers are being deployed by a group of rebels or the government itself is using child soldiers and in that case would not be willing to disarm them.

In the first situation, the international community should firstly focus on helping the government regain authority so that further actions to dismantle the rebellious organization can be taken. In order to be able to disarm and dismantle the child soldiers, one must first be able to actually come into contact with those soldiers. This is a tough job though, because if it would have been easy to dismantle rebellious organizations, it would have been done already.

In the second situation, the most advised course of action would be to firstly open dialogue with the country in question. The international community should try to convince the government of the country to stop using children under the age of fifteen in armed conflict, and the United Nations (UN) could offer military help in order to compensate a potential lack of soldiers. If this course of action doesn't work, the international community should put the government that is using child soldiers in armed conflict under stress to raise the legal age for children to participate in the nation's army to at least 15 years. The international

community can put stress on the government by threatening with sanctions and setting an ultimatum to comply. Sanctions could be to boycott trade, and/or stopping any development aid given to the country in question. Of course, there is a possibility that a country still won't be prepared to listen after these sanctions. If that point is reached, it is difficult to proceed. The most important thing is though, that as long as there is no international threat going out of the country in question, the UN has no right to invade the country in order to disarm the child soldiers, as it has no right to infringe the nation's sovereignty. Any possibility of creating a new conflict in the UN's efforts to disarm child soldiers should be avoided.

Major Parties Involved and Their Views

Afghanistan

Many of the child soldiers recruited by various militias during the Afghan Civil War are still fighting for the Taliban. Young boys are often used as suicide bombers or gunmen. In 2009, there was a eulogy to a 14 year-old who had killed an American soldier in a propaganda video released by the Taliban.

Africa (as a whole)

According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), half of the world's estimated active child soldiers are fighting in Africa, a number of about 100,000 children. The African community is trying to prevent the recruitment of child soldiers, and urging governments to raise the minimum age of the legal participation in armed conflict from 15 to 18 through the Optional Protocol on the Involvement of Children in Armed Conflict (OPICAP)¹. Although most of the African states agree with this, there is often the problem that there are rebel groups present in a significant number of states, where the government does not have the power to prevent them from recruiting children into their armed forces. Furthermore, there are too many states that haven't signed or ratified the protocol, which means that they find it acceptable to use children as soldiers and mostly have children participate in government forces too.²

Bolivia

In 2004 the Bolivian government had become aware that children as young as fourteen had been recruited into the army during recruitment sweeps. It is estimated that about 40% of the soldiers serving in the Bolivian army are below the age of eighteen and half of those soldiers (so 20%) are below the age of sixteen. Towards the end of 2004, Bolivia acceded the OPICAP and since then no violations have been reported, although the minimal age to join the army voluntarily is not seventeen as it should be according to the OPICAP, but fifteen.

Burma

Although it was claimed in an official statement that all of Burma's soldiers are eighteen years or older, the Human Rights Watch (HRW) has reported that there are currently 70,000 boys serving in Burma's national army, the Tama daw. Children as young as eleven are forcibly recruited off the streets. Desertion leads to three to five years in prison and in some cases even execution.

It was also reported that 5,000 to 7,000 child soldiers are serving in various rebellious forces, mostly in the United WA State Army. The UN Secretary-General Ban Ki-Moon mentioned “grave violations” against children in Burma in a report in 2009 and it was announced in August 2009 that a UN team was going to be sent to Burma to put more pressure on the government in order to stop these practices. That team has had little success until now.

Chad

The Chadian Military, integrated rebel forces such as the United Front for Democratic Change, local self-defence forces known as the Tora Boro militias, and two Sudanese rebel movements operating in Chad (the Justice and Equality Movement (JEM) and the G-19 faction of the Sudanese Liberation Army (SLA)) have an unknown number of child soldiers fighting for them.

Chechnya

According to a UN report, children in Chechnya as young as 11 were often given the same tasks as adult combatants in the First Chechen War. The Coalition to Stop the Use of Child Soldiers (CSUCS) reported that in Chechnya, children below the age of eighteen are believed to be involved in a range of armed groups who are fighting against Russia, although the numbers are impossible to establish because of a virtual ban on media and human rights organizations. Furthermore, it is believed that children have been taking part in suicide bombings.

Colombia

In 2005 it was estimated that 11,000 children were fighting with several guerrilla groups in Colombia, and according to the HRW 80% of those children were fighting either with the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia) (FARC) or the National Liberation Army (Ejercito de Liberacion Nacional) (ELN). Although the government officially doesn't recruit children (the ages for forced or voluntary accession into the army are both set at eighteen) it does use captured enemy child soldiers for the gathering of intelligence, which possibly goes against international laws.

Cote d'Ivoire

In the civil war of 2002, children were forcibly recruited on both the governmental and rebellious side, and child soldiers are still serving in armed militia groups linked to the government, such as the Alliance Patriotique de l'ethnie Wé (APWé) and the Union Patriotique de Résistance du Grand Ouest (UPRGO). The ex-rebel groups now allied into the New Forces (Forces Nouvelles de Côte d'Ivoire, FAFN).

Democratic Republic of Congo (DRC)

In the DRC thousands of children serve in the military as well as in various rebel militias. It is estimated that during the height of the Second Congo War (August 1998-July 2003) about 30,000 children were fighting on either sides in the DRC.

Iraq

In a UN report from 2009, it was stated that the Iraqi insurgency has used or is still using children as combatants. For instance, a suicide bombing by a 10 to 12 year-old boy against Kirkuk's police commander was reported.

Israel and the Palestinian Territories

Although neither have the Israeli or Palestinian government officially recruited children into their armed forces, children are being trained and used as suicide bombers, for the gathering of intelligence and for the transport of goods and weapons or other military equipment. According to the 2004 CSUCS global report there have been at least 9 suicide bombings reported involving Palestinian minors. Children under the legal age are taking part in Palestinian militias however and serving as intelligence gatherers by the Israeli government. The Palestinian government has repeatedly been accused of not doing enough in order to stop the use of children by militias.

Kurdistan

According to the Coalition to Stop the Use of Child Soldiers (CSUCS), the Kurdish Workers Party (PKK) systematically recruits children into the army as young as seven. Furthermore, the CSUCS also stated that the Patriotic Union of Kurdistan (PUK) recruits children as well.

Nepal

Although there is a peace agreement in place, the children recruited by the Communist Party of Nepal (CPN) have not yet been demobilized from their ranks and thus haven't had the chance to build-up a new life. An estimated 6,000-9,000 children still serve in these 'Maoist' forces.

The Philippines

Children are being recruited by rebel forces in the Philippines, such as the Abu Sayyaf Group and the Moro Islamic Liberation Front. The latter has 1,300 child soldiers, which is an estimated 13 percent of their total force. Child recruitment is also reported by some paramilitary forces linked to the government. However, the situation is improving, as another rebel force, the New People's Army gave up the use of child soldiers and instituted a minimum age of 16. These children act as couriers, medical volunteers and members of education and propaganda units don't take part in combat, as the government has set a minimal age to participate in the force at 18 years.

Sudan

Despite a widely publicized demobilization program, in which it was claimed that 16,000 child soldiers were disarmed and demobilized between 2001 and 2004, an estimated 17,000 children were fighting in Sudan for both governmental forces, allied militias and opposition armed groups towards the end of 2004. This is because the Sudan's People Liberation Army (SPLA) continued recruiting and re-recruiting child soldiers.

Uganda

The rebel Lord's Resistance Army (LRA) has abducted over 30,000 children over the past two decades in order to use them as child soldiers. The LRA has abducted both boys and girls where the girls are often forced to be sex slaves. The Uganda People's Defence Force (UPDF) has recruited small groups of children as young as 13 into its forces.

The United States of America (USA)

The USA has held children captive in their war against terror. Omar Kahdr, a fifteen year-old Canadian citizen was held at Guantanamo Bay after his arrest in Afghanistan in 2002. He was subjected to abusive interrogations, charged before a military commission and denied access to education or direct contact with his family. The HRW expressed their concern about the way the USA treated child soldiers and major protests erupted in the USA and Canada. Subsequently, in 2004 three Afghan children between the ages of thirteen and fifteen at the time of their capture, were released from Guantanamo Bay and sent to rehabilitation programs executed by the United Nations Children's Fund (previously the United Nations International Children's Emergency Fund) (UNICEF) in Afghanistan.

Zimbabwe

The government of president Mugabe has sponsored a young militia, participants starting at the age of ten years.

Timeline of Key Events

Date	Description of event
20 th of November, 1989	The United Nations General Assembly (UNGA) adopts the Convention on the Rights of the Child (CRC)
May 1998	The CSUCS was founded by six Non-Governmental Organizations (NGOs).
25 th of August, 1999	Resolution 1261, the first resolution on the issue of Child Soldiers was adopted unanimously by the United Nations Security Council (UNSC).
25 th of May, 2000	The UN adopted the OPICAC.
April 2001	The CSUCS presented the first Global Report on Child Soldiers.
12 th of February, 2002	The OPICAC came into force.
9 th of April, 2002	The CSUCS was incorporated.
2002	The Secretary-General to the UN presented a list of governments that were still using child soldiers to the UNSC,

so that the UNSC could take measures more focused on specific countries.

UN Involvement, Relevant Resolutions, Treaties, and Events

Since The Human Rights Sub-Commission on Conscientious Objection to Military Service (HRSCCOMS) recommended that some kind of action be taken to diminish the use of child soldiers in 1983, the UN and its sub-organs have been actively seized on the matter of child soldiers.

- UNICEF publishes “Children in Especially Difficult Circumstances” which includes a section condemning the use of child soldiers in 1985.
- 20th of November, 1989: the UNGA adopts the Convention on the Rights of the Child which is the first legally binding international instrument to incorporate the human rights, and so also the right of children to education and a peaceful childhood.
- The UN announces its campaign to end the use of child soldiers in 1994.
- Children and armed conflict, 30 August 1999, **(S/RES/1261)**
- The Lomé Accords of 1999 concerning the use of child soldiers in Somalia are the first peace treaty to recognize the use of child soldiers.³
- The UN adopts the OPIAC on the 25th of May, 2000
- Protection of children in armed conflicts, 11 August 2000, **(S/RES/1314)**
- Protection of children in armed conflicts, 20 November 2001, **(S/RES/1379)**
- The Secretary-General of the UN presents a list of offending parties (governments that are still using child soldiers) to the UNSC.
- Children and armed conflict, 30 January 2003, **(S/RES/1460)**
- Children and armed conflict, 22 April 2004, **(S/RES/1539)**
- Children and armed conflict, 26 July 2005, **(S/RES/1612)**

Evaluation of Previous Attempts to Resolve the Issue

Since the UN has announced its campaign to end the use of child soldiers in 1994, various resolutions have been passed, all by the UNSC, and most importantly, the OPICAC was adopted. We've seen that a lot of governments that had been using children as soldiers have refrained from recruiting new child soldiers in the past decade, and have been demobilizing the child soldiers they had in service.

The most important problem that is at hand at the moment is that some governments haven't signed and ratified the OPICAC and are still using child soldiers. After the presentation of the list of offending parties to the UNSC in 2002, the UNSC adopted Resolution 1460 in January 2003, which called on offending parties to provide information on steps that they had taken to halt their recruitment or use of children in armed conflict. Due to the fact that there is still no pressure put on those offending parties, nothing significant has happened. With Resolution 1539, the UNSC condemned the lack of progress made after Resolution 1460 and implemented sanctions on the offending parties, mostly trade embargoes on military weaponry.

As stated before in the General Overview, there are a lot of rebel groups using children as soldiers. Due to the fact that there is limited to no control on these rebel groups, no direct action has been taken by the UN to help disarm and demobilize the child soldiers used by these rebel groups. What has been done, is assisting all those governments who have asked for help in fighting these rebel groups so that the national governments can later take care of the demobilization of the child soldiers themselves.

Possible Solutions

The most important thing for the UN to do is to keep putting pressure on countries that are still using child soldiers so that at least all those in service of governments can be disarmed and demobilized. Through strong sanctions (such as trade embargoes or no longer giving development aid) enough international pressure can be put. All countries that have not yet signed and/or ratified the OPICAC should be pressured into doing so, so that the UN can take legal action when the OPICAC is offended (which will be done if child soldiers are used). Annual or bi-annual reports should be written by UN officials to control countries who have recently ratified the OPICAC.

Open-ended support to all those countries who ask for it in their war against rebellious groups who are using child soldiers should be guaranteed, in order to help those countries over win the rebellious groups as swiftly as possible. This support could go from financial aid to military equipment or from UN soldiers to technical support in the development of new military techniques. Setting a UN organ that will collect financial resources, technical knowledge and military supplies focused on defeating rebellious groups could be a good idea, as there currently is no such organ in function.

Bibliography

- "Child Soldiers." *Wikipedia*. Wikimedia Foundation, 09 Sept. 2012. Web. Sept. 2012. <http://en.wikipedia.org/wiki/Child_soldiers>.
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- "Child Soldiers and the Global Agenda." : *The UN's Involvement on the Issue of Child Soldiers*. N.p., n.d. Web. Sept. 2012. <<http://childsoldierscasestudy.blogspot.nl/2008/10/un-and-child-soldiers.html>>.

Appendices

- I. You can find more information about the Optional Protocol on the Involvement of Children in Armed Conflict here: http://en.wikipedia.org/wiki/Optional_protocol_on_the_involvement_of_children_in_armed_conflict; http://www.un.org/children/conflict/_documents/OPACArticle.pdf; http://www.unicef.org/publications/files/option_protocol_conflict.pdf
- II. For a complete list of all recorded child soldiers having been active in Africa, click this link: http://en.wikipedia.org/wiki/Military_use_of_children#Africa
- III. You can find the Lomé Accords here: <http://www.sierra-leone.org/lomeaccord.html>

