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Wasantha Seneviratne, International Legal Standards Applicable to Child Soldiers, 15 SRI LANKA J. INT'L L. 39 (2003).

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APA 7th ed.

Seneviratne, Wasantha. (2003). International Legal Standards Applicable to Child Soldiers. Sri Lanka Journal of International Law, 15, 39-50.

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Seneviratne, Wasantha. "International Legal Standards Applicable to Child Soldiers." Sri Lanka Journal of International Law, 15, 2003, pp. 39-50. HeinOnline.

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INTERNATIONAL LEGAL STANDARDS APPLICABLE TO CHILD SOLDIERS

Wasantha Seneviratne*

INTRODUCTION

Children in the areas of armed conflict are generally at risk of being recruited as child soldiers. Child soldiers are youngsters under the age of 18 who directly or indirectly participate in military or political armed conflict.¹ Research indicates that those most at risk are either the displaced, separated from their families, economically and socially deprived, or members of marginalized groups such as minorities. When children are caught in the chaos of conflict they may either opt to become soldiers of war or may be forced into military recruitment; this might be their only chance of survival. The objective of this article is to discuss the problem of recruiting children as soldiers of war and to discuss the international legal standards that govern the practice of child soldiering.

At present, more children bear arms in armed conflict than ever before. Nearly 300,000 children are serving as soldiers in a number of countries despite the legal provisions, which prohibit recruiting children as combatants in warfare.² Sometimes children as young as 7 years have been recruited as soldiers. This problem is most prevalent in Africa and Asia although many countries in Europe and the Americas still accept children into their armed forces. Very young children are forcibly recruited as soldiers, spies, porters, lookouts etc in Colombia, the Democratic Republic of Congo, Sierra Leone, Ethiopia, Burundi and several other war affected countries in Africa. In Asia, tens of thousands of child soldiers have been widely deployed by non-State armed groups as well as State armed forces. The worst affected countries in Asia are Sri Lanka, Afghanistan, Burma, and Nepal.

There are several reasons for the conscription of children as soldiers. By virtue of their immaturity children can be employed in dangerous situations with brief training. Some commanders prefer to conscript children rather than adults because they are more obedient and do not question orders, and are thus easier to manipulate than adult soldiers.³ In situations of armed conflict, when children are left orphaned or responsible as heads of the household if one or both parents are killed or are away fighting, they are more suscep-

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1 Guy S. Goodwin-Gill and Ilene Cohn, *Child Soldiers: The Role of Children in Armed Conflict*, (Oxford: Clarendon Press, 1994), p.5.

2 See The Report of the Special Representative of the UN Secretary-General for Children in Armed Conflict, A/53/482, submitted to the 53rd Session of the UN General Assembly, 1 October 1998.

3 Graça Machêl, 'Promotion and Protection of the Rights of Children: Impact of Armed Conflict on Children', The Report of the Expert appointed by the United Nations Secretary-General, A/51/150, 26 August 1996, para. 34.

tible to being recruited as soldiers, or opt to become soldiers because they have to find their own means of survival. As a result, 'a gun is often a meal ticket' and a more attractive option than waiting helplessly.⁴

Sometimes, war affected children join military service voluntarily without being forced to do so. However, the word 'voluntarily' is not accurate in the sense that these children do not really have a choice. Whatever the reason that compels children to be recruited forcefully or voluntarily as soldiers, it deprives them of all the basic rights of the child, which are formulated in the UN Convention on the Rights of the Child of 1989 or any other international legal instrument. The lives, well-being and education of children are necessarily at great risk once they become soldiers, as they are required to engage in dangerous work, which exposes them not only to the risks of warfare but also to other forms of abuse.

The impact of conscripting children as soldiers in times of war is massive. In addition to being physically affected the tence of war causes serious psychological damage. In consideration of their special needs such as education, re-establishment of family ties and the development of a post war identity, the costs to society of the demobilization and reintegration of child soldiers is also very high.

THE PROBLEM OF CHILD SOLDIERS IN SRI LANKA

In Sri Lanka, the Liberation Tigers of Tamil Eelam (LTTE) used a large number of child soldiers in fighting against the Sri Lankan armed forces, and the signing of the cease-fire agreement between the two warring parties did not put a stop to the recruiting of child soldiers by the LTTE.⁵ UNICEF has pointed out that the continued recruitment of children by the LTTE, despite its promise to end this practice, is one of the most serious violations of Sri Lankan children's rights. ICRC, UNICEF and other international organizations attempt to deal with the problem.⁶

UNICEF and the LTTE signed a MOU in April 2003, and that included the issue of child conscription. Accordingly, a joint LTTE/UNICEF press release was issued at the end of talks in Killinochchi, where the LTTE once more reiterated its commitment not to recruit persons under 18 years of age. It was agreed to set up transit centers for children affected by war that are to be co-managed by international and national agencies, including UNICEF and the Tamil Rehabilitation Organization (TRO), an LTTE front organization. Analysts in the media have already pointed out that the transit centers will amount to another mere token gesture in view of the fact that access to LTTE camps is being denied, and the period of the children's stay at these transit centers is not defined.

4 G. S. Goodwin-Gill and I. Cohn, *Child Soldiers: The Role of Children in Armed Conflict*, p.23.

5 The New York Times Magazine revealed on 6th January 2003 the consistent pattern of child conscription even after the MOU. The ICRC, UNICEF, SLMM, the National Human Rights Commission and the National Child Protection Authority have documented the phenomenon continuously.

6 See the Special Report No: 16, The University Teachers For Human Rights (Jaffna), 18 March 2003.

INTERNATIONAL LEGAL STANDARDS: CONSCRIPTION OF CHILD SOLDIERS

A plethora of international instruments include legal provisions proscribing the use of children in war. The UN Convention on the Rights of the Child (CRC), Protocols I and II, additional to the Geneva Conventions of 1949 and the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict contain numerous provisions proscribing this practice. However, in spite of these legal standards children are still widely conscripted as soldiers worldwide.

*(a) The UN Convention on the Rights of the Child of 1989 (CRC)*⁷

Article 38 of the CRC provides that States Parties should undertake to respect, and to ensure respect, for rules of international humanitarian law applicable in armed conflicts which are relevant to the child.⁸ It further clarifies that children under the age of 15 years should not be recruited for active warfare.⁹ State Parties are obliged to endeavor to give priority to take those who are oldest.¹⁰ Article 38 has been subjected to vigorous criticism since it has set the age as 15 years for the enrolment of children as soldiers in hostilities. This is contradicted by the definition of the child articulated in the CRC. Article 1 of the CRC defines a child as a human being below the age of 18 years, except where, under the law applicable to the child, majority is attained earlier. Consequently, all provisions spelled out in the CRC apply to persons up to 18 years of age except standards delineated in paragraph (2) and (3) of Article 38, which apply only to children up to the age of 15. It is unacceptable that persons who in every other sense are regarded as children under the Convention, are recruited into the armed forces and permitted to participate in armed conflict in accordance with this provision. It is a clear exception, and several legal experts have commented on this anomaly. As a result there was apathy against the age limit included in the CRC for the conscription of soldiers in hostilities. This led to the formulation of a new Protocol on the Involvement of Children in Armed Conflict, which will be discussed later.

Another weakness of the provisions of the CRC is that it cannot deal directly with the recruitment and participation of children in non-State armed groups, because only States Parties are bound to respect the provisions of the Convention.

*(b) Additional Protocols I and II to the Geneva Conventions of 1949*¹¹

These two Protocols contain significant provisions pertaining to the recruiting of child soldiers. Differences are seen in the phraseology of the provisions of the two Proto-

7 Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989, entry into force on 2 September 1990.

8 Article 38 (1) of the CRC.

9 Article 38 (2) (2) of the CRC — "State Parties shall take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities".

10 Article 38 (3) of the CRC.

cols regarding the conscription of child soldiers. These two Protocols apply in different situations. Article 77 (2) of the Protocol I of 1977, which is applicable to international armed conflicts, stipulates “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 persons¹² 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.” This provision allows children between 15 and 18 years to participate in hostilities. Article 77 (2) also emphasizes that children below the age of 15 should not take a direct part in hostilities. On the other hand, this appears to allow indirect acts of participation.¹³

Considering this fact, the similar provision included in Protocol II of 1977 does not specify the type of participation in hostilities of under-aged children. So that according to Article 4(3) of Protocol II, which is applicable to non-international (internal) armed conflict, prohibits any type of participation, direct or indirect. This Article proclaims that “children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities”. Accordingly, this Article neither specifies that only States Parties should take feasible measures to guard against recruitment and participation of under-aged children, nor as in Protocol I, refers to the direct taking part in hostilities. Therefore, Protocol II allows no exceptions to the proscribed conduct. It is significant that Protocol II extends the recruitment restrictions to groups other than the armed forces of a State.¹⁴

The provisions of both Protocols certainly represent greater progress in developing international standards, which proscribe the use of child soldiers in warfare. However, these provisions too are criticized on the grounds that the two Protocols have not been universally ratified, and that there are anomalies and gaps owing to their inconsistent application and disparities in levels of protection, i.e. types of prohibited participation and

11 Protocol additional to the Geneva Conventions of 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) adopted on 8 June 1977 by the Diplomatic Conference on the Reaffirmation, and Development of International Humanitarian Law applicable in Armed Conflicts, entry into force 7 December 1978, and Protocol additional to the Geneva Conventions of 1949, and relating to the Protection of Victims of non- International Armed Conflicts (Protocol II) adopted on 8 June 1977 by the Diplomatic Conference on the Reaffirmation, and Development of International Humanitarian Law applicable in Armed Conflicts, entry into force 7 December 1978.

12 Article 77 uses the word ‘persons’ to refer to children. Van Bueren says that the fact that children are undefined is intentional. See Geraldine Van Bueren, *The International Law on the Rights of the Child*, (Dordrecht/Boston: Martinus Nijhoff Publishers, 1995), p.333.

13 The ICRC had been opposed to the insertion of the word ‘direct’ for this reason. Indirect participation, such as transporting arms and munitions along the front line of a battle can be equally dangerous as direct combat. See G. V. Bueren, *The International Law on the Rights of the Child*, p.333.

14 Anne Sheppard, ‘Child Soldiers: Is the optional protocol evidence of an emerging “straight – 18” consensus’, (2000) 8 *International Journal of Children’s Rights*, p.41.

application to non-governmental groups.¹⁵

The failures and anomalies seen in the CRC as well as in the Protocols to the Geneva Conventions led to the development of a new legal instrument, banning the use of children below the age of 18 in hostilities.

(c) *Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflict of 2000*¹⁶

Taking a historic step to wipe out the use of children as soldiers, the new Optional Protocol on the Involvement of Children in Armed Conflict to the CRC was brought in on 21 January 2000. The UN General Assembly passed a Resolution adopting this Protocol.¹⁷ The new Optional Protocol represents noteworthy progress over the provisions of the CRC on recruiting children as soldiers. Article 1 of the Protocol stipulates “States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities”. This Article imposes an obligation on State Parties specifying the type of participation in warfare. Due to the term ‘direct’ there is space for children for indirect participation in hostilities. Article 2 further states “State Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces”. While referring to Article 38 of the CRC, Article 3 (1) of the Optional Protocol delineates that States Parties should raise the minimum age for the voluntary recruitment of persons into their national armed forces from that set out in Article 38 (3) of the CRC, taking account of the principles contained in that Article and recognizing that persons under 18 are entitled to special protection under the Convention. This Article further requires States Parties to deposit a binding declaration upon ratification of or accession to this Protocol, that set forth the minimum age at which it will permit voluntary recruitment into its national armed forces, and a description of the safeguards that it has adopted to ensure that such recruitment is not forced or coerced. Article 3 (3) imposes strict requirements upon States Parties that permit voluntary recruitment into their national armed forces under the age of 18. Therein it specifies that safeguards must be maintained to ensure, as a minimum, that

- (a) such recruitment is genuinely voluntary;
- (b) such recruitment is with the informed consent of the person’s parents or legal guardians;
- (c) such persons provide reliable proof of age prior to acceptance into national military service.

15 See G. S. Goodwin-Gill and I. Cohn, *Child Soldiers: The Role of Children in Armed Conflicts*, A. Sheppard, ‘Child Soldiers: Is the optional protocol evidence of an emerging “straight – 18” consensus?’ and G. V. Bueren, *The International Law on the Rights of the Child* for further details.

16 Adopted and opened for signature, ratification and accession by General Assembly resolution, A/RES/54/263 of 25 May 2000 and entered into force on 12 February 2002.

17 See the Resolution adopted at the fifty-fourth Session of the General Assembly, A/RES/54/263, 26 June 2000.

These provisions are very important because in most cases voluntary participation, as stated earlier does not depict the real choice of children.

Thus the new Optional Protocol prohibits governments and armed forces from recruiting and using children under the age of 18 in hostilities, raises the minimum age, requires strict safeguards for voluntary recruitment and bans all forms of recruitment of the under 18s by armed groups. This new Protocol is considered to be a momentous step by the international community to eradicate an inhuman practice across the world.¹⁸ It was hoped these provisions would help to curb the phenomenon of child soldiering, and alleviate ambiguities of similar provisions included in the CRC, Protocol I and II of 1977. However, some experts in the field do not view this Protocol favourably. According to their arguments; it does not specify a minimum age for indirect participation in hostilities and exempts military schools from complying with the minimum age requirement. Additionally, it does not set a uniform minimum age for voluntary recruitment although States would be required to raise the respective ages from the current minimum of 15 years and there is no supervision with regard to maintenance of safeguards especially that of voluntary recruitment.¹⁹

However, changes in the law alone will not prevent the recruiting of children as soldiers of war. The desired results can only be achieved through creative use of the new Protocol. The rapid universal ratification of this new Optional Protocol is most important in order to curb this practice, and thus to avoid the adverse impact on children caught up in war. There are 52 State Parties to this Protocol as of March 2003. Sri Lanka signed the Protocol on 21 August 2000 and ratified it on 8 September 2000. Upon ratification Sri Lanka in accordance with Article 3(2) of the Protocol declared that under the laws of the country there is no compulsory, forced or coerced recruitment to the national armed forces; recruitment is solely on a voluntary basis; and the minimum age for voluntary recruitment to the national armed forces is 18 years. If States Parties take the necessary steps to incorporate these new international standards in their domestic legal systems it will be a significant move towards better implementation. The Committee on the Rights of the Child is expected to lessen the shortcomings of the text by making a strict interpretation of it.²⁰

At a national level, positive developments were seen in Colombia and the Democratic Republic of Congo (DRC). In Colombia, legislation was enacted in 1999

18 Daniel Helle, 'Optional Protocol on the involvement of children in armed conflict to the Convention on the Rights of the Child', (2000) 182 *International Review of the Red Cross*, September, p.806 and Geraldine V. Bueren, 'The International Legal Protection of Children in Armed Conflicts', (1994) 43 *International Law and Comparative Law Quarterly*, p.812.

19 A. Sheppard, *Child Soldiers: Is the optional protocol evidence of an emerging "straight - 18" consensus ?*, p.62.

20 D. Helle, 'Optional Protocol on the involvement of children in armed conflict to the Convention on the Rights of the Child', p.806.

raising the minimum age for recruitment into the government armed forces to 18.²¹ Subsequent to this, the Colombian Army discharged 980 soldiers under the age of 18.²² In the DRC a national commission and an inter-ministerial committee were established to oversee the disarmament, demobilization, and reintegration into society of child combatants.²³ On the other hand, in Sierra Leone pro and anti government forces continue to recruit children. In Nepal, the Maoist armed opposition group has recruited children as young as 14. In Sri Lanka also, the LTTE still recruits children.

Further to this new Optional Protocol, international support to end the use of child soldiers is reflected in the adoption of the Maputo Declaration of 1999 on the use of Children as Soldiers, the Montevideo Declaration of 1999 on the use of Child Soldiers, the Berlin Declaration of 1999 on the use of Child Soldiers and the Kathmandu Declaration of 2000 on the use of Child Soldiers.

The UN Security Council, the UN General Assembly, the UN Commission on Human Rights, the Organization of American States and the Organization for Security and Cooperation in Europe have all condemned this abuse. Many governments around the world have raised the age of recruitment to their armed forces to the level of 18 years. The UN Secretary-General has set 18 as a minimum age for the recruitment of UN peacekeepers. Even some armed groups, seeking recognition and legitimacy within the international community, have acknowledged the principle. Cooperative efforts were made by some countries, UN agencies, and NGOs — especially the Coalition to Stop the Use of Child soldiers — to advocate the adoption of the Optional Protocol on the Involvement of Children in Armed Conflict.²⁴

Additionally, the following initiatives achieved both a direct and indirect impact on the recruiting of children as soldiers of war.

(d) *International Labour Organization Convention on the Elimination of the Worst Forms of Child Labour of 1999*²⁵

The International Labour Organization Convention Number 182 on the Elimination of the Worst Forms of Child Labour was adopted unanimously by the 174 Member States of the International Labour Organization on 16 June 1999. This Convention commits each State Party to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency. According to

21 However, opposition guerrilla armies and para military forces in Colombia continued to use children as soldiers and spies.

22 See "Children's Rights", Human Rights World Report 2001, <<http://hrw.org/wr2k1/children/child2.html>>, visited on 10.12. 2002.

23 Ibid.

24 See The Report of the Special Representative of the UN Secretary-General for Children in Armed Conflict, A/53/482, 1 October 1998.

25 International Labour Organization Convention on the Elimination of the Worst Forms of Child Labour of 1999, adopted on 17.06.1999, entered into force on 10.11.2000.

this Convention, the term 'child' applies to all persons under the age of 18,²⁶ and the worst forms of child labour include forced or compulsory recruitment of children for use in armed conflict.²⁷ Correspondingly, this Convention obliges States Parties to prohibit the forced or compulsory recruitment of children under 18 for use in armed conflict. This was the first instance that an 18-year minimum age limit was set in an international convention in relation to child soldiering, even before the Optional Protocol to the CRC of 2000. It was also the first specific legal recognition of child soldiering as a form of child labour.

(e) UN Security Council Resolution 1261

On 25 August 1999, the UN Security Council adopted Resolution 1261 on Children and Armed Conflict.²⁸ This Resolution is significant, not only for the attempt at the eradication of the phenomenon of child soldiering, but also for minimizing other adverse effects of conflict on children. The Resolution urges States and all relevant organs of the United Nations system to intensify their efforts to ensure the eradication of the recruitment and use of children in armed conflict. The Security Council strongly condemned the targeting of children in situations of armed conflict, including sexual violence, abduction and forced displacement, and recruitment and use of children in armed conflict. This Resolution is considered an important milestone, because the Security Council has for the first time devoted a Resolution to a thematic concern, which is unrelated to a specific situation or an immediate incident. In so doing, it has clearly demonstrated its commitment to the protection of children affected by armed conflict, with special emphasis on curbing the phenomenon of child soldiering.

(f) UN Security Council Resolution 1314

On 11 August 1999, the Security Council adopted Resolution 1314 on Children and Armed Conflict.²⁹ In this Resolution the Security Council stressed the prohibition of child soldiering, and considered declaring regional initiatives towards full implementation of the prohibition of the use of child soldiers in violation of international law. The Security Council also reaffirmed its strong condemnation of the deliberate targeting of children in situations of armed conflict and stressed the harmful and widespread impact of armed conflict on children, and the long-term consequences this has for a durable peace, security and development. Accordingly, the Council urged all parties to armed conflict to respect fully the international law applicable to the rights and protection of children in armed conflict, and in particular the CRC and the new Protocol on Child Soldiers. This Resolution also has a considerable impact on the plight of child soldiers.

²⁶ See Article 3 of this Convention.

²⁷ Article 3 (a) of this Convention.

²⁸ Security Council Resolution 1261 on Children and Armed Conflict, S/RES/1261, 25 August 1999.

²⁹ Security Council Resolution 1314 on Children and Armed Conflict, S/RES/ 1314, August 11, 2000.

(g) *The Statute of the International Criminal Court*

Article 8 of the Statute of the International Criminal Court (ICC), adopted in July 1998 in Rome, makes it an international crime for any person to recruit children under 15 years or to use them in hostilities, whether in international or an internal armed conflict, and whether or not they are acting on behalf of a government. Accordingly, conscripting or enlisting children under the age of 15 years into the national armed forces or using them to participate actively in hostilities, whether committed by State armed forces, paramilitary forces, or armed dissident groups, is a war crime carrying international criminal liability. Although it also stipulates 15 years as the minimum age limit for recruiting as soldiers of war in line with the CRC and Protocol I and II of 1977, the jurisdiction of the court over the use of child soldiers as a war crime is very significant. Therefore it is expected that once the ICC starts functioning this year (2003) it will end an era of impunity for war crimes included in this Statute.

To deal with this problem twofold action should be taken: the protection of children from being recruited as soldiers by governments or other armed forces, and the demobilization and reintegration of child soldiers into society, and the prevention.

PREVENTING RECRUITMENT

More effective measures must be taken to prevent the recruitment of child soldiers. These should include monitoring and enforcing legal commitments to forbid recruitment below the minimum age specified in the new Protocol, introducing or re-establishing reliable birth registration systems, and providing educational and vocational opportunities for young people. Stopping or preventing the recruitment of children requires an understanding of conflict situations and the conditions that have led these young people to become members of military groups. Communities should be encouraged to give priority to fostering the culture of peace, and to develop and carry out peace, reconciliation and community awareness initiatives, and to create channels for child participation in policy-making and in the design, implementation, monitoring and evaluation programmes.³⁰

In order to stop recruiting children, States should ratify the Optional Protocol on Involvement of Children in Armed Conflict and other legal instruments relevant to the protection of children in armed conflict and take necessary steps to ensure that national laws are compatible with international legal standards pertaining to curb the child recruitment. At the domestic level, initiatives should be taken to provide training to army personnel and non State actors on child rights and protection, to develop prevention strategies to reduce the factors that make children vulnerable to voluntary recruitment, and to ensure the right of children to participate in decision making.³¹

30 See Kathmandu Declaration on the Use of Children as Soldiers, May 2000.

31 See UNICEF, *Caught in the Crossfire of Adult Wars*.

It is difficult to lobby non-State armed groups directly to stop recruiting children. However, when offending non-State actors seek international recognition, the international community can highlight their violation of children's rights and debar their demand. Setting up mechanisms to monitor the situation of child soldiers and study its causes in different countries is crucial in curbing this problem on the ground. Creating an international monitoring mechanism which can oversee State practices and relevant national legislation and policies may help to stop the phenomenon. Child soldiers must be protected from retribution, summary execution, arbitrary detention, torture and other punitive measures, in accordance with the CRC and international juvenile justice standards.

REHABILITATION AND DEMOBILIZATION OF CHILD SOLDIERS

Disarming, demobilizing and reintegrating ex-child combatants into society is very important. Unless children demobilized from armies are given alternatives to soldiering, they are likely to be again recruited into armed groups. Reintegrating children requires dedicated and long-term support, beginning with programmes to reunify them with their families and communities. Many demobilization programmes falter because of flawed design, insufficient monitoring or lack of resources.³²

Governments and humanitarian agencies must develop better schemes to cater for the special needs of former child soldiers. This should include provision for education, health care, life skills, psychosocial recovery and vocational training. Promoting peaceful settlement of armed conflicts would lead to the cessation of the use of child soldiers as well as to their demobilization. The issue of demobilization of child soldiers, their rehabilitation and reintegration into society must be included in any peace process.

The Secretary-General released a Statement in February 2000 on the 'Role of United Nations Peacekeeping in Disarmament, Demobilization and Reintegration'. This was a step towards increasing commitment to include child soldiers in demobilization and reintegration programmes in peacekeeping operations.³³

CONCLUSION

Above discussed positive developments are important in improving the lives of war-affected children who face the risk of being recruited as soldiers of war. However, further action should be taken to protect them. It is essential to develop practical and sustainable modes and processes in order to fully implement the new Optional Protocol to the CRC worldwide as rapidly as possible. The political will of all the State Parties is

³² Final Report, International Conference on War-Affected Children, Winnipeg, Canada, September 2000.

³³ The Report calls for a minimum three-year commitment of staff and resources to children's longer-term needs for education, vocational training and psychosocial support.

important in this regard. The functions of the Committee on the Rights of the Child are significant for better enforcement of the provisions embodied in this Protocol. This Committee should be keen on the curbing of child recruitment, and instruct States to include information about this phenomenon in their country reports.

Recruitment of children into warfare has grave consequences on the global future and peace. The international community must continue to do all it can to maintain and restore international peace and security, and to protect and assist children. States must ensure that persons under the age of 18 years are not recruited into their armed forces, and insurgent groups and rebels should ensure that members below the age of 18 years do not take a direct part in hostilities. There should be no space in which exploitation, recruitment, targeting of or violence against any child is justifiable. For that, an effective international monitoring network should be developed to ensure systematic reporting of child recruitment. A plan of action should be drawn up to rehabilitate and reintegrate ex-child soldiers in post-conflict situations. The time has come to achieve an 'era of application' by implementing existing laws rapidly, and respecting concrete commitments enshrined in international instruments. However, moving from theory to practice still remains a major challenge. Promoting international awareness of the issue and the role of international organizations in this regard, is of utmost importance. The international community should mobilize a movement of political pressure such as naming, shaming and refusing support for armed groups that continue to abuse child.³⁴

34 See The Report of the Special Representative the United Nations Secretary General for Children in Armed Conflict, A/53/482, 1998.

