

# CHILD SOLDIERS



ICRC



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**ICRC**



...SHE EMPTIES THE SPENT CARTRIDGES...SHE RELOADS...SHE PREPARES TO FIRE...

**Children who are exposed to war and trapped in war zones, whose families are torn apart, can be drawn into the fighting and forced to witness or perpetrate atrocities, sometimes against their own families. They can be scarred for life, their childhoods shattered.**

The International Committee of the Red Cross (ICRC) acts impartially to assist all victims of war and internal violence according to their needs. Children in general, including child soldiers, benefit from particular attention.

As far as child soldiers are concerned, the ICRC works at each of the following stages:

- before and during the conflict, to prevent the recruitment of children into armed forces or groups and to protect child soldiers in detention;
- after the conflict, to support the rehabilitation of former child soldiers;
- at any time, to reunite children with their families.

# REALITY

## **Every child has the right to a normal childhood, and to develop as a human being.**

Yet, all too often in wartime, children are helpless witnesses of atrocities. They may themselves be mutilated and imprisoned or otherwise separated from their families and are often forced to flee.

## **Separated from their families**

Child soldiers may be recruited among the children who are left to themselves in conflict zones. Cut off from the environment familiar to them, they lack any certainty as to their future and the whereabouts of their loved ones.

## **Poor social conditions**

In many countries at war, children may be more likely to be recruited as soldiers because of social conditions, such as street violence, extreme poverty and a lack of

support structures. In these conditions, recruitment into armed forces or groups is a way of gaining some sort of protection and social status, and may be the only means of survival.

## **Forced recruitment**

Often, forced recruitment of children into armed forces or groups is used as a means of terror and blackmail against civilians.

In addition to taking a direct part in hostilities, children can be used as spies, messengers, domestics, sexual slaves, etc. Whatever their circumstances, they are abused and put at terrible risk.

Child soldiers are deprived of a family, deprived of an education and all the advantages that would otherwise help them be children and prepare them for adulthood.

Among other reasons, children are enlisted as soldiers because they are easily manipulated, are not fully aware of the dangers and have unformed notions of right and wrong.

## **CHILD SOLDIERS: BOTH**

Armed with lethal weapons, plied with alcohol and drugs to incite them to violence and fearlessness, forced into dependence on the group that has recruited them, unable or too fearful to find a way out, children become loose cannons, a danger to themselves and others.

In the end, child soldiers will suffer deep trauma, which persists long after the fighting has stopped.

## VICTIMS AND PERPETRATORS

“...a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

(Convention on the Rights of the Child, Art. 1)

It is estimated that more than 300,000 children under 18 may be actively participating in armed conflicts worldwide (cf. “Global Report” by the Coalition to Stop the Use of Child Soldiers, 2001). Over the last decade, more than a million may have suffered this fate. Hundreds of thousands more are enrolled in armed forces in countries not currently involved in armed conflict.



# PREVENT

## Ensuring compliance with the law

The ICRC is the guardian of international humanitarian law and has a responsibility to promote and help develop it. The ICRC thus spreads knowledge of the law, encourages States to comply with their treaty obligations to do likewise and supports the promotional work of the National Red Cross and Red Crescent Societies.

The law is effective only if complied with. The States party to the Geneva Conventions are required to respect and ensure respect for humanitarian law. The ICRC reminds the States and armed groups of their obligations and

seeks to ensure that those who fail to comply with it realize that they are obliged to do so. The organization's Advisory Service stands ready to help States draw up national laws to implement humanitarian law and to support them in enforcing the Convention on the Rights of the Child (Art. 38) and its Optional Protocol.

In the training of armed forces in the law of armed conflict, the ICRC pays special attention to emphasizing obligations relating to child protection and welfare.

## RECRUITING CHILDREN

**The 1977 Protocols additional to the 1949 Geneva Conventions provide that:**

"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." (Additional Protocol I, Art. 77 [2], applicable in international armed conflicts);

"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." (Additional Protocol II, Art. 4 [3c], applicable in non-international armed conflicts).

**The 1989 Convention on the Rights of the Child requires States Parties to:**

- take all feasible measures to ensure that persons who have not attained the age of fifteen

## AS SOLDIERS: A WAR CRIME

years do not take a direct part in hostilities (Art. 38 [2]);

- refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest (Art. 38 [3]).

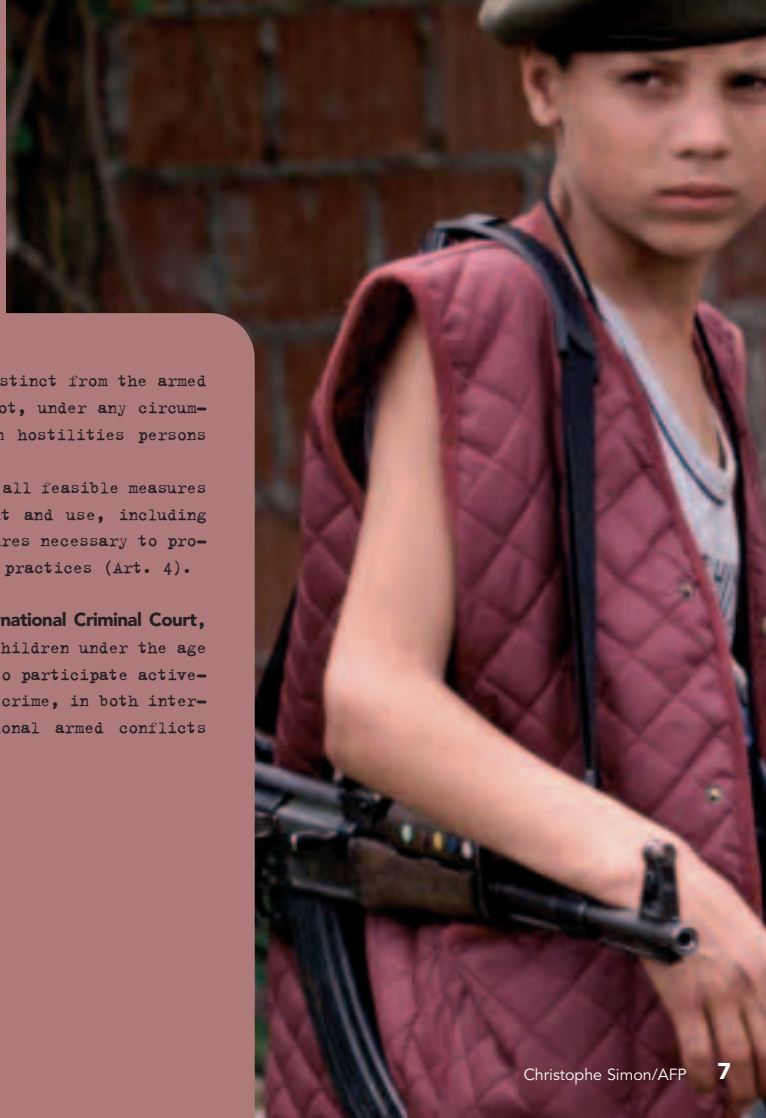
**The 2000 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict requires States Parties to:**

- 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 (Art. 1);
- ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces (Art. 2);
- raise the minimum age for the voluntary recruitment of persons into their national armed forces from 15, recognizing that under the Convention persons under the age of 18 years are entitled to special protection (Art. 3).

It also provides that:

- armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18;
- States Parties must take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices (Art. 4).

**Under the Statute of the International Criminal Court, conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities is a war crime, in both international and non-international armed conflicts (Art. 8).**



# PROTECT

## Children in detention

Thousands of children are deprived of their freedom each year because they participate, voluntarily or involuntarily, in hostilities. This can create situations which are difficult for them to bear and which can have lasting effects on their future development.

In international armed conflicts, children with prisoner-of-war status benefit from the protection of the Third Geneva Convention and cannot be prosecuted for taking part in hostilities. Children treated as civilian internees are entitled to the protection granted by the Fourth Geneva Convention of 1949 and Additional Protocol I of 1977, as well as by human rights law.

In non-international armed conflicts, protection is granted to children by common article 3 of the 1949 Geneva Conventions, by Additional Protocol II of 1977 and by human rights law.

## CAN CHILDREN BE HELD RESPONSIBLE?

### Criminal responsibility of minors

During a war, child soldiers can be perpetrators of atrocities. Can they be held responsible before the law for their actions? The adults who force or permit participation of a child in hostilities bear responsibility for his or her recruitment and should therefore be held responsible for the outcome. On the other hand, child soldiers are responsible, like any soldier, for violations of international humanitarian law, for which they can be held accountable.

In any event, whether the child is a prisoner of war or a civilian internee, in an international or in a non-international armed conflict, both Protocols additional to the Geneva Conventions prohibit the imposition of the death penalty for children younger than 18 at the time the offence is committed.



Special measures must be taken to protect children in detention. In their visits to detained children, ICRC delegates make every effort to obtain, among other things, the following from the detaining authorities:



AFP/ICRC

- detained children should always be housed separately from adult detainees, except where they are lodged with their families;
- if the child is not freed and in the event of prolonged detention, the child should be transferred as soon as possible to an appropriate institution for minors;
- the child should have direct, regular and frequent contacts with his or her family;
- food, hygiene and medical care appropriate to the child's age and general condition must be provided;
- the child should spend a large part of the day in the fresh air whenever possible;
- the child should be able to continue his or her schooling.

# REUNITE

**Children who have lost their parents through death or displacement are more vulnerable than those living with their families, and more at risk of being recruited into armed forces or groups. Children may also be forcibly abducted from their families.**

## CHILDREN MUST BE REUNITED WITH THEIR FAMILIES

The ICRC endeavours to ensure that family members are kept together and, when they are separated by conflict, tries to reunite them. It works to ensure the protection of children separated from their parents or care-givers by identifying them and placing them in the temporary custody of an adult or an institution where they will be cared for. It searches for and, if possible, restores contact between children and their relatives until they can be reunited.



Fred Clarke/ICRC

## The International Red Cross and Red Crescent Movement



The Council of Delegates of the International Red Cross and Red Crescent Movement (representing the ICRC, the International Federation of Red Cross and Red Crescent Societies and the National Red Cross and Red Crescent Societies) has undertaken to promote the principle of non-recruitment and non-participation in armed conflict of persons under the age of 18 years and to take action to protect and assist child victims of conflict. It has also committed itself to work for the welfare and the well-being of children affected by armed conflict (cf. "Plan of Action: Children Affected by Armed Conflict", 1995).

In addition, the International Conference of the Red Cross and Red Crescent (representatives of the Movement and of the States party to the Geneva Conventions) has adopted several resolutions and pledges with a view to improving the situation of children caught up in armed conflict.

# REHABILITATE

**Children who have experienced combat can suffer deep physical, psychological and social wounds that may seem incurable. But appropriate care can help them recover. They must be equipped with the means to rebuild their lives.**

In the aftermath of war, demobilization and reintegration of child soldiers are key to the rebuilding of societies torn apart by violence. Particular attention should be paid in peace agreements to the needs of children.

## **Back home?**

It is essential to provide measures for proper reintegration, taking into account the social, psychological and medical difficulties that this can present.

The first priority is to try to reunite children with their families and home communities. It must be recognized that many communities are

already living hand-to-mouth. If reintegration in such a community is possible, it is thus critical to provide financial support, from the local authorities or elsewhere. Ideally, child soldiers should be reintroduced into an education system or helped to find work through vocational training.

However, former child soldiers may project an image of violence and fear which can make it impossible for the family and community to accept them back home. In this case, appropriate alternatives must be found.

In any case, sensitive handling relevant to the particular cultural environment is essential. Subsequently, since many support systems will have broken down in wartime, it is important to carry out programmes of medical and psychological care.

CHILDREN MUST BE GIV



## EN CARE AND SUPPORT TO REBUILD THEIR LIVES



Yoshi Shimizu/Federation

The question of demobilization and reintegration of child soldiers is one of the central concerns of the International Red Cross and Red Crescent Movement. The ICRC works with the International Federation of Red Cross and Red Crescent Societies, National Red Cross and Red Crescent Societies and other humanitarian organizations to devise concrete reintegration measures specially adapted to local conditions.

In Sierra Leone, the National Red Cross Society, with the support of the International Red Cross and Red Crescent Movement, runs a Child Advocacy and Rehabilitation programme aimed at facilitating the social reintegration of children who have taken part in hostilities.

**It is vital to work towards better solutions so that children do not pay the price of having to fight adults' wars.**

Those who recruit child soldiers must be made aware that they are the ones who bear responsibility, for breaking the law by recruiting children and, in large part, for the actions that the children may carry out as soldiers.

Children's vulnerability to being recruited into armed forces or groups must be reduced by improving the conditions in which they live. This means running programmes for vulnerable children, ensuring a stable family environment for them and, if the children have been separated from their families, reuniting them with their relatives.

All children who have been recruited, in violation of the law, must be demobilized and helped to find their families. Former child soldiers must be helped to pick up the pieces of their shattered childhoods and to move on towards a brighter future, free from fear, threats and violence.



**THEIR PASTS CANNOT BE CHANGED, BUT THEIR FUTURES CAN**

## MISSION

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.



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