The Institute for Domestic and International Affairs, Inc.

Social, Humanitarian, and Cultural

Children in Armed Conflict

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Policy Dilemma

Armed conflict knows no mercy when selecting its victims; children are primarily its targets and instruments. Children are especially vulnerable to the impacts of armed conflict because they are naive and less equipped to respond to conflict. As the character and tactics of war are changing, new and unprecedented threats to children are being created. Not only are children in conflict being killed and wounded by the thousands, but also many more are dying from malnutrition and disease. They are also being denied other fundamental rights such as education and recreation.¹ The loss of adult guardians either because of death or corruption has left the children in areas of armed conflict fending for themselves. Without proper guidance, children in conflict are continuously faced with what the Security Council has enumerated in its resolutions as the six grave violations against children during times of conflict: “killing or maiming of children; recruitment or use of children as soldiers; attacks against schools or hospitals; denial of humanitarian access for children; abduction of children; rape and other grave sexual abuse of children”.² Rape and sexual violence is increasingly a characteristic of conflict. Sexual violence can take the form of sexual slavery, forced prostitution and marriage or sexual mutilation. “For children especially, the physical and mental consequences are devastating… The long-term health consequences for the victims include sexually transmitted infection fistula, early pregnancy and debilitating psychological trauma.”³

Though documents like the United Nations Convention of the Rights of Child exist and have been ratified, there are still major discrepancies even in international law. For example, Article 38 of the convention “protects children under the age of 15 from

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recruitment and participation in military forces”⁴ but there was later added an Optional Protocol that sets eighteen as the minimum age for recruitment and participation in military hostilities. One of the main issues with addressing children in armed conflict is that conflict remains internal, which makes it difficult to access the needs of children and offer the necessary assistance and protection. There are many factors that contribute to the unreliable or non-existent data on incidents of child’s rights abuses, such as the fear of violent repercussions and cultural taboos surrounding sexual violence.

Children in armed conflict are a concern all nations. Not only are children in armed conflict a humanitarian concern because they are being denied fundamental rights, but there is also the problem of children being used as instruments of combat. Children get incorporated into the system of conflict as child soldiers through abduction, coercion, or enticement. Armed group prefer child soldiers because of their innocence and physical build; they can be terrorized into obedience, fit into small spaces, are agile, are harder for enemies to locate, and are the proper size to operate small arms. If a nation or group wishes to alleviate conflict, they must address the issue of child soldiers, because these children have become the working force for military groups. Care needs to be taken to disarm, demobilize, and reintegrate these children into society.⁵

Though the problems facing children in armed conflict are largely similar, such as the six grave violations against children during times of conflict, the specific needs of the children vary depending on the conflict and region. Established national protective measures and resources for children would prevent these violations from happening in times of armed conflict. When the point of prevention has past, action can be taken to remove children from these conflict areas, help them recover from trauma, and reintroduce them to a safe society.

Chronology


World leaders recognized the need for a special convention that provided people under eighteen years of age the assurance not only of their basic human rights, but also the special care and protection unique to their age. The convention was ground-breaking, because it was “the first legally binding international instrument to incorporate the full range of human rights—civil, cultural, economic, political and social rights” for children.\(^6\)

It [the convention] spells out the basic human rights that children everywhere have: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. The four core principles of the Convention are non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child.\(^7\)

By ratifying the Convention, national governments make the commitment to protect and ensure children’s rights before the international community. The document made the world aware that children not only have human rights, but also have specific needs because of the vulnerability of their age group.

**December 1989: Liberian Conflict**

The outbreak of the conflict in Liberia in December 1989 was the first report of children being featured in war in West Africa. The National Patriotic Front of Liberia (NPFL) was the first fraction to use children. An estimated 15,000 to 20,000 children were used in various capacities by the different armed fractions. The leader of the NPFL, Charles Taylor organized what would come to be known as the nutritious “‘Small Boys Unit’, a lethal and viciously loyal Lilliputian gang. Press-ganged, psychologically primed, and dosed with cane-juice, marijuana, and other narcotic substances, many of these children committed cruel atrocities against innocent civilians”.\(^8\) After the ending of the first Liberian war in 1996, none of the Liberian factions were held accountable for their crimes

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\(^7\) Ibid.

against children. In addition, the DDR program for former child soldier failed to help war-affected children because the program happened hastily and failed to redress the needs of the children.⁹

**30 September 1990: The World Summit for Children**

The World Summit for Children was an opportunity for world leaders to take action through joint appeal and commitment to give every child a better future. At the summit, different topics were discussed relating to children and the need for political leaders to meet these challenges. The products of the conference were the World Declaration on the Survival, Protection and Development of Children, the Plan of Action for Implementing the declaration, and a list of Goals for Children and Development in the 1990s.

The Plan of Action for the declaration brought the document into the implementation process, by specifying the actions that needed to be followed for the declaration to make an impact. One of the issues targeted in the Plan of Action is the protection of children during armed conflict. As part of protecting children during armed conflict, the Plan addressed the security concern of getting children access to relief supplies and health services. An example cited in the document was negotiating countries and opposing factions to mutually suspend hostilities and adopt specials measures such as “corridors of peace” and “days of tranquility”.¹⁰ The Plan of Action states that children in armed conflict have additional needs besides the resolution of the conflict. Children need continued “access to food, medical care and basic services, to deal with trauma resulting from violence and to exempt them from other direct consequences of violence and hostilities”¹¹ including education in peace, tolerance, understanding and dialogue.

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¹¹ Ibid.
August 1996: Graça Machel’s “The Impact of Armed Conflict on Children”

The United Nations Committee on the Rights of the Child and the General Assembly requested a report on the impact of armed conflict on children. United Nations Secretary-General Boutros Boutros-Ghali named Graça Machel the Expert in charge of producing the report. The report exposed the true degree of children’s involvement in the world’s approximately thirty armed conflicts. Data in the report stated, “that in the past decade, around 2 million children have been killed in armed conflict, three times as many have been seriously injured or permanently disabled, and countless others have been forced to witness or even to take part in horrifying acts of violence.”

Some of the topics addressed by Machel’s report are the use of children as soldiers, the millions of refugee and internally displaced children, gender-based violence, children being exposed to land mines, the millions of children affected by health and nutrition problems, the importance of education, and the promotion of psychological recovery and social integration. The report goes even further than providing data on problems associated with children and armed conflict, by providing specific recommendations that addressed the problems that she observed in the areas of reconstruction and reconciliation, conflict prevention, and implementation mechanisms.


The report by Secretary-General Kofi Annan on the Democratic Republic of Congo (DRC) was the first country report from the monitoring and reporting mechanism and the Working Group on children and armed conflict established by the Security Council’s sixth resolution on children and armed conflict. The report was a major step by the United Nations in holding nations accountable to the international community for infractions against the protection of the rights of children. Though some progress had

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been made by the DRC to address its violations of children’s rights, the report focused on the continued infringements, “including the recruitment and use of children in armed forces and groups, abduction, sexual violence, killing and maiming of children and attacks on schools.”\(^{14}\) The report by Secretary-General Annan gave the Security Council the information that made it possible to pass a resolution that extended the possible sanctions in the DRC to “political and military leaders recruiting and using children in armed conflict in violation of applicable law” and to “individuals committing serious violations of international law involving the targeting of children in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement.”\(^{15}\)

**2009: Myanmar**

The conflict in Myanmar has been going on for decades between the Myanmar Armed Forces and their associated arms groups against opposing non-state armed groups (NSAGs). In Myanmar’s conflict zones there is a high demand for new recruits, children as young as nine as approached for recruitment. Collecting children has become a business for the soldiers, civilian brokers and the police that provide children to military groups in exchange for money or food from recruiters. “In twenty-one cases of recruitment verified by the UN between September 2007 and December 2008, punishments included official reprimands, monetary fines, and, in one instance, loss of one year of military seniority.”\(^{16}\) The penalties for underage recruitment are extremely weak compared to those of failing to meet recruitment quotas imposed by military groups; the decision for which crime to commit is made relatively simple.


\(^{16}\) Watchlist on Children and Armed Conflict, “Children Affected by Armed Conflict in Myanmar (Burma)”, May 2009.
Actors and Interests

Children in Conflict Areas

Children are impacted in multiple ways by armed conflict. An estimated thirty million children are driven from their homes because of war, either fleeing from their nation as refugees or staying within their own national borders as internally displaced persons. In the chaos of escaping, many children are separated from both their parents and are not in the care of a responsible adult. These children are especially vulnerable to harm’s way because of their lack of guidance. For the children that are still with their parents, they usually fall victim to armed conflict against their will through abduction by military groups or registration by their parents that falsely believe that military service is the right thing to do. “At any given time, more than 300,000 children are being used in hostilities as soldiers.” All children in conflict areas, but especially girls are “threatened continually by rape, mutilation, violence, sexual exploitation and abuse… [Sexual violence] is any act of sexual nature committed under coercive circumstances.” Sexual health problems are not the only concerns for children. “For every child killed by armed conflicts, three are injured or permanently disabled.”

The atrocities that the children are forced to not only witness, but be a part of, have both immediate and long-term effects for the children. The psychological impacts such as nightmares, sleeplessness, and bedwetting are immediate. The post-traumatic stress disorder experienced by children in armed conflict is especially problematic because unlike adults that suffer from the disorder, children lack the necessary pre-war social development to discern what is right and wrong. As explained by Dr. Mubarak E. Awad, the Executive Director of the National Youth Advocate Program and the Founder of the Palestinian Center for the Study of Nonviolence, “[child soldiers] often do not understand the permanency of death or that violence is undesirable and not a constant

20 Ibid., 67.
feature of human interaction." The immediate impacts develop into long-term effects and destructive behavior in the children, such as emotional impotence, unhealthy sexual behavior for those that were sexually exploited during armed conflict, and drug and alcohol abuse. For the children affected by armed conflict, their development is permanently altered as they must learn to live a life with an identity unassociated with militarization, cope with the trauma of what they experienced, and try to reintegrate into their communities that is why it is important that the disarmament, demobilization and reintegration (DDR) of children is especially important.

Clearly children have multiple interests in armed conflict situations and their optimal outcome would be the assurance of their basic needs being met in all stages of armed conflict. The Declaration of Human Rights and the Convention on the Rights of the Child outline the rights that children are entitled to have protected by the international community at all times, but this is not enough. Children would benefit from not only strong policies but also strong enforcement. Prior, during, and after armed conflict measures should be in place to protect children and offer them the resources they need to live safely. Children are being targeted by groups during armed conflict because These measures could include education on what they should do to protect themselves, legal protection in prosecution of those that exploit them and to ensure that it cannot happen again, and physical resources like food and healthcare. Meeting the rights of children should not be an area of negotiation or compromise in any situation.

Military Groups

Military groups, both militias and government armies, extract the most benefit from children in armed conflict. Militia groups are independent of the government and do not always follow national age minimum requirements for recruitment. They are usually motivated by their unhappiness with the current political system and how their interests are or are not being represented. Their displeasure with the current system drives

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22 Ibid., 12-15.
them to take military action to get their voices heard. For most militia groups their policy preference is that their views be represented in the government and that their concerns are addressed. Some militia groups may have a more severe optimal outcome, such as completely changing the political system or having their group in charge of the nation. If this is not possible, they would like to continue their use of child soldiers without penalization and outside interference with their military practices. In instances where militia groups are small in number, child soldiers are the substitute for the public support they lack. In the past the international community has tried to work with militia groups to help create a government that represents the interest of all its citizens in exchange for a halt in violence or at least violence against children. These negotiations have not always been successful, but this is an area for compromise and negotiation in future instances.

For government armies, their obligation is to protect the current government system. The policy preference and optimal outcome for government military is to maintain the current administration because it guarantees their employment. Acceptance of personal into government military service is more regulated than that of militia groups. Usually states set their own national age minimums to sign up for the military, but pressure to fulfill enlistment quotas and pressing political needs can force government armies to overlook the requirements. Also, poor identification measures, inaccurate military records, and national military independence to enforce penalties on underage recruitment, can serve as legal loophole for government military groups that wish to use child soldiers.23

Though the interests of both groups are specific to the voices they are fighting for, they are overall fighting for power and dominance. They are concerned with meeting their desired end and will do so at any cost, including the use of children in their military forces. Children can get involved in military groups either through force, such as abduction, or voluntarily for various personal reasons. Once in the military, the groups have many uses for children. As child soldiers, children can be forced to do simple

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household chores such as serving as a porter, or do more action involved responsibilities like standing guard, or even fight in direct combat. Military groups have found that the size of children is extremely compatible to recent technological changes in weaponry, such as small arms. The use of children in the military is not only limited to boys; in addition to gender specific chores such as preparing food, washing clothes, and tending to wounded soldiers, girls are also expected to perform many of the same military functions as male soldiers.

Both girls and boys are used to provide sexual services for the soldiers. The majority of girls become infected with sexually transmitted diseases. “Abducted girls as young as age 10 have been kept as sexual slaves by rebel leaders. Once the leader dies, the girl is typically put aside for ritual cleansing and then given to another rebel.”\(^{24}\) Children can find themselves in the military ranks through various paths, but once they are integrated into the system, it is near impossible for them to get out. Military groups have many methods for keeping children in line including drugs, alcohol, savage beatings, and even execution. The groups take advantage of the malleability of children by confusing they understanding of what is right and wrong by rewarding “good” child soldiers that do as they are commanded with extra food, promotion in rank, or assigned girls for sexual services\(^{25}\)

**The International Community**

The nations of the internationally community committed themselves to the protection of children in armed conflict through numerous documents like the Convention on the Rights of the Child. By ratifying these agreements, the nations officially established their policy as that of protecting children in armed conflict. Of course the international community would prefer to be able to meet the needs of all children, considering all the issues in the world, it is difficult for the international community to be expected to prevent the complete of abuse of children in armed conflict

\(^{25}\) Ibid., 12 - 13.
regions. Through prevention is not always plausible, optimally the international community should be responsible for protecting as many children as possible, meeting their primary needs, and demanding justice for child victims.

The interest of nations in children in armed conflict is not only limited to their commitment to child protection, but also because of the problems related that stand to effect the international community. “Until relatively recently, the cost of crime would have been seen as a purely domestic policy consideration. But in our ever-shrinking world, crime is more an more an international phenomenon, requiring international efforts to address it.” An example of one of these issues is the illegal trade of small arms, light weapons, and ammunition. Small arms and light weapons like M-16 and AK-47 assault rifles are the right size to be used by adolescent soldiers. “Many illegal weapons currently in circulation were at one point transferred legally by governments… In 2000, the legal trade was estimated to be worth at least $4 billion to $6 billion. Illegal trade … has been estimated at up to $10 billion.”

The strength of individual nations is important to the overall success of the global system. The psychological trauma and personal stunt in development of children not only affects themselves individually, but it has implications for the community. DDR is not only difficult for the children themselves, but also for the communities that must learn to accept them and help them become successfully contributing members to society. By protecting children in armed conflict situations from falling victim to becoming child soldiers, sexual exploitation, and health issues, nations are also investing in the protection of the international community for the future. An area for compromise and negotiation in the international community is how much involvement states should have with the affairs of children in armed conflict outside of their own borders, specifically who should have the responsibility for prosecuting individuals that are in question of violating children’s rights.

Non-Governmental Organizations

In many countries, the armed conflict has destabilized the government or at least taken the majority of its attention and resources. Non-governmental organizations (NGOs) have been making a lot of effort to fill the gaps in government interests and gather, compile, and publish information regarding the children in armed conflict and help meet the primary needs of the children. Though NGOs are generally motivated by their desire to help others, each organization has a stated mission and focus that determines the activities they are involved in. Because these groups are non-governmental, they are able to mobilize quicker and respond to civilian concerns on a more local level. NGOs, such as The Coalition to Stop the Use of Child Soldiers\textsuperscript{28}, Invisible Children\textsuperscript{29}, and the Watchlist on Children and Armed Conflict\textsuperscript{30} have been working to raise international civilian awareness of the issues facing children in armed conflict.

Possible Causes

Exploitation of Children’s Vulnerability

Children rely on their trusted guardians for protection and security, but for many children during armed conflict, the security they depend on is not guaranteed. There are many reasons that children are left to fend for themselves during armed conflict. For many children, they lost their parents to death or while they were fleeing their homes. Other parents were forced to let their children go as militia groups threatened them with violence, while others were helpless to protect their children as they were unknowingly abducted, for example, while children are at school, entire classrooms of students are raided and abducted. Even when families are still united, such as in refugee camps, parents are unable to protect their children from outside groups that come into the camps

to kidnap the children or they are overly preoccupied on getting enough food for their family, that they do not notice their children are making bad decisions.

When a child is left without someone to be responsible for his or her safety, they are especially vulnerable to the exploitation of corrupt and mislead adults. Adults can physically and emotionally intimidate children more easily than they can their peers. Children lack the physical strength to defend themselves against an adult and the emotional understanding to identify when they are being exploited for their weakness. Not all the children that have been involved in armed conflict participated against their will, some joined voluntarily but under the lure of information that was manipulated by adults to be more appealing to students.\textsuperscript{31} Children in armed conflict, especially children left alone, often feel hopeless in terms of other alternatives to what life can be. They join the ranks of the military as a survival strategy, militia groups appeal as an access to food and resources for themselves and their families. For children that have been emotionally and physiologically traumatized by the violence they have witnessed, military service appeals to their need to feel empowered. Militia groups offer children the chance to use violence and the operation of lethal weapons to redress the injustices that surround them, like economic deprivation and political corruption.\textsuperscript{32}

**Continued Armed Conflict**

Conflict over ethnic identity has been a common trend in recent years such as the conflicts in Georgia, Sri Lanka, and Sudan. Many of these ethnic conflicts are deep rooted in national history through colonial state formation. When colonial powers chose to favor one ethnic group of another they categorized social classes by race and created a dominant-subordinate relationship between ethnic groups. “With political dominance entwined with economic dominance, colonialism deepened pre-colonial ethnic cleavages


and laid the foundation for long-term hatred and grievances among those ethnic groups disadvantaged by political arrangements.”

Economic interests also fuel feuds between different groups. In developing countries there maybe an uneven and unequal distribution of development. Poverty can create a sense of desperation in the poor and deprived that result in “violence in the hope of obtaining political and economic justice.” Organized violence in the form of war has become highly profitable because of global business, both legal and illegal. The international weapons market, especially small arms sales, has helped create and sustain wars that claim children both as their main victims and wielders. The small arms and light weapons market has become increasingly more accessible and profitable for groups as the use of private dealers by both governments and manufacturers has become more common. Anyone who has access to small arms can become a private dealer and can “sell to anyone – and are accountable to no one.”

The Need for Reform in National and International Procedures

There is a major need between the United Nations, international and national organizations for increased information on children in armed conflict. Improved information systems would provide officials with timely information that could be used to create policies that accurately reflect the needs of children according to their specific conflict situation. More focus must be given to the monitoring, verifying, and reporting of child rights abuses so both the national government and international community can more quickly identify high-risk areas and take more immediate action. According to Machel’s 2001 review of progress since the 1996 United Nations Report on the Impact of Armed Conflict on Children, “there exists no systematic approach to collecting,

33 Geoff Harris and Neryl Lewis “Armed Conflict in Developing Countries: Extent, nature and causes” in Recovering from Armed Conflict in Developing Countries: An economic and political analysis, ed. Geoff Harris, 8 (London: Routledge, 1999).
34 Geoff Harris and Neryl Lewis “Armed Conflict in Developing Countries: Extent, nature and causes” in Recovering from Armed Conflict in Developing Countries: An economic and political analysis, ed. Geoff Harris, 8-9. (London: Routledge, 1999).
analyzing and making available sex and age disaggregated data on war-affected children.”

“However, in spite of the multiple push and pull factors that may exist, ultimately it is the decision of individual commanders to recruit children. Therefore, ensuring that violators are held accountable carries a critical deterrent effect.” If the children are not protected before they fall victim to war crimes, there must be measures in place to assure that crimes against children will not be tolerated as a side effects of war or allowed to happen again.

“There must be an end to impunity for war crimes against children. Those who wage, legitimize and support wars must be condemned. National sovereignty must never shield those directly or indirectly responsible for such crimes. And there must be national and international actions to hold all perpetrators accountable.”

During the nine-year civil war in Sierra Leone an estimate five thousand – four hundred children were recruited against their will by the Revolutionary United Front rebel troops or pro-government forces and forced to fight in the conflict. The Lomé Peace Accord of 1999 traded peace from the armed conflict for impunity; the members of armed groups were granted blanket amnesty.

Considering armed conflict is especially taxing on the government stability of the conflict nation, a major concern is who should be responsible for prosecuting the individuals responsible for crimes against children during armed conflict. Nations have the duty to trial the suspected criminals in their country, but not all nations have the judicial system in place to handle such delicate and intensive cases. The international community has the option of bringing cases to the International Criminal Court, an independent international organization that for the most serious crimes as decided by the international community. In specific cases likes the International Criminal Tribunal for the former Yugoslavia and for Rwanda, courts specific to crimes committed during a

39 Ibid., 144 – 145.
specific time-frame and conflict can be created. There are different options for taking legal action against individuals, but it is not easy to gather enough evidence to bring them to trial because of falsified, secret, lost, and destroyed military documents.

**Projections and Implications**

The ending of all armed conflict is not a solution that is viable within the immediate future and it is unrealistic to expect that the vulnerability of children will ever go away. If nothing is done to address the current plight of children in armed conflict, children will continue to be found in the ranks of the military, targeted in armed conflict, harmed as they flee conflicts, and die in large numbers as their needs are not met. Efforts made in the past have been met with minimal success, and this will continue to be the case until the international community takes seriously the protection of children in armed conflict regions.

It is difficult to project the number of children that will be affected by armed conflict in the future because of the lack of reliable and up-to-date information available today. Between 2002 and 2006 approximately “1.5 billion children – two thirds of the world’s child population – lived in the 42 countries affected by violent, high-intensity conflict.”40 This number is only going to increase as new conflicts break out and old conflicts remained unaddressed. As violators of children’s rights continue to go unpunished, armed conflict rages, and children are unprotected, children will remain the targets, victims, and agents of armed conflict in the future.

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Conclusion

Armed conflict affects everyone in the nation, including and specifically, the youngest members of the population, children. The threats facing children in more recent conflicts are unmatched in their violence, dangerousness, and victimizing of children. Much effort has been taken by the international community to define the rights of children and the issues specifically facing children in armed conflict can be found increasingly at the forefront of discussions, but still the livelihood of children are threatened and disregarded daily as they are targeted by armed conflict. The creation of international documents has not stopped the persistence of armed conflict around the world and the use of children in the military, for sexual exploitation, and as targets of violence. Though most in the international community would agree that children should be protected from and during armed conflict situations, there are many factors that make it possible for children to be victimized such as military groups, the vulnerability of children, continued armed conflict, and the lack of immediate action taken in areas that are of high-risk of violating children’s rights in armed conflict. The future of children in conflict situations is at the hands of the international community to identify, prevent, and protect children in danger of being hurt.
Discussion Questions

• Who should be responsible for prosecuting individuals that infringe on the rights of children in armed conflict areas?

• What should the role of the United Nations be in providing for and the protection of the rights of children in armed conflict?

• What is the most pressing issue facing these children?

• Who should be responsible for reforming current national and international procedures for children in armed conflict?

• How can children be better prepared to cope with armed conflict?
Annotated Bibliography

For Further Reading


*A project of the International Peace Academy, the book edited by Adebajo and Rashid is the first comprehensive attempt to assess the post-Cold War conflicts of the region. The book’s specific sub-regional focus provides very accurate information that would specifically address the needs of the area.*


*In the introduction of the book, Geoff states, “Since 1945 virtually all wars have been fought in developing countries.” The book is a compilation of case studies from Africa and Asia that focus upon the challenges faced by developing nations in areas such as – economics, politics, and society. It provides insight into nations that have the most children in armed conflict and provides a closer understanding of the issues specific to these states.*
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