

Research Report

MUNISH '12



Please think about the environment and do not print this research report unless absolutely necessary.

Forum	Special Conference 2 on social responsibility
Issue:	Eliminating the use of child soldiers
Student Officer:	Siert van Kemenade
Position:	President of Special Conference 2, MUNISH 2012

Introduction

“In peace, children bury their parents; war violates the order of nature and causes parents to bury their children.” These are the words of the famous Greek historian Herodotus, emphasizing the worst part of war. Herodotus was aiming for parents to bury their relatively older children whom fought as soldiers. He would be disgusted by the idea of a war fought by young children, as most people are. Unfortunately, throughout history up until this very day, the use of child soldiers is part of our reality.



Definition of Key Terms

Child

Any person under the age of 18

Child Soldier

Children taking direct part in hostilities

UN resolution 1261

Signed in 1999, this resolution was the first one on children in armed conflicts in general. It strongly condemned the recruitment of children for military use, and it called upon all member states to actively participate in eliminating the use of child soldiers in hostilities.

The universal declaration of Children's human rights.

Signed by all member states but two (Somalia and the United States of America) on 20 November 1989, this declaration served as an annex to the universal declaration of human rights, specially focused on the rights of children. It contained rights such as but not limited to: name and nationality, freedom of opinion, shelter, family, protection against violence, education, medical aid and protection. The complete declaration of human rights can be found at http://www.unesco.org/education/pdf/CHILD_E.PDF. A summary of all the articles (operative clauses) in the Universal Declaration of Children's Human rights can be found at http://www.unicef.org/crc/files/Rights_overview.pdf

Optional Protocol on the Involvement of Children in Armed Conflict

Signed in 2000. An optional addition to the Declaration of Children's rights including the assurance from its signers to prevent their members of their armed forces did not take direct part in military hostilities or were compulsorily drafted. This protocol became officially effective in 2002. For the complete document on the optional protocol on the involvement of children in armed conflicts, see http://www.unicef.org/publications/files/option_protocol_conflict.pdf



General Overview

History of the issue

In 1924, the first declaration of children's rights was adapted in Geneva by the League of Nations. Because the UN was founded in 1945, the member states had to vote on adapting it. After 1948, when the universal declaration of human rights was accepted by almost all member states, several nations felt obliged to propose to revise the children's rights. This occurred in 1959. The current children's rights, signed in 1989, are based on the declaration that was signed in 1959.

In 1989, the new version of the universal declaration of children's rights was signed. This version was much more extensive than its predecessor, which contained only two pages. The new version also contained the first measure to eliminate the use of child soldiers:

"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." (article 38, Universal Declaration of Children's Human Rights)

However, when a child is between 15 and 18, he or she is still allowed to join a national military organization by his or her consent.

In 1998, several Non-Governmental human rights groups together founded the Child Soldiers International charity group. This was the first (UK based) worldwide organization to focus solely on the elimination of the use of child soldiers. This was a clear signal that the elimination of child soldiers had taken its place on many political agendas. The Child Soldiers International group played an important role in the creation of the **optional protocol on the involvement of children in armed conflicts. Which was signed in 2000. This was a major step for the anti - child soldier movement, seeing as it still protects children between 15 and 18 in national military armies in 142 countries today.**

Most nations, in which child soldiers are still present, are considered Less Economically Developed Countries (LEDC's). Therefore, in order to make the elimination of child soldiers a bigger priority to those nations, the International Labour Organization (ILO) decided on the convention on the Worst Forms of Child Labours to prohibit the forced or compulsory recruitment of children under the age of 18. This is still being ratified in over 150 countries.



Legal history

In recent history, more than a few examples of the use of child soldiers have occurred. The International Criminal Court (ICC), active since 2002, has already several people in custody with the charge (such as but not limited to) of the use of child soldiers. Two of which have been convicted. Here are three examples: two of which have been convicted for serious crimes against humanity and children, the third one is suspected of one of the most terrible crimes against children in history.

Thomas Lubanga Dyilo (Democratic Republic of Congo)

Lumbanga was the first person ever to be accused of the recruitment and use of child soldiers by the International Criminal Court (ICC) in 2009. He was also the first person ever to be convicted by the ICC. He was found guilty of the abduction of young boys and girls under the age of 15 and deploying them in hostilities between 2002 and 2003. He was sentenced to serve 14 years in prison.

Charles McArthur Ghankay Taylor (Liberia, President between 1997-2003)

Taylor was the first former head-of-state to be convicted by an international court since the Neurenberg trials of Nazi leaders after the Second World War. He was found guilty by the judges of all 11 charges, including the conscription of children under the age of 15 in his national military forces, which were deployed in Sierra Leone during the Sierra Leone Civil War (1991-2002). He was sentenced to serve 50 years of prison (including with his other war crimes and crimes against humanity).

Joseph Kony (Uganda, Commander in-chief of “the Lord’s resistance army” (LRA))

Although Kony is still at large, he is suspected of some of the most terrible crimes against children in African History. He is suspected of forced enlistment of children for his cause, and rumours suggest that he drugged them prior to ordering them to kill entire villages, making them more effective killers. However, Kony has not been convicted yet, so making assumptions in regard to his accusations, which have not been confirmed by the ICC, will be out of order.



Current situation

It is estimated that currently hundreds of thousands of children under the age of 18 serve in government forces or armed rebel groups, some as young as eight years old. In at least 21 on going or recent armed conflict in almost every region of the world, there have been reports of child soldiers participating to hostilities.

Because of the undeveloped emotional and physical status of most children, especially those in puberty, they are especially vulnerable to recruitment. They are easily manipulated and are too young to resist or understand what they are doing during the heat of battle.

Another reason why children are recruited more often is because of technologically advanced weapons and other tools become much easier to handle, and therefore their training becomes much less expensive. According to the United States Council of Foreign Relations, “a ten year old can learn to efficiently fire an AK-47 in half an hour. This combined with their mental status and feeling of sympathy most soldiers above 18 feel for children makes them in warlords’ eyes effective, cheap and expendable soldiers.

Most child soldiers are recruited in areas where there is an on-going conflict. This usually creates situations in which the fathers die in war and the mothers can’t provide for herself or her children. Either way, these children end up having nothing left but their own lives. They join an armed force hoping for food, shelter, and work. Usually they end up getting this at least in the beginning of their service time thus convincing them to stay.

The problem with eliminating the use of child soldiers is that just making it extremely difficult for an armed force to function, only results in them recruiting more child soldiers and giving them less supplies, ultimately leading to more dead children.

Finally, there’s the problem of reintegrating child soldiers. Some armed groups that kidnap children force their children to kill their families or sometimes their entire village. This is done to prevent these children from fleeing, because then they have nowhere to go. Even if a conflict comes to an end, this usually means that these children without family end up in another armed group as child soldiers.



Major Parties Involved and Their Views

Child Soldier International

As stated above, Child soldier international (1998) was founded with the sole purpose of eliminating child soldiers. Seeing as they played an important role in the creation of the **optional protocol on the involvement of children in armed conflicts, they have been productive so far. Child soldier International will not stop their foundation until every use of child soldiers has been eliminated.**

UNICEF

UNICEF is the organization of the UN that exists to uphold the rights of the child. This includes upholding the specific rights of the child in terms of conflicts and violence. UNICEF is therefore also a strong anti-child soldier organization.

Lord's Resistance Army (LRA)

A rebellious group active in the DRC, Uganda, The Central African Republic, and South Sudan, this organization is believed to have abducted and deployed between 60.000 and 100.000 child soldiers, which is the highest recruitment number in the world for child soldiers. Apart from this accusation, the LRA is also accused for violation of several human rights such as murder, abduction, mutilation and child-sex slavery. As stated before when mentioning Joseph Kony, there have been arrest warrants for several of the leaders of this group by the ICC.

Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN)

Both active in Colombia, these groups are well known for recruiting and deploying child soldiers as well. Approximately 14.000 child soldiers, also referred to in these areas as "little bees", are still active with both groups. These organizations are known for forcing their child soldiers to commit violations against human rights.

Democratic Republic of Congo

In the Second Congo war (also known as the African War), which claimed the lives of 5,4 million people, claimed to be the most deadly war since WWII, about 30.000 child soldiers were active in the ranks of almost all participants to the war. Nowhere in the world were child soldiers deployed as frequent as in the Congolese war. The DRC government is also reported using child soldiers in its military force.

Colombia

A nation in which the FARC and the ELN are active, both fighting the Colombian government. This war has been going on for 40 years now.

Sudan and South-Sudan

In the South Sudanese liberation war, there have been reports of both governments using child soldiers in their military forces. Also due to several attacks and plundering's by the LRA, the use of child soldiers in the Sudan area is not uncommon.

Timeline of Events

Diplomatic timeline of events

Date	Description of event
26 September 1924	Adoption of the declaration of children's rights by the League of Nations
20 November 1959	Adoption of the rights of the Child by the UN
20 November 1989	Signing of the Universal Declaration of Children's Human Rights by all but two nations
May 1998	Child Soldiers International is established
25 August 1999	Resolution 1261 on children in armed conflicts is passed Unanimously in the Security Council
25 May 2000	Resolution A/RES/54/263 is signed (on the Optional Protocol on the Involvement of Children in Armed Conflicts
17 July 2008	Most recent meeting on children in armed conflicts



Conflict timeline of events

Date	Description of event
1964	Start of FARC activity in Colombia
June 1983	Beginning Second Sudanese Civil War
1987	Start of LRA activity in Uganda, Rwanda, Sudan and DRC
2 August 1998	Beginning of the Second Congo War
18 July 2003	Formal ending of the Second Congo war
January 2005	Ending Second Sudanese Civil War

UN involvement, Relevant Resolutions, Treaties and Events

The Result so far by the UN is that all member states agree to condemn the use of Child Soldiers. This may seem something insignificant, but it does allow the UN to sanction peace missions by the sole reason that child soldiers are actively used in conflict areas. This significantly reduces the amount of barriers in helping these Children

- The optional protocol on the Involvement of Children in armed Conflicts, 25 may 2000 (**A/RES/54/263**)
- Children in Armed Conflicts, 30 August 1999, (**S/RES/1261/1999**)
- Rights of the child (most recent review), 19 December 2011 (**A/RES/66/458**)

Possible Solutions

First of all, here's what should not be considered an option. The presidency would like to advise all delegates to refrain from implementing a funding cut for the military groups that use child soldiers. Child soldiers are recruited for the very reason that they are cheap and expendable. Cutting funds would only result in more child soldiers or completely waste child soldiers due to lack of food. A better idea would be to cut all weapon supplies. It's very



important though to make sure no weapons reach the military groups, because if some weapons still reach the groups it will result in very badly armed and absolutely doomed to die child soldiers.

Secondly, these children are recruited partly because of their state of life. As stated above, these children are usually recruited in areas where there is an on going conflict. This means that they have nothing to lose. Perhaps there is a way to not let these children be recruited in the first place.

Lastly, there is the reintegration problem. It is clear that ex-child soldiers are having difficulty adapting to normal life after a violent youth. Sometimes, they just join another militia in order to survive. A solution for this problem should be found as well.

Bibliography

Military Use of Children." *Wikipedia.org*. Wikimedia Foundation Inc., 26 July 2012. Web. <http://en.wikipedia.org/wiki/Military_use_of_children>.

Child Soldier International." *Wikipedia.org*. Wikimedia Foundation Inc., 15 Apr. 2012. Web. <http://en.wikipedia.org/wiki/Coalition_to_Stop_the_Use_of_Child_Soldiers>

Optional Protocol on the Involvement of Children in Armed Conflict." *Wikipedia.org*. Wikimedia Foundation Inc., 14 Dec. 2011. Web. <http://en.wikipedia.org/wiki/Optional_protocol_on_the_involvement_of_children_in_armed_conflict>

Lord's Resistance Army." *Wikipedia.org*. Wikimedia Foundation Inc., 21 July 2012. Web. <http://en.wikipedia.org/wiki/Lord%27s_Resistance_Army>

The Second Congo War." *Wikipedia.org*. Wikimedia Foundation Inc., 02 Aug. 2012. Web. <http://en.wikipedia.org/wiki/Second_Congo_War>

Second Sudanese Civil War." *Wikipedia.org*. Wikimedia Foundation Inc., 05 Aug. 2012. Web. http://en.wikipedia.org/wiki/Second_Sudanese_Civil_War

Revolutionary Armed Forces of Colombia (FARC)." *Wikipedia.org*. Wikimedia Foundation Inc., 24 July 2012. Web.

<http://en.wikipedia.org/wiki/Revolutionary_Armed_Forces_of_Colombia>

Pagan, La Shawn. "Colombia's War on Child Soldiers." *Media Global News.org*. Media Global News, 4 Oct. 2011. Web. <<http://www.mediaglobal.org/2011/10/04/colombias-war-on-child-soldiers/>>.

Facts about Child Soldiers." *Hrw.org*. Human Rights Watch, 3 Dec. 2008. Web.

<<http://www.hrw.org/news/2008/12/03/facts-about-child-soldiers>>

