

Action Sheet 5

Children associated with armed forces or armed groups



Key message

Hundreds of thousands of children are associated with armed forces and armed groups in armed conflicts in over 20 countries around the world. Girls and boys are used in a variety of ways from support roles, such as cooking or portering, to active fighting, laying mines or spying and girls are frequently used for sexual purposes.

This unrelenting and brutal use of children violates their rights and causes them physical, developmental, emotional, mental, and spiritual harm. The release, protection and reintegration of children recruited or used by armed forces or armed groups must be sought at all times, including during armed conflict. All humanitarian and human rights actors must take preventive action from the onset of humanitarian operations in a coordinated and strategic manner.

“**Child**” refers to any person less than 18 years of age in accordance with the Convention on the Rights of the Child.

A **child associated with an armed force or group** refers to any person below 18 years of age who is or who has been recruited or used by an armed force or group in any capacity, including but not limited to children used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken an active part in hostilities.

1. The impact of displacement on the risk of recruitment

Children who become internally displaced as a result of natural disasters or armed conflict are usually at greater risk of recruitment or use by armed forces or groups. This is due to reduced social protection and coping mechanisms, discrimination on the basis of their displaced status or their perceived allegiance with a belligerent in the armed conflict. Additionally, lack of economic, educational or other opportunities caused by displacement can make internally displaced children more vulnerable to recruitment.

Children separated from their families are particularly exposed and, where the security situation is fragile, for example when IDP camps are close to conflict areas or infiltrated by armed actors, the potential for forced recruitment through abduction of children or other means is very high.

Girls constitute up to 40 per cent of children associated with armed forces or groups. While their experiences may lead to significant problems, particularly regarding their reintegration, their specific needs are rarely adequately addressed. Gender roles may contribute to girls' vulnerability to recruitment, which may be heightened in situations of displacement, for example by having to fetch water or firewood unaccompanied in conflict zones.

¹ See section 7 at the end of this Action Sheet. ‘*Key international human rights and humanitarian law provisions*’, regarding recruitment age.

² “Armed forces” refers to the armed forces of a State. “Armed groups” refers to groups distinct from armed forces as defined by Article 4 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. “Recruitment” refers to compulsory, forced and voluntary conscription or enlistment of children into any kind of armed force or armed group.

2. Why children are recruited into armed forces or armed groups

Children become associated with armed forces or armed groups for many different reasons depending on the context. A situation analysis is essential in order to identify the specific causes of recruitment in any given operation. While many children are forcibly recruited, others “volunteer” because of their circumstances. War itself is a major determinant, but children may see enlistment as the only alternative when they lack access to education or employment or when their families are abusive or violent or fail to provide proper care. Girls frequently join up to escape sexual violence or other forms of discrimination. In such contexts, children may see participation in armed forces or groups as their best option for survival for themselves, their families or communities.

Children living in highly militarized or politicized communities or those where violence is organized or commonplace may also be vulnerable to recruitment; children often join armed groups to support or remain with their families.

Armed actors may target children due to a need for manpower or because children are particularly useful in certain roles, for example as spies; or because they are more likely to obey orders or work for food, security or status rather than wages.

The consequences for children associated with armed forces or armed groups

The involvement of children in conflict exposes them to extreme and unacceptable threats to their health and well being and violates their rights.

- Boys and girls are deprived of growing up with their families and the opportunity to develop physically and emotionally in a familiar or protective environment.
- In combat, many children are killed, severely injured or permanently disabled; they may be forced to witness or participate in atrocities.
- In many contexts, children, mainly girls, associated with armed forces or groups are subjected to sexual and gender based violence and may contract sexually transmitted infections including HIV/AIDS.
- Girls may also become pregnant or give birth during their time with armed forces or armed groups.
- Children whose families are displaced are at greater risk of remaining separated from their families and communities once released.
- Children may also be stigmatized or rejected by their families or communities. Girls face particular difficulties reintegrating, particularly if they return with children or pregnant. Despite their experiences these children usually see themselves as strong and hard working. They are resilient and able to do well in life if they are given appropriate help, support and encouragement. provision

3. The role and responsibility of the State

States bear the primary responsibility for providing security to and ensuring the protection of all children within their jurisdiction. Where states cannot meet all of their humanitarian responsibilities directly, they are charged with enabling the provision of humanitarian action by impartial actors.

States should take all necessary legislative, administrative and judicial measures to prevent the recruitment of children into armed forces or armed groups; facilitate the release of those children already recruited; and provide them with protection and reintegration support. These measures include the ratification and implementation of all relevant legal instruments, ensuring that all relevant international standards are respected and reflected in national law and establishing and enforcing recruitment procedures in compliance with international law, including the Optional Protocol to the Convention on the Rights of the Child.

4. The role and responsibility of human rights and humanitarian actors

The Paris Commitments and Guiding Principles on children associated with armed forces or armed groups provide comprehensive guidance for country teams; reference should be made to the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) (see below) when working in a peacekeeping environment. Available at www.unicef.org

Child protection actors, working together with government ministries and other bodies with a child protection mandate, should support States by providing the required technical and operational expertise and leadership in decision-making and programme implementation for the prevention of recruitment as well as for the release, demobilization and reintegration of children.

All human rights and humanitarian actors, including those without expertise in the area of child protection, should take measures to prevent and to ensure an effective response to the recruitment of children into armed forces or armed groups from the outset of an emergency. This entails ensuring that child protection concerns are adequately integrated and mainstreamed at all levels of the humanitarian response. The following matrix outlines key activities which could form part of an effective response.



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Assessment & Analysis

(see Part III.1)



- Ensure that joint situational analysis includes (i) the specific reasons for recruitment (ii) the children most at risk of recruitment (iii) who is carrying out recruitment and (iv) what is being done to prevent recruitment. (v) existing initiatives and key stakeholders regarding demobilization or release and reintegration. Ensure that the joint analysis integrates an age and gender perspective.

Coordination

(see Part III.2)



- Support the establishment of an interagency group involving all actors implementing programmes for children associated with armed forces or groups where roles and responsibilities are agreed; policy and programme approaches are defined; and linkages established with all other sectors. This group should also ensure that common protocols on documentation and information sharing are developed.
- Ensure that prevention activities, which address the underlying causes of recruitment, are implemented within a broad child protection framework.
- Work closely with peacekeeping forces; for further information on demobilization in a peacekeeping environment see the *International Disarmament, Demobilization and Reintegration Standards*.³

Advocacy

(see Part IV.3)



Undertake advocacy with a range of actors including:

- Ensure that criteria for any *release* or *demobilization* process is based on the definition of “children associated with armed forces or armed groups” used in this document and the objective of the release process is the early reintegration of children. These points should be clearly communicated to both armed forces and groups and communities including children.



³ Particularly module 5.30 on children; the module provides policy makers, senior management, operational staff and DDR officers with guidance on the planning and implementation of child specific demobilization and integration programmes for children associated with armed forces or armed groups in a peacekeeping environment. See also 5.10 on Women, Gender and DDR and 5.20 on Youth & DDR <http://www.unddr.org/iddrs/framework.php>

	<ul style="list-style-type: none"> • Advocate with States to take the necessary steps to ensure that all relevant international standards are ratified, respected and reflected in national law and practice. This includes ensuring that children who leave the armed forces or groups by any means (including escape or capture) be provided with protection in accordance international human rights standards (particularly where those groups acted against the State or IDP community).⁴ • Develop advocacy campaigns with national civil society groups, including religious associations, to convey to key national stakeholders that the recruitment and use of children by armed forces or armed groups is not acceptable. Advocate for the inclusion of children in any cease fire or peace agreements. • While recognizing that States have different obligations under International Law, advocate, as do the majority of child protection actors, for States to raise the minimum age of recruitment to 18 in all circumstances. • Advocate for children associated with armed forces or armed groups to be treated in accordance with international standards for juvenile justice. • Advocate with national authorities and other stakeholders, as appropriate, to improve safety and security in and around camps, villages and other urban areas in order to prevent forced recruitment (see Part V.3.2). 
<p>Monitoring & reporting (see Part IV.1)</p> 	<ul style="list-style-type: none"> • Develop local capacity where possible for follow up and to monitor the situation of those children who require additional support including girls and girl mothers, and any children at risk of re-recruitment. • Support the establishment of specialized mechanisms for the systematic monitoring and reporting⁵ on the recruitment (or re-recruitment) or use of children by armed forces or groups; this is an essential protection measure and also serves as the basis for actions to pressure armed forces or groups to respect fundamental humanitarian and human rights norms and for actions to end impunity for those who violate those norms. Discuss roles and responsibilities for monitoring and reporting such cases within the child protection group and/or the country team.
<p>Community mobilization (see Part IV.10)</p> 	<ul style="list-style-type: none"> • Develop a prevention strategy in consultation with children, families and communities, which builds on their own protection initiatives and responds to the reasons for recruitment. This should include: (i) the practical application of relevant law and standards such as the Optional Protocol to the CRC; (ii) practical measures to improve children's safety, for example ensuring family unity; and (iii) programming to prevent recruitment such as the provision of education and livelihood opportunities. • Work with key members of the community to prevent propaganda or active recruitment taking place in or around schools. Parents and teachers are very important stakeholders in this respect.

⁴ See section 7 at the end of this action sheet (Key international legal standards).

⁵ Pursuant to Security Council Resolutions 1539 (2004) and 1612 (2005) the Secretary General UNICEF and the Office of the Special Representative of the Secretary General for Children Affected by Armed Conflict (SRSG-CAAC) are tasked with a lead role in the implementation of a mechanism for monitoring and reporting on recruitment and monitoring of recruitment or use of children and other egregious violations against children in armed conflict. They are tasked with working alongside UN Peacekeeping forces and UN Country Teams. They act in collaboration with governments, local and international NGOs, civil society actors and other partners. In each country where children and armed conflict is an issue, a task force on monitoring and reporting will be constituted. The country-level Task Force on Monitoring and Reporting will be co-chaired by the Deputy SRSG and UNICEF Representative in situations where a UN peacekeeping mission is in place, or by the UNICEF representative in situations without a peacekeeping mission.

- Promote the development of plans by specialized organizations for programmes to support the release and reintegration of children; this should not be dependent either on the progress of any formal peace process or any formal DDR process. The plans should: (i) emphasize the engagement of communities and build on existing resources (ii) ensure the participation of children, their families and communities (iii) include a strategy to meet the needs both of children who enter a release process and those who do not and (iv) include specific activities to meet the needs of girls and their children.
- Encourage the establishment of child protection committees – where children and adults can work together to develop effective protection strategies – and the formation of youth groups.

Capacity building

(see Part IV.4)



- Support the provision of technical assistance and advice to relevant stakeholders, including peacekeepers, local and national authorities and community based organizations.
- Ensure that training is provided to all those implementing programmes or working with children associated with armed forces or armed groups, for example in interviewing and communicating with children. All staff working with children should adhere to a code of conduct on the protection of children (see Part V.4).⁶
- Ensure that staff are trained and experienced in working with children, health and psychosocial needs are addressed and urgent family tracing can be undertaken.

Addressing the specific situation of girls

(see Part IV.11)



- Take pro-active measures to ensure that all aspects of prevention of recruitment, release and reintegration foresee concrete measures to respond to the specific needs of girls. Pay particular attention to the needs for protection and support both of girl mothers and of children born to girls as a result of their recruitment by armed forces/groups. They may require (i) health care, including reproductive health (ii) psychosocial support (iii) measures to ensure they can access services including education or training programmes.
- Identify and assist girls only with extreme sensitivity in order not to increase the stigma attached to their involvement with armed forces or groups.
- As a preventative measure, ensure that humanitarian programmes promote gender equality and freedom of choice and provide girls with opportunities to develop skills and generate income in non-exploitative settings.

Health

(see Part V.15 and IV.11)



- Ensure that adequate, free, confidential, accessible and “child friendly” health care including reproductive health services are available. Following release or demobilization, all children should undergo assessment of their physical health including nutritional screening, and receive treatment or referral on to specialist services as necessary.
- Provide appropriate medical care and support for children that have been subjected to SGBV (see Parts V.4 and 15). Provide appropriate responses to meet the particular needs of girls including those who are pregnant or girl-mothers and their children.

⁶ An example of a code of conduct developed by a coalition of organizations is ‘Keeping Children Safe: A toolkit for child protection’, by the Keeping Children Safe Coalition, 2006.

<p>Interim care</p>	<ul style="list-style-type: none"> • Ensure that interim care is provided for those children released or demobilized from armed forces or groups. They may benefit from a period of time in a setting where special assistance is provided by experienced staff; this might include children with medical needs, girl-mothers, children whose family cannot be traced or where the community is hostile to returning children. • <i>Interim care is not universally necessary for all children</i> and where it is used should always be planned and implemented as part of a community based programme to facilitate the return of children to their communities and to promote the protection and development of conflict-affected children in general.
<p>Reintegration of children and livelihoods (see Parts VI and V.16) </p>	<ul style="list-style-type: none"> • Reunite or place children in a supportive family environment as soon as possible following preparation of the child, family and community. Assess and seek ways to address any obstacles to reintegration including hostility towards returning children, medical needs or economic constraints. • Do not provide direct cash benefits to released or demobilized children; reintegration assistance should generally be provided through broader support to children, families and communities. They should always build on the resilience of children and aim to benefit the wider community whilst developing the capacity of communities to provide a protective environment. • Provide educational activities that promote psychosocial well being and take into account the children's lost educational opportunities, their age and stage of development, and their experiences with armed forces or groups. • Conduct a technical assessment of the livelihood systems, market opportunities, and household economies in the areas to which children are returning, to develop economically relevant training and opportunities for economic reintegration. • Develop links with any programmes, policies and initiatives that could benefit these children and their families either directly, for example through social welfare programmes, or indirectly, through reconstruction and rehabilitation of national institutions and other development programmes. Ensure that these programmes support the inclusion of all children and do not neglect the specific situations of girls, young mothers or children with a disability.

5. Key partners

- At the **national level**: In addition to the internally displaced and host communities including children these include community and youth organizations, civil society organizations, community based organizations and NGO's; local and central government including Ministries of Social Welfare and Family, ombudsman or commissioners for children, Ministries for Justice, Education and Health. National governments (both affected countries and donor governments), human rights actors, military and security actors (state or non-state).
- At the **regional level**: Any regional military and civilian peace-keeping forces; regional organizations, such as the African Union, the European Union, Economic Community of West African States, the Organization for Security and Cooperation in Europe; regional human rights commissions and courts; governments of neighbouring states, influential states in the region, and donor countries.
- At the **international level**: INGO's, UN organizations in particular Office of the Special Representative of the Secretary General for Children Affected by Armed Conflict (SRSR-CAAC) UNICEF, UNHCR, OCHA, DPKO; the ICRC and IFRC, UN Security Council, International Criminal Court (ICC); UN treaty bodies and special procedures.

6. Key international legal standards

International Human Rights Law, particularly the Convention on the Rights of the Child, provides the core principles for protecting the rights of all children at all times; more specifically, it prohibits the recruitment and the participation in conflict of children of less than 15 years of age.⁷ In addition, it lays down State obligations in a number of areas which are of direct relevance to children recruited by armed forces or at risk thereof. These include the protection of separated and unaccompanied children; the recovery and social reintegration of children victim of neglect, exploitation or abuse, torture, ill treatment or punishment, as well as of armed conflicts; children's right to education; the prohibition of torture and the unlawful or arbitrary deprivation of liberty; and treatment under the juvenile justice system.⁸

The ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour defines children as under 18 years and refers to forced and compulsory recruitment of children in armed conflict as *one of the worst forms of child labour*.

An Optional Protocol to the CRC on *the involvement of children in armed conflict* was adopted in the year 2000. It raises the minimum age for direct participation in hostilities and compulsory recruitment to 18 years; urges armed groups not to recruit or use children under the age of 18 and requires State Parties to take all feasible measures to criminalize such practices. It also calls on States to raise the minimum age and introduce strict safeguards for any voluntary military recruitment under 18.

The Optional Protocol builds on other standards, in particular the 1999 African Charter on the Rights and Welfare of the Child. The charter is the only **regional treaty** in the world which addresses the issue of child soldiers. It defines a child as anyone below 18 years of age without exception and charges States to ensure that no child takes direct part in hostilities and to refrain in particular from recruiting any child.⁹

International humanitarian law provides broad protection to children. In the event of armed conflict, both international and non-international, children benefit from the general protection provided to all civilians not participating in hostilities. Given the specific needs of children, the Geneva Conventions of 1949 and their two Additional Protocols of 1977 lay down a series of rules according them special protection; children who take a direct part in hostilities do not lose that special protection. In addition, IHL absolutely prohibits the recruitment of children younger than 15 into the armed forces or other armed groups and their involvement in hostilities in non-international conflicts.¹⁰

International Criminal Law: The Rome Statute of the International Criminal Court (ICC) 1998, states that conscripting or enlisting children under 15 years into national armed forces or groups or using them to participate actively in all kinds of hostilities, is a war crime. The ICC has no jurisdiction over persons under 18 years of age.

UN Security Council Resolutions have repeatedly condemned and called for an end to the unlawful recruitment and use of children¹¹

⁷ Art 38.2

⁸ See Arts 20, 28, 29, 39 and 40 of CRC. In addition to the CRC the following international instruments provide protection for children in the justice system and the protection of children as witnesses: UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) 1985, UN Rules for the Protection of Juveniles Deprived of their Liberty 1990, and the International Covenant on Civil and Political Rights 1976 (Articles 6 & 10).

⁹ See art 22(2).

¹⁰ See Art. 3(c) Additional Protocol II to the Geneva Conventions, applicable to non-international armed conflicts. Children younger than 15 are also protected from direct involvement in international armed conflicts, but in this case, the prohibition is not absolute. Instead, 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', (see Art. 77 of the Additional Protocol I to the GC). The use of the term 'direct part' implies that children younger than 15 can be involved as long as it is not in direct combat. Children under 15 could, for instance, be involved as messengers, porters, etc.

¹¹ See UN Security Council Res. 1261(1999) 1314(2000) 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005).

Resources



Standards, Principles and Codes of Conduct related to personnel:

- *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief*, 1994
- *Keeping Children Safe: A toolkit for child protection*, by the Keeping Children Safe Coalition, 2006.

Selected tools, guidelines & principles

- *The Capetown Principles and best practices on the prevention of recruitment into the armed forces and on the demobilization and social reintegration of child soldiers in Africa*, 1997.
- *The Paris Commitments and Guiding Principles on children associated with armed forces or armed groups*, 2007
- *Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) 2006* particularly module 5.30 on children, and also 5.10 on Women, Gender and DDR and 5.20 on Youth & DDR. <http://www.unndr.org/iddrs/framework.php>
- *Humanitarian Charter and Minimum Standards in Disaster Response; Interagency Guiding Principles on Unaccompanied and Separated Children*, The Sphere Handbook, ICRC 2004
- *Child Soldiers*, ICRC Publication 2003 ref 0824
- *Children and war information kit*, ICRC publication 2004, ref. 0577K

Further reading

- *A Fighting Chance*, Save the Children Alliance; Guidelines and Implications for programmes involving children associated with armed groups and armed forces, 2004.
- *Children - Not Soldiers: Guidelines for working with child soldiers and children associated with fighting forces*. Isobel McConnan and Sarah Uppard, Save the Children UK, London (2001).
- *Children: The Invisible Soldiers*. Brett, R. & McCallin, M.,: Stockholm, Rädda Barnen. (2nd Edition, 1998).
- *Promoting Psycho-social Well-Being Among Children Affected by Armed Conflict and Displacement: Principles and Approaches*. Geneva, SCA - Working Paper No. 1. Save the Children Alliance (1996).
- *Global Report on Child Soldiers*, Coalition to Stop the Use of Child Soldiers, 2004
- Inter-Agency Standing Committee (IASC) Guidelines on Mental Health and Psychosocial Support in Emergency Settings and Guidelines for Gender Based Violence Interventions in Humanitarian Settings



Web Sites

- Coalition to Stop the Use of Child Soldiers www.child-soldiers.org
- International Committee of the Red Cross (ICRC): www.icrc.org
- United Nations Children's Fund (UNICEF): www.unicef.org
- Office of the High Commissioner for Human Rights (OHCHR): www.ohchr.org
- Special Representative of the Secretary-General for Children and Armed Conflict www.un.org/special-rep/children-armed-conflict/fsoldiers.htm
- Office for the Coordination of Humanitarian Affairs (OCHA): www.ochaonline.un.org