CHILDREN IN CONFLICT

Eradicating the Child Soldier Doctrine

A Research Report
Prepared for the Carr Center for Human Rights
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INTRODUCTION

The phenomenon of the use of child soldiers, particularly in violent conflicts in the developing world, is widely recognized as a problem deserving serious world attention. Indeed, given the number of gala events and international conferences held to discuss the issue and the elaborate structure of international agreements to halt the recruitment of children already in place, one might think that the problems should all have been solved some years ago.\(^1\) They have not.\(^2\) Despite nearly a decade of focus on the subject and millions of dollars spent through the agency of various well intentioned international humanitarian organisations, the use of child soldiers continues unabated. According to one researcher, there are now approximately 300,000 child soldiers in action across the world and the number of countries in which they are used has increased significantly\(^3\).

The details of where these child soldiers are involved provided by the Global Report on Child Soldiers for 2004 suggests that the phenomenon is very widespread indeed. The obvious question facing those of us who take this problem seriously is why our collective efforts have had so little effect?\(^4\) For those of us who think it possible to build a world in which childhood is universally protected, it is not enough to hold conferences or to develop an architecture of agreements and instruments that describes what needs to be done. We need also to work out how the instruments and formal agreements are to be used to get from design to construction of an edifice that actually protects its inhabitants from abuse.

This paper is grounded on the belief that the child soldier *problematique* might benefit from a more detached analysis than it usually receives. While the authors share the emotional horror at conditions faced by many helpless children forced into violent conflict by unscrupulous adults, we also think that it is not useful to try to separate the problem from its political, security, economic or social contexts. Contemporary dialogue seldom goes deeper beneath the surface of the problem to look at underlying issues associated with basic assumptions about the nature of states or the ways in which political power can be harnessed or challenged by non-state actors. Fundamental notions about the relationships between obligations, agency and human rights *under conditions of conflict* need also to be considered as part of any serious attempt to intervene on behalf of children. Children are part of larger contexts and thus the attempt to carve out a protected space for them must take into account the social, economic and political factors affecting the communities in which they live.

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\(^1\) The ECHO pamphlet, (Brussels, 2001), for example, explores an impressive list of achievements at the level of international political and legal agreements. To grasp the nature of the problem, one need only read the introduction to UNICEF’s handbook for the UN Special Session on Children (A World Fit for Children, NY, 2002) to learn that in addition to “an extraordinary array of leading figures from business, religion, the arts, academia and civil society, five Nobel Laureates…and more than 400 children” worked together to generate an exuberant list of goals and objectives to set things right by children. Yet the problems continue.

\(^2\) Coalition to Stop the Use of Child Soldier Report 2004 gives a long list of ongoing cases.

\(^3\) Singer, 2004.

\(^4\) UN Security Council Resolution 1612 (2005) expresses frustration with the lack of compliance with existing international agreements and laws.
This study will devote a good deal of effort to the discussion of what we feel are core concepts of the child soldier context: governance and Agency. We use the term ‘governance’ in the neutral sense relating to the capacity of polities to govern themselves. The term ‘Agency’, when capitalized, we associate strictly with the notion of collective action. We hope the discussion of the relationship between these concepts will both clarify the ways in which we use the terms and illustrate the difficulties of trying to apply abstract notions of human rights to contexts characterized by political and moral complexity.

Attempts to limit the use of child soldiers have had, at best, mixed results. While it would be incorrect to claim that nothing has been achieved, it is clear that efforts so far have fallen far short of the objective of protecting all children in all countries from recruitment into armed service, be it with formally established security forces or with what are currently called non-state actors. In general, action to stop the use of child soldiers has so far favoured two main strategies. The first is a legal or juridical approach which leans heavily on international instruments such as the Convention on the Rights of the Child and is sometimes translated into action through international courts such as the Special Court for Sierra Leone. The second main strategic approach is based on an open appeal to human rights arguments that are themselves grounded on a universalised notion of rationality that reflects a kind of Kantian idealism that will be discussed briefly further on. International initiatives so far have not taken full account of the instrumentality of the use of child soldiers and consequently, to borrow Kantian inflections, have relied upon efforts to change the will of abusers of children’s rights through appeal to abstract reason and/or international legal instruments. We think it necessary to confront the instrumental dimension of the issue more directly. The main thrust of the paper will be to consider the military doctrine of the use of child soldiers to assess ways in which the tactical and strategic advantages entailed in the doctrine might be countered by making better use of the tools at hand. We introduce and discuss ways in which military force might be incorporated into child protection activities. Though we may at times argue that there are grounds for differentiating between the seriousness of the abuses entailed in different recruitment cases, we do not intend in any way to condone the use of child soldiers. We intend rather to assess their instrumental qualities in a manner analogous to a medical practitioner who uses laboratory facilities to examine pathogens that he or she must treat. Indeed, the primary research objective guiding this paper is to determine how the doctrine of the use of child soldiers might be eradicated completely.

Aim

The primary aim of this paper is to explore the military dimensions of the child soldier problematique with a view to identifying opportunities for instrumentally effective action

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5 The ancient term ‘polity’ is preferred here as a more open way of signifying potential forms of collective government that include, but are not restricted to, the modern nation state.
6 The term non-state actors is used throughout this paper to refer to armed groups or factions operating within a sovereign nation without formal legitimacy. The intention is to avoid moral imputation when referring to a variety of armed groups with widely varying informal legitimacy.
7 Adopted by the General Assembly on November 20, 1989. A summary of applicable international treaties is provided in the Coalition …Report 2004, pp 327-8. The text of the Optional Protocol to the CRC is also provided here.
to protect children from military recruitment and/or employment— including the use of military force. In the process, the argument developed should also help to define more clearly the limits of certain categories of action.

It is hoped that this approach may guide the development of effective interventions in current and future Peace Keeping operations and may also help reduce the confusion that often results when Peace Keeping troops come face to face with armed children. At the very least, it is hoped that clarifying the military perspective by considering the tactical and strategic characteristics of children will reduce to some extent the communications gap that appears to exist between military officers and humanitarian personnel on this subject.

In keeping with a military approach used to analyse this problem, it would be tempting to restrict discussion to this one simple aim. However, the subject raises so many connecting issues and is so deeply embedded in separate communities of understanding\(^8\) that it is virtually impossible to get very far without discussing political, social, economic and philosophical aspects of the problem.

Focus

Though the increase in the use of child soldiers world wide is alarming and appears to be spreading as the perceived advantages of their use come to the attention of potential leaders, this paper will focus on research pertaining to Sub-Saharan Africa, where the phenomenon is relatively common. More specifically, the paper will develop arguments using material drawn from two problem areas where child soldiers have been used, Uganda and Burundi, and will develop case study based arguments, using both field and documentary research, to draw provisional conclusions that should help provide a clearer picture than is presently available. The arguments made in these two cases will draw on recent experience and research conducted in Sierra Leone, Angola, Democratic Republic of Congo (DRC) and Liberia but will ground each argument within its own historical context. The result should be of use to both military forces and humanitarian agencies now working in these areas and should help ease communications and cooperation among them. Ultimately, it is hoped that this report will contribute to better understanding of the complex military and political dynamics that exacerbate the problem of child soldiers.

It must be stated that the prime guarantor of the rights of children is not the existence of an internationally agreed set of norms but rather the active Agency entailed by the existence of the political states that participated in the development of these norms in the first place. Only some states have both the will and capacity to fulfill the requirements of this Agency and, if we are serious about pushing all states towards better standards of rights protection, then we need to consider ways and means in which they can be either

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assisted or compelled to meet their obligations. Seldom will such considerations allow the luxury of political neutrality for any international actor. Indeed, to advocate a ‘rights based’ approach to child protection is, of necessity, deeply political even though its ultimate intentions might not appear to be. One wonders how else to construe interventions that challenge particular power bases or attempts to change the influence of power dynamics within a state; both of which are common objectives of interventions to secure the possibility of good governance which is prerequisite to achieving effective rights protection Agency.

Limitations

Due to very limited quantitative research and the difficulty of testing the reliability of the data which is available now, any statistical inferences drawn from the research in this study must be taken with great caution. It must also be stated that, as military theorists have argued repeatedly, each case has its own peculiarities and thus statistical analysis can only clarify the facts of the matter within the very restricted range to which the data applies. It would be a mistake to attempt to extrapolate findings to other conflicts, no matter how similar, without careful additional data gathering and verification.

The second limitation of this study falls from the very real possibility that the analysis of utility made on behalf of commanders of child soldiers does not in fact reflect their subjectively held reasons for recruiting children. However, some assumptions about the nature of human reason must be made in order to proceed with any sort of causal analysis of the type attempted here. Our assumptions will be clearly stated and argued in the discussion part of the paper. Deductions are offered in the spirit of rational speculation rather than as scientific truth.

The third limitation here falls from the existence of ample materials dealing with what might be loosely termed legalistic approaches to the problem of child soldiers. This paper attempts to explore other aspects of the problem and will leave the legal and juridical issues to those with more competence in this area.

Finally, there are too many ways in which the general problem of protecting children from military recruitment can be considered for us to be able to cover them all. Because we focus on instrumental considerations and try to develop a better understanding of how military force might be used or how alternatives to the use of children might be developed, we do not expend much effort on gender issues, on psychological trauma or on post conflict rehabilitation. This is not an omnibus study.

Methodology

The research for this work has been conducted in two main phases: Phase one included literature and field research into the present state of affairs with respect to child soldier
interventions and included conversations and discussions with field staff in Liberia and Sierra Leone and with headquarters level staff of major agencies in New York, Washington, London, Paris and Geneva. Phase two involved evaluation of this research in conjunction with field research conducted between 1998 and 2002 in Uganda and Burundi. This was complemented by further literature review and analysis in an attempt to consider the general problem of child soldiers in a comprehensive but focussed way and to try at the same time to develop an analysis that owes more to reason than to anguish.
PART I

CHAPTER 1 – 2005 FIELD VISITS

Objective

The immediate aim of the two quick field visits reported here was to develop an initial understanding of the state of affairs with respect to child soldier interventions in two known trouble spots. Findings are shared here as a means of introducing terminology in context and to highlight some of the distinctions and differences that we think important to making more complex arguments later on in the paper. Owing to the timing of the visits, most of the observations reported here pertain to post conflict Disarmament, Demobilisation and Reintegration (DDR) rather than to the more difficult issues associated with the task of protecting children from recruitment during conflict. Though not reported in the same depth as the two case studies which follow, there is enough here to illustrate differences in the scale of recruitment and the degree of harm to the affected children in different situations. Again, the intention of this section is to introduce some core concepts in the messy context of real life post conflict situations. Some of the concerns raised here should contribute to a clearer understanding as we progress into more detailed discussion of two very particular case studies in an attempt to develop strategies to eradicate the doctrine of child soldiers.

A-LIBERIA

Background

Four main groups took part in the conflict in Liberia – the Anti-Terrorist Unit (ATU); the Armed Forces of Liberia (AFL); Liberians United for Reconciliation and Democracy (LURD); and, the Movement for Democracy in Liberia (MODEL). Based on the Cape Town Principles, Amnesty International estimates that at the peak of the conflict, there were an estimated 21,000 child soldiers in Liberia, participating in all factions in Liberia. In their 2005 report, the National Commission on Disarmament, Demobilization, Rehabilitation and Reintegration (NCDDRR) reported that 11,282 children were disarmed during the DDRR process.

Each group had different methods and different reasons for recruitment. Given time and logistical constraints, field research focused primarily on child combatants recruited by LURD. At the time of the interviews conducted during this visit, it was observed that interviewees were still under 18 or had just recently reached that age; though many did not appear to know their exact age. Many of those who joined LURD had done so at a very young age; others had been fighting in the ongoing conflict in Liberia since the early

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The chart below provides a snapshot of ages of participants in the focus group discussions undertaken as part of this visit:

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 18</td>
<td>40</td>
<td>3</td>
</tr>
<tr>
<td>18 and over</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>TOTAL</td>
<td>47</td>
<td>8</td>
</tr>
</tbody>
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The main reasons cited for the recruitment of children and adolescents into armed conflict were:

- Ethnic motivations/defending father’s land
- Close proximity of Guinean refugee camps to border
- Poor security in refugee camps
- Entire families joining and bringing children along with them

The high prevalence of small-arm/light weapons was also a contributing factor in recruitment. All children interviewed were trained to use an AK-47 but not trained to use heavy weaponry, such as mortars or RPGs.

Paradoxically, the DDRR process in Liberia also contributed to the recruitment of child combatants in Côte d’Ivoire, though evidence of this is anecdotal. For the first time, the UN decided to remit disarmament payments to children as well as adults. Though UNICEF and many NGOs lobbied to have the money take the form of tuition or payments to a child’s community for community development projects, these advocacy efforts ultimately failed and children received a $300 reinsertion allowance in two instalments of $150. The field office for International Rescue Committee reported that when former child combatants received their reinsertion allowances, other children who did not participate in the conflict grew envious and some crossed the border into Côte d’Ivoire to fight there, in the hopes of receiving remuneration for their services.

Giving money to child combatants poses other serious protection problems. The money may go straight into the hands of their commanders. In Lofa County, Master General, the former head of LURD forces in the county, was rumoured to have collected upwards of $7,000 from the DDRR process. In another case, commanders in Nimba boycotted the DDRR process, threatened to stop their troops from disarming if Military Observers did not register all the children and women the commanders sent for the DDRR process. Clearly, some commanders in LURD, MODEL and the ATU made money by abusing the system. Remunerating child combatants in this case seems to have been a naïve gesture given the background level of corruption and the clear lack of complementary protective measures to ensure that the affected children’s rights to the payments were respected.

Paying child combatants a reintegration allowance raises a number of problematic issues. First, under conditions of extreme poverty that obtained in Liberia at the time of the visit, any significant lump sum would inevitably tempt thieves. In this case, children received

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11 UN Military Intervention Force for Liberia (UNMIL) interview 11 Jan 05.
12 UNMIL report dated 6 Jan 05.
300$ each. While this was intended to give former child combatants a certain level of financial power to sort out their own futures, the background context of legal and political dysfunction made it virtually impossible to protect. Though there were some happy stories of children who had the good fortune to buy land or build family homes, there were also sad stories of children who had been robbed or spent the money foolishly. We raise the issue here solely as a means of introducing the issue of context and the way in which it should condition evaluations of the wisdom of certain courses of action.

**Tactical Use of Children in Combat**

Children recruited into LURD forces played a number of combat and combat support roles. In addition to providing logistical support, primarily as food gatherers, cooks, firewood gatherers and porters, children of both genders also served as light infantry forces in combat actions.

Children received training from former members of the Armed Forces of Liberia (AFL) and were trained in guerrilla tactics. This included tactical movement, night movement, attack, ambush and dispersal manoeuvres. As mentioned above, all of the children interviewed (and most of the adult combatants) carried and operated AK-47s. No child interviewed was trained to operate heavy weapons. Indeed, since none of the engaged forces possessed large amounts of artillery, tanks or assault aircraft, fighting was restricted to guerrilla type assaults favouring stealth and rapid movement of light forces. Children could be fit quite easily into a number of roles but, according to most of the somewhat sketchy accounts available, were usually kept under direct observation of adult leaders – except for formations that were known as Small Boy Units (SBU). These were usually composed of carefully selected and groomed children who were used to terrorize civilian populations or to lead attacks against particularly difficult targets where adult fighters might hesitate.

As in some other conflicts, girls were “married” to commanders and/or held in sexual servitude for troops. In addition to providing medical and logistics support, they appear to have been used as a form of payment for favoured commanders.

Nelson Paye, a former ‘general’ in MODEL, stated that he frequently encountered child combatants when fighting GOL forces. Though he was unsure of how they were recruited, Paye said that children were usually easy to disarm. MODEL troops would simply encircle Small Boys Units and order them to drop their weapons. Paye insists that MODEL always turned over captured children to the International Committee for the Red Cross (ICRC) and never forced them to fight for MODEL. “We are fully aware and abiding of the Geneva conventions and when we liberated civilians, we turned them over to ICRC.”¹³ Such concerns, though not verified during the course of this visit, seemed to have had little positive effect on the rest of the combatant forces. Indeed, the Liberian conflict generally moved the standard against which human rights abuses and war crimes are judged to new lows.

¹³ Interview Sarah Spencer/Nelson Paye, 8 Jan 05.
Reports from UNMIL in Nimba County stated that a number of the child combatants they disarmed were part of Small Boys Units attached either to pro-government forces or MODEL. When asked why the boys had been separated into units made up of only children, a commander reported that “small boys will do things that others will not.” The list of things they would do in this case included leading suicidal attacks and holding positions to the death. Children usually received promises of material goods or promotions based on their number of successful kills or attacks. A loose interpretation of this report suggests that the children involved were highly susceptible to tried and true military motivation techniques that appeal to misplaced honour and pride through the use of flattery and public praise. Though the purposes in this case were often foul, it should be remembered that the techniques have been perfected and are still widely used to motivate young men and women to sacrifice themselves for ‘Queen and Country’ in developed states around the world.

Reintegration: Future Plans and Programs

At the time of writing, the fighting in Liberia and Sierra Leone had stopped and children had either begun or completed a DDR process sponsored by the UN. However, the economic and political conditions that contributed to the slide into violent anarchy that in turn constituted fertile recruitment grounds for child soldiers remain stubbornly in place and will take time and resources difficult to identify at this time. More importantly, as the history of Africa suggests, political progress towards the establishment of well formed nation states is far from certain. Suffice to say that the task of reintegrating former child soldiers into some sort of normalized civilian context is immensely complicated by the damage that has been done to the fragile state that was pre-conflict Liberia. Given the enormity of the task, it seems highly optimistic to think that everything in the affected children’s lives can be made right through the injection of miniscule amounts of cash passed through the hands of a bureaucratic process that will almost certainly consume a large portion of the funds available on administrative costs. In the context of a highly unstable region, anything short of a full blown Marshall Plan equivalent is unlikely to address the full range of economic, political, social and environmental challenges facing former child combatants in Liberia; or indeed of the many thousands of other children who would form the recruitment base should a new round of fighting break out.

B-SIERRA LEONE

Background

14 Focus Groups, January 12 and 14; UNMIL, 6 Jan 05.
15 See Martin Meredith, The Fate of Africa: From the Hopes of Freedom to the Heart of Despair (New York, Public Affairs, 2005) for a particularly good account of the last 50 years of African history.
16 World Bank evaluations of some DDR projects conducted under the auspices of the Multi Country Demobilization and Reintegration Project (MDRP) suggest that well over 50% of monies provided to UN agencies for DDR can be gobbled up by administrative and personnel costs.
Rebel factions, splinter groups of the Sierra Leonean Army (SLA) and other pro-government militias emerged over the ten-year conflict in Sierra Leone. Upwards of 10,000 girls and boys are thought to have been recruited or abducted by the various fighting forces over the course of the conflict. The manner of recruitment and the frequent use of deliberate drug addiction led to a situation characterised by extreme brutality and confusion as children took on the morally contradictory role of both victim and perpetrator of war crimes. Aside from the well known accounts of limb amputations carried out by children, often in their own villages, child combatants reportedly took part in the full range of combat tasks typical of guerrilla war.

In 1999, the rebels and government of Sierra Leone (GOSL) signed the Lomé Peace Accord, but it failed and violence resumed. Many of the child combatants who had given up weapons under the stipulations of the accord were re-abducted. While all factions were alleged to have committed grievous human rights abuses against children, adolescents and women, RUF attacks were particularly vicious; Operation Burn House was a series of arson attacks, Operation Pay Yourself a campaign of looting, and Operation No Living Thing a crusade of mass murder. The war devastated Sierra Leone and its people, but the thousands of girls and boys who were both victims and perpetrators face a particularly difficult future.

Recruitment

Very few children, if any, voluntarily participated in the ten-year conflict in Sierra Leone. Of the children that did join armed groups willingly, most, if not all, joined the Civil Defence Forces (CDF). The latter were composed largely of traditional hunters and were sequestered by the Government of Sierra Leone to help defend the country against the RUF. Though the CDF are revered by some, they were also guilty of committing some of the most serious crimes during the war. The former head of the CDF, Sam Hinga Norman, is currently facing trial at the Special Court for Sierra Leone set up by the United Nations and the Government of Sierra Leone to “try those who bear the greatest responsibility for serious violations of international humanitarian law committed in Sierra Leone since 30 November 1996.” While details of the proceedings are not yet known, it is clear that there is at least some ambivalence among the people regarding the manner in which the CDF conducted their campaign and that some of the abuses may, in the eyes of the people of Sierra Leone, been justifiable under the conditions that obtained at the time. However, it is enough to note here that there are a range of conditioning factors that ought to guide our judgement of actions undertaken during conflict and there are some grounds for caution in forming ideas about how to proceed with the task of protecting children within the context of particular conflicts.

The RUF often targeted schools, stealing both supplies and recruiting additional troops to their force. During attacks, children were forced to commit heinous acts of violence

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17 During an earlier field visit in 2002, a former child soldier explained how he had been forced to wear a bandana to hold some unknown drug mixture over a cut made on his forehead by his commander. Over time, he became addicted to the slow release of whatever chemical cocktail had been administered. According to this informant, bandanas were de rigeur for most child combatants. (Field notes, Lancaster, 2002)
against teachers, family members, friends and others on penalty of death or torture. This tactic helped to dissolve a child’s bond with his or her town and prevent the children from escaping. This appears to have been part of a deliberate strategy to alienate children from hope of acceptance in their home communities and to place a burden of guilt upon them that could be manipulated by their commanders.

Tactical Use of Children in Combat

After being abducted by the RUF, children were usually moved to relatively secure rebel-held areas for training. In addition to providing security during the training period, the fact that movement to these areas usually took place at night complicated escape for any child wishing to do so. Navigational confusion and distance stood as obstacles to escape. RUF commanders typically would, prior to starting training, separate friends and relatives, thus severing pre-abduction bonds. Children would then be drawn into the shared affective dependency of small combat units as training substituted military cohesion for family and community bonds. As mentioned above, drugs were used as part of the training process. Apparently, both amphetamines and barbiturates, were used to help increase children’s “willingness” to participate in combat and their dependency on their commanders/suppliers.18

Once trained, child combatants served a variety of purposes within the context of guerrilla war. While many were camp followers, serving as caregivers for smaller children, cooks and porters, others were trained in guerrilla tactics and took an active part in combat. Other child combatants were forced into hard labour on farms or diamond mines. Apparently, children labourers were given very little food or water while they worked but combatant children received a fair share of both.

The RUF used both all-female and all-child platoons. A female combatant explained that she was incorporated into a women’s platoon in the RUF, led by a Liberian woman. She was eventually promoted and, as a form of recognition, was trained to use an M-16. Possession of weapons other than the standard AK47 apparently conferred a certain status.19 As mentioned above, women and girls in Sierra Leone abducted into the fighting forces were also victims of sexual abuse and additional violence which usually included being assigned to a commander as ‘wife’. RUF commanders typically had more than one ‘wife’, though it is believed that in some cases, for very young girls, the term implied ownership but not necessarily sexual duties. In any case, the structures of servitude used in the RUF case suggest a fairly well developed capacity to use group and individual psychology in thoroughly ruthless ways. Training techniques may have been learned through direct experience and were probably shared among commanders of the same units to improve training effectiveness. Though time was not available for a full and thorough study of this aspect of the case, it is worth noting for the purposes of this paper that children were relatively easy to find and recruit, easy to control through well known military training techniques (including drill, psychological reduction, team building, obedience training, etc.) and could be manipulated and controlled in combat using a

18 Interview, Spencer/War Child, 24 Jan 05.
19 IRC interview, 24 Jan 05.
series of rewards of rewards and punishments that included use of drugs. Even if the
techniques used were not clearly against formally declared international instruments, they
appear to have intentionally broken well established community taboos, such as respect
for parents and elders, as part of a systematic strategy of psychological control.

**Special Court**

The Special Court is currently trying those deemed most responsible for the most serious
war crimes committed in Sierra Leone after November 1996. All those who have been
indicted by the Special Court, including former Liberian President Charles Taylor, are
facing charges of war crimes and violations of international law, including “conscripting
or enlisting children under the age of 15 years into armed forces or groups or using them
to participate actively in hostilities.” Some evidence might seem to suggest that
international law and criminal courts served as a deterrent in the recruitment/use of child
combatants however the scale of recruitment and the fact that it continued right up to the
moment that peace broke out suggests that the deterrent effect was not sufficient to stop
recruitment entirely. Discussions with some former leaders of belligerent forces in
Liberia appears to indicate that an increased knowledge of international law concerning
child combatants can lead to more secrecy in the recruitment and use of children rather
than an abatement in the recruitment of child combatants. More research is needed in
this area to determine adequately the effect of international law on child soldier
recruitment. The fact that crime continues despite the existence of laws should come as
no surprise to anyone in the least familiar with the elaborate legal and enforcement
structures required to achieve limited deterrent effect on common criminal activities in
well formed states. The effort to create similar structures of deterrence through
international courts has so far focussed on setting up the formal legal apparatus and has
not yet made much headway with respect to enforcement.

**Reintegration: Future Plans and Programs**

Many child combatants appear to have been reintegrated successfully back into their
communities, though the conflict in Liberia certainly increased cross-border recruitment
and some children reportedly crossed into Liberia to fight. Other children have been used
to mine diamonds illicitly in Kono and Kenema Districts. Again, some of the main
factors leading to child recruitment and abduction are still present in Sierra Leone –
including feelings of disenfranchisement, extreme poverty and lack of opportunity, and
poor access to education – and thus must be properly addressed to help prevent or
decrease child recruitment into armed conflict in the future. While it is clear that the
cessation of hostilities has stopped recruitment for the time being, it is also clear that the

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20 There continues to be some discrepancy on the legal age of military service agreed in the Optional
Protocol to the CRC and the Rome Statute. Given ample evidence of massive recruitment of very young
children, the court may have opted to avoid controversy by using the lower age used in the Rome Statute.
21 Interview Spencer/Special Court representative 24 Jan 05.
status quo conditions are not sufficient to sustain a lasting peace. Change is needed to contain the volatile economic social and political tensions and ultimately only Sierra Leone can achieve it. It remains to be seen what course they will take.

**Preliminary Observations**

Though there is scant detail provided in the visit reports above, there should be at least enough for us to underline several key points that we will develop further on. First, there is a significant difference between the challenges associated with post conflict DDR and the more ambitious task we have taken on here of trying to eradicate the doctrine of child soldiers itself. This is important if only because there is a tendency within the humanitarian community to blur the distinction between DDR and peace processes. While this may reflect nothing more than the emanations of organisations blessed with technical capacity but deprived of political power, the distinction is an important one in a work that aims at promoting ways to protect children from recruitment in the midst of conflict.

The second major point to be drawn from the above is that children in both conflicts were cast in the contradictory roles of victim and perpetrator of rights abuses. This problem is central to discussion further on about ways in which military forces might react to the presence of child soldiers on a battle field.

Third, it should be clear from some of the comments above that there were a range of complicating factors in both conflicts and that the task of arranging long term protection against child recruitment goes well beyond the signing of international agreements. Though not specifically addressed so far, a reader with some historical background and some understanding of Africa may already be looking for suggested links between child recruitment and larger issues of social, economic and political justice.

Finally, we hope to have drawn attention to some of the techniques used to recruit, train, control and deploy child combatants. These are issues that are often acknowledged in passing but seldom given the kind of close analysis they will receive here in the next sections. However, it should be kept in mind that much more research is required to get to the heart of some of these questions. How, for instance, did commanders learn their techniques? What criteria did they use to separate children into various functions? Where did they conduct training and how did they secure training sites? These and other questions are of concern to soldiers and need a sort of research that is not generally available – yet. It should be.
CHAPTER 2- CASE STUDIES

Objective

Having introduced some of the topics and provided a brief update of what has happened in two recent trouble spots where the opportunity for data gathering and analysis was limited by time and resources, we intend now to take our analysis one step further by taking a closer look at two other major problem areas, Uganda and Burundi. Information and data presented here has been gathered first hand over the course of seven years. The primary purpose of developing these two case studies is to try to play them off against each other to highlight distinctions and to identify similarities that might lend themselves to more general conclusions about some of the odious phenomena associated with child soldier recruitment and use. We strive here for deeper insight and will introduce a number of issues that will then be discussed in later chapters.

A-UGANDA

Background

Uganda presents a troubling case of a state that has proven itself capable of meeting a good number of its obligations to most of its citizens while incapable or unwilling to meet some of its most fundamental obligations to a particular subset of its people. The government of the National Resistance Movement (NRM) under President Yoweri Museveni has successfully dealt with at least one guerrilla conflict (the Allied Democratic Front, or ADF) but has consistently failed to protect children from the deprivations of the Lord’s Resistance Army (LRA). The government of Uganda (GoU) seems to have bungled repeated attempts to take effective political or military action to end the conflict in the northern part of the country, where the LRA operate. While it is indeed tempting to accuse the government of a range of human rights abuses, to do so would not take into account the conditions they face nor would it do justice to a government that has many accomplishments to its name in its progress out of the political chaos left by Idi Amin and Milton Obote. President Museveni has a history of bringing positive political order out of chaos by a skilful blend of military and political strategies designed to bring opposing factions together within the same party. In an attempt to make clear some of the historical particularities that have led to the current state of affairs in northern Uganda, it might be helpful here to set them off against two other child soldier related incidents that are illustrative of the wider problems and possibilities. The first of these concerns the little known campaign by a rebel group in Western Uganda, the Allied Democratic Front. The second event pertains to a curious case of child recruitment by Ugandan forces inside the Democratic Republic of Congo (DRC).

The Allied Democratic Front (ADF) Campaign 1996-2000

22 See Meredith, op. cit. for a full historical account.
23 Political parties other than the NRM were banned until very recently.
1. History

The ADF were responsible for a period of instability in western Uganda that at one point displaced up to several hundred thousand people. The nature and composition of the ADF continued to be matters of speculation until they were decisively defeated by the Ugandan People’s Defence Force (UPDF) in December 2000. At this point it became clear that the total fighting force seldom consisted of more than 200 fighters. The ADF seem to have grafted themselves onto a Bakonzo/Ruwenzori\(^\text{24}\) independence movement dating back to the 1960s. The composition of the group changed over the years as military action and the chaotic events in adjacent states affected its composition and deployment. However, the evidence available consistently suggested that the actual fighting elements were primarily Baganda from the Tabligh sect (Muslims from central Uganda). \(^\text{25}\) The evidence also suggests that they had very little local support, other than the few diehard Bakonzo\(^\text{26}\) fighters with them in the field. Though they had a web site (adm-uganda-adf.com) and a self proclaimed spokesman (Rogers Kabanda – as presumed \textit{nom de guerre}) they never managed to communicate a coherent political agenda or put forward a delegate for negotiations with the government.

Observers of ADF activities generally agreed that the group was composed primarily of Tabligh with some few Bakonzo tribesmen (intimately familiar with the Rwenzoris) and various other non-aligned fighters from DRC and, possibly, Rwanda. The source of

\(^{24}\) The Rwenzori Mountain range is also called “the Mountains of the Moon”. They are a small range on the western border with DRC with several peaks reaching above 5,000 meters.


\(^{26}\) The Bakonzo inhabit the higher elevations of arable land and have long standing unresolved issues with the valley dwellers who surround them.
external support was very difficult to sort out but there was some suggestion of a supply link through Sudan. Eyewitness accounts from former captives consistently confirmed the use of Luganda (principal language of central Uganda) and Islamic prayers. All former abductees contacted believe that the core element of the ADF consists of Baganda fighters from central Uganda.\textsuperscript{27} These sources also confirmed a generally low level of education and the lack of political sophistication among the ADF fighters in the field.

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Over the period 1997 to the end of 2000, nearly 85\% of the population of Bundibugyo district of Western Uganda were displaced because of ADF attacks.\textsuperscript{28} Government figures of displacement in the three districts of Bundibugyo, Kabarole, and Kasese totaled just over 150,000. Economic activity and tourism had reduced significantly (Kasese District officials reported a 75\% drop in tax revenues in the period of ADF action). The ADF targeted isolated villages, hospitals, and schools and seemed to select occasional larger targets primarily for their publicity value. The attack against the Kichwamba Technical School, Kabarole District, in which 27 students were killed outright, and 54 others were taken captive, provides a good example of targeting strategy.\textsuperscript{29} 27 students later escaped and subsequently provided credible testimony concerning the deaths of 23 others at the hands of the ADF.

The ADF method of operation was based on calculated random terror. Aside from their generally ruthless approach to the civil population, ADF treatment of their captives must go down in history as particularly vile. Prisoners who offend against the whimsical code decreed by whatever elementary school dropout commander happened to be in control were often slaughtered in the manner of goats or beheaded with a machete. While raiding, the ADF seemed to go out of their way to ensure maximum terror\textsuperscript{30} and this carried over in the treatment of captives. Testimonials collected from former captives and a longer story taken through three successive interviews with several Kichwamba survivors painted a picture of ruthless and imaginative abuse.

Through the period of their operations, the consequence of not knowing when or where they would strike next had effectively destabilized the three western districts of Uganda and made normal life impossible. Worst affected were farming families from the hill farms on the edges of the Rwenzori mountains. Though their campaign had been very successful in destabilizing the targeted districts, there seemed to be no plan to take immediate political advantage of the conditions they had created. Nor had there been any indication of a mystical or magical objective and the occasional mention of a religious aim was not at all consistent with their actions. But there are strategic objectives that appear to have been achieved; i.e., forcing the commitment of a large number of Ugandan troops (a division) and nearly derailing IMF development aid.\textsuperscript{31} Though their domestic political objectives might have been obscure or incoherent, the overall ADF strategy of

\textsuperscript{27} Op cit Lancaster 1999.
\textsuperscript{28} OCHA Country Report for 1999.
\textsuperscript{29} Op cit Lancaster 1999.
\textsuperscript{30} Field visit with villagers displaced from homes in Bundibugyo District, March 2000. After hearing accounts of ADF conduct during an attack, one grandmother quietly lifted her head scarf to show where her ears had been sliced off .
\textsuperscript{31} Ibid., the IMF comprehensive plan for Uganda that included rural development in the three affected areas was under active reconsideration due to security concerns at the time of writing.
destabilization made sense if interpreted as the object of inter-state struggle or if seen as part of an international terrorist campaign with larger objectives in mind. It is possible that putting pressure on the UPDF in western Uganda might have been aimed at encouraging a withdrawal from central DRC or diverting troops from possible engagement in Sudan. However, it is also possible that ADF strategies were part of the larger scale of incoherence that descended on the Great Lakes Region as Zaire crumbled.

The pattern of ADF attacks varied considerably over the course of their campaign. The Kichwamba incident occurred on 8 June 1998 and involved approximately 30 ADF fighters backed up by a second group guarding a rally point from which the attack was launched. Captives were taken in a violent attack that included the intentional burning of an occupied dormitory. They were led back to a rally point and force marched away from the battle area covered by a small rear guard. This was followed by a large scale attack on Kasese town on 1 August 1998. During this attack, ADF elements penetrated into the town centre easily and looted several shops before burning others and withdrawing. Subsequent to these actions, the UPDF undertook a vigorous campaign that seems to have forced the ADF to split into smaller groups. As of November 1999, small groups of about 10 fighters were thought to be active in Bundibugyo area (attacks near Nyahuka, 12 Nov 99), Kasese (attack in October on Hamukungu village) and in northern Semuliki National Park (large numbers of displaced in Western Kibale). In all these actions, the ADF did not seem to have specifically targeted children but abducted anybody available to use as porters or took them along with other captives as opportunities arose. The pattern of attacks and abduction was consistent with the need to remain mobile and with the lack of a secure base to which captives could be taken for indoctrination and training. Rebels in close proximity to their opponents, as was the case with the ADF, could not easily accommodate large numbers of captives and had constantly to guard against escape or betrayal. The precariousness of their security may account both for the relatively small numbers of captives and ADF ferocity towards any who attempted to escape. Though it remains difficult to fix a figure of the total number of child abductions, the information available suggests a figure of 500 – 700. Approximately 300 of these were known to have escaped. Abductee mortality was reportedly high but, again, there are no firm figures available.

The UPDF and District authorities were optimistic through the later part of 1999 that the ADF would soon be eliminated as a result of UPDF pressure. This impression was in part based on a dwindling numbers of attacks. However, military operations continued to seesaw back and forth with the UPDF appearing to gain the upper hand only to have the ADF break up into small groups to reappear in larger formations when UPDF operations wound down. The ADF typically avoided direct confrontation with the UPDF but were adept at detecting and attacking unguarded areas; such as the attack on Kasese; which coincided with the absence of most of the garrison on operations elsewhere. This pattern was repeated in the attack on Fort Portal (8 Dec 99). Subsequent reports of coordinated attacks on UPDF outposts across Bundibugyo District early the following year indicated

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32 Ibid, Field interviews with 3 former abductees taken during the attack. One of these young men remained a fighting captive for nine months before managing his escape.

33 Field interviews with local government and community leaders conducted over an 18 month period complemented by UNICEF attempts to institute a child abduction monitoring system similar to that established in the north.
the ADF had the capacity to communicate, to coordinate their attacks for maximum publicity value and to strike back directly at government forces. Nevertheless, in June 2000, after a period of sustained operations lasting over 5 months, the government was again voicing confidence that the ADF would soon be beaten. However, a number of subsequent incidents in Hoima, Kibale and Bushenyi shook their confidence and gave rise to fear that the ADF was about to launch a new campaign across a wider area. At this point the pace of the campaign changed as the UPDF launched an aggressive military strategy of pursuit into the mountainous area of refuge used by the ADF and complemented the activities of a specially trained alpine division with solid area security operations in the lowlands surrounding the mountains. The latter included the organization of local defence units that incorporated children as well as more aggressive pursuit and follow up tactics by UPDF elements in the wake of attacks. This was complemented by carefully calculated civil-military operations and close coordination with international humanitarian agencies to provide relief to displaced people.

After a long period of relative calm through the summer and autumn of 2000, a strong group of ADF fighters crossed the Kasese/Fort Portal road during the early hours of 24 November 2000. The UPDF reacted quickly and deployed elements of 309 Brigade, from Fort Portal to establish and maintain contact. Following a series of engagements with the UPDF near the main road, the rebels were pursued eastwards towards Kibale Forest, south through the western edge of the forest and then finally surrounded in the western part of Kamwenge sub-county, where the last elements of them were completely eliminated. The path of battle was marked by the temporary displacement of approximately 20,000 people, mainly small farmers and their families. The displacement was of very short duration with most families able to return to their homes within 48 hours. The most serious displacement occurred at Iruhura church (Church of Uganda), approximately 18 Km south of Fort Portal. Here, approximately 3,000 persons spent nearly two weeks without adequate shelter, water, food, blankets or clothing.

Owing to determined and persistent military action, almost all Internally Displaced Persons (IDPs) had returned to their homes by 12 December, 2000. It deserves to be noted that throughout this campaign, the UPDF forces conducted themselves with restraint and with concern for their own citizens. They had no hesitation in sharing information and advice both on security issues and displacement with humanitarian actors. Indeed, they actively sought and used humanitarian agencies to support their overall military and political objective of eliminating the ADF and ending the instability that had given rise to displacement in the first place. Militarily, though lacking in fire support and aviation assets, the conduct of the final battle was both determined and completely effective. According to the Brigade Commander in contact, their basic strategy was to put a box of infantry units around the ADF forces and then send in fighting forces to engage and destroy them. The commander stressed that staying in contact until he had completely eliminated the opposition was his prime mission.

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34 The author narrowly missed being caught in an attack against government installations in Bundibugyo on 5 December 1999. Others were not so fortunate.
36 Field interview Lancaster/ Kaboyo, December 2000, Kabarole District
The Role of Children in the ADF

The scale of child abductions in the three districts of Bundibugyo, Kasese and Kabarole was small in comparison to LRA actions in northern districts. Reliable data was difficult to find but the consensus from all agencies and persons contacted in the operational area during field research was that the ADF abducted children as a matter of convenience rather than deliberate strategy. Those abducted were primarily used as porters and logistics support. Some former abductees reported having been trained to use weapons but few of them were used in the front lines of attacks. More commonly, they were used to gather food clandestinely. Significantly, there were no reports of forced sexual exploitation of captives. Former captives reported that the reason for this was that the form of Islam practiced within the ADF included strong proscriptions against sexual congress outside of religiously sanctioned marriages. There were no reports of drug use.

Children were targets of opportunity within a larger pattern of terror involving killing, looting and attacking lines of communication as well as abductions of all ages. The most dramatic effect on children was attributable to massive displacement and the consequent loss of schooling, community security and access to traditional sources of water, health care and food normally found within village settings. In addition to the trauma resulting from abduction, many children in the area had been orphaned or had lost a parent. There was no formal system established to provide help in these cases but village traditions and patterns of care ensured that no child was left uncared for.

Military Response

The UPDF were successful because they were able to take the initiative away from the ADF through a variety of measures: a combination of effective patrolling, rapid response to attacks and relentless pursuit, well disciplined saturation deployment of defensive units, focus on winning hearts and minds that included cooperation with civil authorities and international humanitarian aid agencies and, when the opportunity presented itself, determined and effective attack. However, it must be remembered that the ADF strength may never have reached to more than approximately 200 fighters while the UPDF needed a full infantry division and a small mountain division to win. As the campaign wore on, ADF terror tactics failed to impress civilians, who eventually came to see themselves as victims needing protection that only the UPDF could provide. Their strategy eventually cost the ADF whatever tenuous support that had had to begin with. One effect of their tactics was massive displacement out of traditional agricultural areas; which had the effect of slowly choking off food sources for the rebels as farms from which they looted fell out of production. The UPDF wisely set up guard posts in every displacement camp and linked them to rapid reaction forces. One former abducted youth described several incidents in which they were forced to abandon captives because of hot pursuit by the UPDF.  

Ultimately, child abductions stopped because the ADF were defeated in the field by a force that kept them under relentless pressure. Under conditions of effective pursuit, the strategy of forced abduction of recruits failed. Even children could be protected if the response to reports of abduction was quick enough to force their captors to abandon

37 Field interview 16 November 99 Lancaster/James, former Kichwamba Student and escaped ADF captive.
them. Of course the lack of political coherence and support also played a major role in ADF failure but it is well worth noting that government forces recognized the importance of winning hearts and minds and made it a focus of operations at every level.

The relative effort required from government forces was enormous in comparison with the damage the ADF were able to inflict with a comparatively tiny force. While it is fair to state that the UPDF, like any army faced with the draining monotony of constant guard duty punctuated by terrifying moments of battle, faced discipline and morale problems over the course of the campaign, it should also be noted that there were moments of brilliance that came at the right time. The choice of a competent soldier to command the Fort Portal brigade at a critical moment was probably pure coincidence but gave the UPDF precisely the kind of leadership needed to complete destruction of the ADF adult leadership in the field. That the same officer grasped the importance of using humanitarian resources to ease the consequences of battle on his own people should not be lost to interested observers. In the final analysis, the UPDF managed to defeat the ADF by isolating them from popular support and to do this, they cooperated intelligently with humanitarian efforts to look after their civil population.

Humanitarian Response

Humanitarian response capacity fluctuated with security conditions but generally assured a basic level of nutrition and medical support to all displaced people. This eventually expanded to include the provision of emergency schools, emergency water supplies and the provision of basic sanitation. It is worth noting that the introduction of the Universal Public Education system in Uganda had created a wave of optimism and support for the government at the grass roots level and that the existence of educational opportunities played a part in preventing voluntary recruitment in this case as the government, UNICEF and their partners increased their efforts to provide temporary school facilities – and to guard them from attack. This, in conjunction with the aggressive defence provided by the UPDF made it possible for children to attend school in the midst of a guerrilla conflict. The most important forms of child protection in this context were provided by the UPDF. Secondary forms of protection, including schooling and health care, were made possible by UPDF maintenance of a viable security envelope.

Bundibugyo District was the most seriously affected by ADF actions. The Bakonzo people were forced down from traditional hillside farms into a narrow belt of relative security along the main road. UNICEF, MSF, ICRC, WFP and some other smaller NGOs (notably Action Aid and World Harvest Mission) were active in the area and had good cooperation with both civil and military authorities. All activities were coordinated through the GoU Resident District Commissioner and there were regular security briefings provided to humanitarian staff through his office. Though at times troubled, this relationship held throughout the course of the campaign as humanitarian staff came to rely on the UPDF to maintain a security zone within which they could operate. The town of Bundibugyo was considered safe and was protected by the UPDF both as a government centre and a base for humanitarian logistics. The UPDF also provided
convoy protection on the only road connecting Bundibugyo with the rest of the country; though this often seemed laughably inadequate.\footnote{Field visits conducted between November 99 and March 01: escorts for convoys of up to 20 civilian vehicles usually consisted of one pick up truck each for the head and tail of a column that often stretched out over a kilometer over rough and mountainous terrain.}

Under the circumstances, the ADF never managed to inspire a sense of sympathy among the humanitarian community. The idea of neutral humanitarian aid between forces with roughly equal claims to legitimacy quickly evaporated in the face of the realities on the ground. ADF behaviour was criminal in the extreme while UPDF conduct was consistently focused on protection of civilians. Consequently, the humanitarian community generally supported the government position. UPDF use of child soldiers in limited local defence roles provoked some adverse criticism but this never reached critical mass because of the relative threat posed by the ADF to those same children and the widely accepted belief that, relatively speaking, the children were better off under any form of government protection than without. The few humanitarians present were loathe to criticize what they could not improve upon themselves.

There was little point in calling for negotiations to prevent child recruitment as there was never any public figure or officially appointed delegate with whom such negotiations could be initiated. Without knowing who the sponsors were, the only targets of advocacy were the fighters in the field who could only be reached through military means. This fact was not lost on the humanitarian community and further served to win them over to government objectives. It should also be said that the entire problem remained in something of a shadow because of much larger catastrophes inside DRC and in northern Uganda. The scale of humanitarian response reflected the lack of media attention to the problem and the overall lack of donor concern with something that seemed so small in comparison to other events at the time; yet the support given sufficed to achieve both the humanitarian and government aims.

While there is already a growing list of lessons that can be teased out of this account or issues that need to be discussed further, the main point for the purposes of the arguments presented in this paper is that child soldier recruitment can be stopped in its tracks providing that there exists a combination of political, military and humanitarian will to do so. In this case, all the key actors understood the dangers presented by the ADF and drew the conclusion that the most effective way to face them was through decisive military action. This did not mean merely the application of force but included a campaign to win over the civilian population by providing effective security and assuring the flow of humanitarian support needed to convince them that the government and the international community had their best interests at heart. With apologies to the impatient, we will return to some of the other issues and lessons further on.

The DRC Child Soldier Abduction Incident

Another incident reflects slightly different aspects of the Ugandan context and illustrates another layer of the complexity associated with child soldier issues when international
borders come into play. In September 2000, the UNICEF Country Office in Uganda received a request for assistance from its sister office in Kinshasa, DRC. The request pertained to an allegation that the UPDF had airlifted some 160 child soldiers out of the Bunya region of DRC into Uganda against the wishes of the children’s parents. The Country Director duly raised the issue with the Ugandan government, through the office of the Presidency, and was met with outright denial. This led to cooperative investigation through both of the UNICEF country offices that eventually produced credible evidence that the airlift had taken place and that the children were indeed in the hands of the UPDF. At this point, the Ugandan Country team was faced with a choice of options to try to bring effective pressure to bear to get the children released and repatriated. The first option was to approach the office of the presidency yet again in hopes that evidence would be seen to be too strong for denial. This was tried and met with counter arguments and obfuscation. The government claimed the UPDF had indeed taken the children but with a view to keeping them out of combat and only after discussion with their parents. Clearly, the direct diplomatic approach was not going to work. At this point a strategy was evolved in which timing and government sensitivities were taken into account. Knowing that a national election was due to occur in the coming months, it was decided to investigate further in order to strengthen the evidence, share the evidence with key donor government diplomats, lobby them for support and then approach the office of the Presidency in the weeks before the election when political sensitivities to scandal were at their highest. In the end, this strategy was brilliantly implemented by the UNICEF Country Representative for Uganda. He arrived at the office of the Presidency with nearly a dozen ambassadors in tow three weeks ahead of Election Day. The prospect of donor interest affecting the outcome of the election was enough to obtain complete cooperation from the Ugandan Government.

At this point UNICEF was able to take quick action to follow up. Two days after obtaining government agreement, a military liaison officer from the UPDF was assigned to UNICEF. The following week, the children were interviewed by a UNICEF team, their identities and ages were confirmed and they were taken into care by UNICEF pending family tracing. The goal was to reunite them with their families as soon as possible.

However, the rest of the story has some interesting lessons. During the days of contact and discussion with the unit holding the children prior to their release, it turned out that they had been part of a full battalion of rebel fighters who had been removed from a battle area in hopes of improving security in a zone controlled by the UPDF. They had been held separately and put through a modified Chaka M’chaka. They were not free
to move outside of camp but had been fed and cared for until the military bureaucracy had decided that the ration allocation for the approved number of training days had been exceeded. Both the children and their UPDF minders were hungry. The officer in charge was relieved to hand them over to UNICEF though, as the rest of the unit was about to return to Bunya, he might have been just as relieved to see them depart as part of the larger fighting unit. Other than foot drill, the children claimed that they had not been given any formal military training. Several of them complained about this in subsequent interviews. Others complained that they had been lured by the promise of free education while still others claimed the prospect of professional military training had held a stronger appeal. Both groups were disappointed.

UNICEF, following experience garnered elsewhere, established a temporary camp facility close to the DRC border with the aim of ensuring decent care pending final repatriation. Unfortunately, shortly after the children arrived in this camp, 6 members of the ICRC were killed in the Bunya area, all tracing activities stopped and all international staff were pulled out. It took nearly six months for conditions to stabilize in the Bunya region to the point that the original objective of repatriation could be achieved. Shortly after they were finally home, the security situation deteriorated again and UNICEF, along with other agencies, was forced to reduce the scale of its operations. There is a very good chance that many of the children in question were recruited into operations by one of the various militias in the region despite the very best efforts of all concerned.

It is misleading to try to treat any particular experience as somehow suggestive of universal principles. However, there are some general observations arising from this case that may be useful in a broader context. The first is that appeals to international norms and laws in this case had no effect until linked to domestic politic dynamics. Putting aside the initial reactions of the Government of Uganda, which probably would have occurred in any other country faced with similar allegations, it seems unlikely that they would have felt themselves compelled to cooperate with UNICEF in this case unless there were some pressing reasons. After all, they had military reasons for what they did and could have, if pressed, claimed to be considering the best interest of children caught up in combat – given the range of choices open. They could have plausibly claimed to have wanted only to remove child soldiers from danger. The evidence of the way these children were treated once inside Uganda certainly is open to that interpretation. However, when faced with a choice between cooperation and the possibility of adverse and public donor reaction, the Government of Uganda chose the safest course. It would appear that understanding of domestic political pressures is important to successful advocacy and, further, that timing of interventions to take best advantage of opportunities is also critical to successful advocacy in difficult cases.

It is also worth paying particular attention to the way in which donor support was developed in this case. The UNICEF Representative took care to ensure that each key figure was personally briefed, was familiar with all the available evidence and understood the positions of all the other players. When the moment arrived, the Representative had

43 See Robert Cooper’s discussion of the importance of domestic politics to diplomacy in The Breaking of Nations: Order and Chaos in the Twenty First Century (Toronto: McClellan and Stewart, 2005)
the full support of all concerned and made his final appeal to the Office of the Presidency accompanied by a cortege of ambassadors.

Finally, it should also be noted that none of this is likely to have happened had management of the problem been lifted out of local control. The process took a great deal of courage from all concerned; particularly the UNICEF Representative, who had to fend off more timid interventions from his own headquarters in order to act as boldly as he did. Timing the delivery of the relevant strokes in this case took a great deal of sensitivity to the ebb and flow of the election campaign that was being fought at the time and could not have been handled effectively from afar. Finding the moral courage to face down one of the most popular figures in African politics, the darling of donors at the time, required commitment and a degree of *sang froid* that is rare in today’s bureaucracies. Perhaps this should reinforce the idea that much of the success in child soldier interventions hangs on the personal qualities of those involved – *good generalship will be required to win*.

One further point that arises more clearly in retrospect is the question of what sort of intervention might have been suggested by more detached consideration of the best interest of the children involved. At the time, it was taken for granted that the children were in peril and that immediate action was required to save them. Later, it turned out that the salvation may have been only temporary and may have separated the children in question from their best long term hope of survival. Would the children have been better off left where they were? They were protected by their membership in a military unit that was allied to the UPDF, arguably the strongest force relative to the forces arrayed in the region (outside Rwandan controlled territory). They were fed (temporary ration problems aside), clothed and safe where they were. While the fate of the adult component of the unit that was redeployed at the same time is not known, it is likely that they returned to combat operations in an environment where they constituted the best hope for some sort of order to arise out of the armed chaos typical of the time and place. Would the children, most of whom were older than 15, have been worse off as part of an organised fighting force than they would have been when they were repatriated as vulnerable civilians into the middle of an ongoing civil war? While this leaves us with an uncomfortable set of possibilities in a work that aims at ending the doctrine of child soldiers, it also suggests that there is at least some scope for discussion of the intention of the broad assumption of relative harm that is associated with the even broader category of ‘child soldiers’. It may well be that there are particular contexts in which considerations of the best interest of children and the lesser evil under the circumstances may lead us away from immediate intervention.

**The Lord’s Resistance Army (LRA)**

The LRA is a guerrilla army that has operated in the Acholi provinces of northern Uganda and southern Sudan since 1987 when a small group of survivors of Alice Lakwena’s Holy Spirit Mobile Force fled following the battle of Jinja; which the northern

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44 Through most of this period, the scale of suffering was well above the capacity of humanitarian relief operations. Nor did there yet exist any form of IDP protection or international military presence.
forces lost badly. Feeding itself on the strength of northern alienation and mistrust of UPDF intentions in the years following Milton Obote’s second regime, the LRA managed to resist very strong efforts to put them out of action that included massive forced displacement into UPDF monitored camps and heavy handed reprisals against villagers thought to be supporting the rebels. The leader, Joseph Kony, managed to collect around him a small corps dedicated to the overthrow of the Bugandan dominated government and to the establishment of a government based on the Ten Commandments. He led a relatively low key guerrilla war until sometime in 1994, when he appears to have benefited from the twin discoveries of the value of child fighters and the importance of strategic allies. From that point until late 2001, Kony, operating with logistical and intelligence support provided by the Sudanese Army, abducted some 10,000 children from Gulu and Kitgum provinces of Uganda. Though there were periods of relative calm in the two worst affected provinces, child abduction rates soared to new levels in 2002 after the UPDF launched operation Iron Fist. Reliable figures remain elusive but it would seem that nearly 5,000 children were abducted by the LRA between June 2002 and February 2003. The wider effects on children of LRA action and the associated government response, has been the displacement of approximately two million people into camps that still leave them vulnerable to LRA attacks but which deprive them of any hope of following a normal life. International agencies struggle to sustain sufficient food, water, health care and social programming within the camp structure but cannot hope to meet all the needs. Children living within these communities are deprived of a long list of what would under normal circumstances be considered basic rights.


46 The LRA had a logistics base in Juba, Sudan. In an interview with Colonel Hassan Saleh, Chief of Sudanese Military Intelligence, Juba, January 1999, he advised that the LRA could move easily through areas where his own forces could not and this made them valuable intelligence assets. Field notes, Lancaster.


The reports cited above paint graphic pictures of LRA treatment of children and the tactics they use to perpetrate raids and to achieve psychological enslavement of the children they capture. There is, however, little analysis of the effectiveness of the tactics of either the LRA or the UPDF or of the military vulnerabilities that might be used to advantage in trying to stop the LRA. The next section will attempt a brief analysis of the overall problem and look at strategic and tactical factors that could play a role in determining the best course of action to stop LRA recruitment; either through negotiation or military action.\footnote{This problem seemed to be headed towards a negotiated solution in August/September 2006. However, the arguments made here remain relevant in the historical context under discussion.}

The Nub of the Problem

The LRA leaders seem to have become accustomed to their pariah status. They have no known coherent political objectives and seem to be driven not towards any particular positive political vision but rather to be carried along by the strength of their grievances. Their rhetoric about a country based on the 10 commandments is incoherent and inconsistent with their own behaviour. The identity of the LRA leadership as a group probably owes far more to psychological factors such as resentment, bitterness and value rejection than with any clearly thought through political philosophy. Indeed, their style might be characterized as nihilistic, as an absolute rejection of any extant order; an attitude most often associated with adolescence in normal people. They may not know...
what they want but they have a clear idea of what they don’t want. They may have accepted the fact that they cannot win but they are not prepared to let anyone else win either. Terror and revenge have become the best available means to ensure that pretenders to victory do not rest easy. Under the present circumstances if they wish to survive as a group, they have only two possible survival options: surrender or continued war. Surrender under conditions of general amnesty might allow them to survive but would require them to give up their carefully nurtured bitterness along with a significant number of cattle and captured ‘wives’. Given that the first step on the road they are now traveling began with mistrust of the NRA (Museveni’s army as it was called in 1986 when they succeeded in taking power in Kampala) intentions following Acholi participation in atrocities in the Luwero triangle\footnote{Dodge and Raundalen 1991, p 51.}, the idea of the LRA reaching the point of being able to trust Ugandan assurances of amnesty now, after the string of atrocities they have committed, seems exceedingly remote. Continued war is, on the other hand, a viable option and is the far safer of the two choices. But it is safe if, and only if, they can operate independently of any external influence; which they have already demonstrated that they can do.

The use of children as porters, slaves, concubines and warriors is highly indicative of their collective sense of identity. There is nothing of the Hegelian notion of dialectic between master and slave leading to the eventual reconciliation of each to the other in the actions of the LRA towards their captives. Despite the fact that the children captured are of their own tribe, the LRA use them mercilessly. To illustrate, the child sent to attack his own parents acts as both instrument of revenge and shield for the people standing behind him; the child driven to her death beneath a load of loot she can no longer carry is reduced to the status of disposable object; the girl forced into “marriage” with an LRA warrior has value only as an instrument of labour and sexual satisfaction. It is hard to explain this conduct without resort to highly pejorative terms. To kill, to enslave, to torture with some overall goal in mind is at least explainable in rational terms, no matter how much one might deplore such activities. But to perpetrate atrocities without any externally understandable ultimate goal is to indulge in incomprehensible violence.

The pathologies involved are too complex to delve into without much more education that we can claim yet it might just be possible to explain much LRA action as directed at no other objective than survival. They have so far removed themselves from human sympathy that they may feel they have no other choice but to continue the bitter path they have chosen. This may be nothing more than fear manifesting itself strategically. Their behaviour can be likened to that of a wounded lion that turns to man hunting out of weakness; it merely seeks the easiest food for survival. For this reason, any negotiation strategy that attempts some sort of appeal to humanity without giving due regard to the effects of fear is likely to fail.

**Military Advantages of Children**

From a military perspective, the tactic of using children in the way the LRA does is highly effective even though it may have limits obvious to anyone who understands the fragility of child combatants. Consider that the LRA are militarily weak and therefore
cannot afford to get into pitched battle with regular army units; they have no logistical support of their own and must live off the land while on operations outside of any refuges they still retain in Sudan; they get little sympathy from their own tribe and cannot recruit volunteers. Abducting children solves the last two of the three problems. Children are easy to capture and to terrorize and may be found in large numbers in undefended locations, like schools; they may be used to extort food from their own families and make ideal hostages to keep their parents quiet about LRA movements. Finally, once forced into committing the unspeakable acts the LRA purportedly uses in their indoctrination, they make malleable recruits.\footnote{There is, of course, the further advantage that even serious attempts to destroy the LRA might be restrained by the presence of so many children mixed into their ranks. There is a clear, though thoroughly bloody minded, advantage to the LRA that is a direct result of child abductions. Without abducted children, the LRA would loose an important source of recruitment and could not remain in action long. If this logic is accepted, it can be concluded that the best visible survival option for the LRA is to continue abducting children} More will be said about the specific military advantages of children further on and it is enough to note at this point that children fill a recruitment vacuum for the LRA.

**Government and Military Response**

By 2001, the continued insecurity in northern Uganda had become a source of serious embarrassment for a government that claimed to act on behalf of the whole of the country. LRA successes in destabilising and depopulating large swaths of the provinces of Gulu and Kitgum acted as a brake on development and posed a threat to donor confidence in the country as a whole. After 15 years of inconclusive struggle accompanied by many failed attempts at negotiation, President Museveni launched military offensive (Operation Mailed Fist) with the objective of eliminating the LRA in the field. Negotiations with Sudan had by this point resulted in an agreement that the Government of Sudan would stop all forms of assistance to the LRA and would allow the UPDF to attack LRA bases inside Sudan on the condition that they did not use the opportunity to assist the (Southern) Sudanese People’s Liberation Army. From the Ugandan Government point of view, negotiations had led nowhere and the only way left to stop the LRA was through military means. One of their arguments was that they had an obligation to protect children from the threat of LRA abduction despite the risks to those already held hostage. In their view, the continuing harm to the 450,000 displaced inhabitants of Gulu and Kitgum districts imposed on them the requirement to choose between two evils; they simply chose the lesser evil.\footnote{They accepted that the process imposed on them a decision to treat some child soldiers as perpetrators of rights abuse rather than as victims.}

**Humanitarian Response**

\footnote{\textit{If one child attempts to escape, the rebels force the other abducted children to kill the would-be escapee, usually with clubs or machetes. Any child who refuses to participate in the killing may also be beaten or killed.” Human Rights Watch, Op cit 1997, p2.}}

\footnote{Ignatieff, 2004, op. cit.}
By 2001, humanitarian agencies, often led by UNICEF, had tried unsuccessfully for years to find some pressure point to bring the LRA and Government of Uganda to some compromise which would include an agreement to stop recruitment of children. In their view, the Government of Uganda had never seriously attempted to negotiate a solution and had left the LRA no option but to continue to fight. International humanitarian interventions included a state of the art data base of abductions, a set of rehabilitation centres for escaped or captured child soldiers, support to emergency schooling in displaced communities, a full array of humanitarian assistance for water, sanitation, health and nutrition and strong advocacy against the use of child soldiers. This advocacy included many books and articles detailing the atrocities committed by the LRA and vilifying their commander, Joseph Kony. None of it worked. However, concern for the lives of children held captive by the LRA led to strong opposition to the military approach initiated by Museveni. In the brouhaha that followed the first public accusations, cooperation broke down and none of the major child rights advocates managed to initiate effective ways to mitigate the ensuing damage to children’s lives.

Military Operational Factors

It is genuinely puzzling to try to reconcile the apparent ineffectiveness of the UPDF against the LRA with their previous success in dealing with the ADF. Close examination of military responses in northern Uganda may suggest reasons why the two cases are different. In the first place, it must be understood that the terrain is vastly different with the northern area of operations being approximately four times the size of the western area and much more heavily populated. In addition, active support from the Sudanese military up to October 2001 included the provision of weapons, logistics support and safe areas to which captives could be taken.\textsuperscript{53} The LRA total force has probably never been large and some estimates suggest a core group of about 500 supplemented by up to several thousand abducted combatants at any given time.\textsuperscript{54} They are known to operate in separate attack columns under leadership drawn from the core group and thus have the potential to initiate multiple offensive operations simultaneously. They are reported to possess and make good use of satellite phone communications.\textsuperscript{55}

The operational area includes a number of displacement camps supported by international aid as well as a number of villages that have managed to hang onto their meagre livelihoods throughout the conflict. Grains are available from both sources and fresh fruit and vegetables are available all year where agriculture continues. Game meat was available though there are rumours that the years of war have dramatically reduced it. Such cattle that remain in the area tend to be very well hidden or very well guarded. Drinking water readily is available for those with local knowledge or can be carried if sufficient numbers of porters are available. Roads are few and in poor repair. Many are not useable during the rainy season. The challenge to the government forces presented by

\textsuperscript{53} Field interview Lancaster/Col Hassan Saleh (Sudanese Army Intelligence) Juba, Nov 1999: Saleh explained the perceived threat to military security posed by escaped child soldiers to be taken seriously enough that the Sudanese Army had a full time operative charged with capturing and returning them to the LRA. They apparently feared military information being carried to the SPLA by escaped child soldiers.

\textsuperscript{54} UNICEF data base in 1999 listed abductees by name and counted up to 10,000 still missing and presumed active with the LRA.

\textsuperscript{55} Field interview Lancaster/David…. (Ugandan Intelligence) Kampala, Jan 2001.
this kind of environment is immense. On the other hand, the area presents distinct advantages to guerrilla forces able to avoid concentrations of government forces and focus their attacks on weak points due to the lack of transportation resources, the poor communications networks, the dispersal of targets and the ease of movement possible for small groups on foot. There is simply too much to guard to be able to do it without the active support of the population, good communications and the capacity to react quickly to pursue attackers. That said, it would appear that the UPDF have been their own worst enemies in several respects. Most importantly, every punitive action taken against the Acholi civilian population reinforces Kony’s position as the defender of his people. While the people themselves may have no love of the man responsible for abducting or killing so many of their children, they have no historical experience of being protected by their own army. Heavy handed government moves, such as mass displacement that is disconnected from real and effective security measures, do little to allay fears of sinister government plots to steal land or enslave the people. Add to this a list of military inadequacies including slow response times to reports of attacks, timid pursuit, lack of reliable point defences and an apparent lack of political and military coordination make it easy to understand why the LRA are still in the field.

The most perplexing aspect of the UPDF approach is that their own history as a guerrilla bush movement that drew strength from Obote’s reprisals against the Baganda people in the Luwero Triangle should have taught them the critical need to win civilian hearts and minds. Indeed, as we suggest above with respect to the ADF, the UPDF had already shown that they still have the basic skills and knowledge to win this kind of campaign. One is left with the conclusion that political factors continue to block a satisfactory end to the LRA string of atrocities.

**Issues for Comparison**

While it is clear that the ADF and LRA operating environments were different, there are some points of comparison that bear consideration. First, both abducted and abused children and both attempted to use them as soldiers. The ADF never got far with this tactic because their area of operations was much smaller and because the UPDF was much more aggressive in responding to reports of abduction. The second point of similarity is that neither force gave much public indication of being interested in negotiation or in being taken seriously on the political stage. While it is always difficult to know with any confidence what sorts of talks went on behind the scenes, both forces conducted themselves with such disregard for customary laws and traditions that neither was able to win much overt support among the civilian population in their areas of operation.

Ultimately, neither force left many options open for dealing with them and, in both cases, military attack seems a reasonable alternative given the difficulty of bringing them to the negotiating table. However, it is interesting that the humanitarian community largely supported military action against the ADF but objected strenuously to Operation Iron Fist, the UPDF operation against the LRA launched in 2002. Part of the reason for this must certainly be the poor comportment of the UPDF in the north. Though there may be some observers who blame the different response on greater media attention in the north,
it must also be said that the UPDF and government officials working to defeat the ADF acted as if they really meant to protect the people and to re-establish a working environment to promote development. In the north, this has never been made clear nor has it been possible to escape the lingering suspicion that the government doesn’t really care if Kony continues to terrorize his own people so long as the problem is confined to the Acholi region of the country.

The different response to the use of children by the UPDF in both cases is also instructive. While in both cases, the UPDF followed their historically established pattern of enlisting children in their own defence, there were few accounts of children in western Uganda being used by the UPDF in any aggressive military operations. On the evidence available, it seemed that the UPDF incorporated some children into local defence units with very limited and relatively safe roles. In the north, allegations continue that the UPDF is ‘turning’ former LRA children for use as guides, scouts and informers. This has, not surprisingly, been interpreted by concerned agencies as a clear case of child recruitment. It would appear that some sort of line was crossed in UPDF conduct in the journey to judgement from the west to north. While a strict interpretation of the CRC would lead to condemnation in both cases, the two cases differed in several important respects that further highlight some of the underlying moral ambiguities associated with child recruitment. Both cases illustrate government failure to protect children from military service yet both seem to be the result of government attempts to establish a monopoly on the use of force within their borders with the means available. Considering that most grievous cases of child recruitment in other parts of the world have so far required some sort of peace agreement to provide space for a DDR programme, one could conceivably excuse the government for attempting to impose a peace through military victory. Since child recruitment in both cases was driven by armed conflict, simple military victory might have seemed the most promising way to end it. While conflict continued the conditions facing the children in each case were such that they could not be protected from opposition force recruitment except through military means. Thus, it is at least conceivable that government child recruitment measures have been taken in the best interests of the children involved relative to the risks they faced. While it may be tempting to condemn both cases of government child recruitment out of hand there would seem to be at least some arguments available to the government stemming from a context that left them so few options in meeting their protection obligations. Ultimately, moral judgement in these cases would require better explanation of government intentions as well as careful consideration of the effectiveness of the steps they took to them.

Clearly, the main difference in the two cases as we have portrayed them is in the attitude and conduct of the UPDF. Whereas they took careful steps to win hearts and minds in the west, there is scant evidence of serious attempts to do the same in the north. From a purely pragmatic perspective, this is difficult to understand. There just aren’t any historical cases in which a relatively weak military force, like the UPDF, managed to defeat a successful guerrilla force, like the LRA, without first winning the political battle

56 See Dodge’s account of the NRM steps to care for children who eventually became full fledged soldiers and may have made a crucial difference to Museveni’s military effectiveness. Dodge and Raundalen, Op.Cit. ch 4.
that would rob the guerrillas of support. It is suggested that the lack of interest at political level is reflected in a disinterested military campaign that has never managed to gel into something solidly effective. The combination of political concern and military competence shown in the west might possibly have led to a much earlier resolution of the LRA conflict and a consequent end to child recruitment.

In the interests of fairness, it is also necessary to point out that the LRA, for a time at least, enjoyed logistical support from the Sudanese military whereas the ADF had already been cut off from direct lines of support by the UPDF incursions into DRC. The ADF were surrounded before they could fully develop whereas the LRA benefited from at least 7 years of support that included a safe haven to which they could escape to indoctrinate and train child captives. It is highly likely that they studied hard and worked out viable operational procedures during this period as they continued to raid northern Uganda.

From the perspective of domestic Ugandan politics, it is probably safe to say that security in the west was much more of a political issue than the long running problem in the north. Part of the reason for this may be historical tensions between Baganda and Acholi going back to colonial times. It is probably also fair to conclude that the northern problem has gone on for so long without disrupting the rest of the country’s development that it is simply an accepted state of affairs. Of course, rumours of oil reserves in Bundibugyo province, well developed mining operations in Kasese province and important tea production and tourism in Kabarole may have also had a part in increasing the level of domestic interest in resolving the ADF conflict conclusively.

It is also interesting to draw comparisons between the way that advocacy was handled in the case of the DRC abductions described above and the ways in which it has been handled over the years of LRA atrocities. In the DRC case, though the problem was much smaller, advocacy was targeted for effect and initiated only when the opportunity presented itself. In northern Uganda, advocacy condemning human rights abuse has become such an established industry that it is part of the continuous background noise; and is ignored. It has had no effect on the LRA, no effect on Joseph Kony and little apparent effect on Youweri Museveni or the UPDF.

The Ugandan case presents a number of issues that call out for further discussion. However, we have chosen to put off doing this until further on the in the development of the arguments contained in this paper in order to bring in theoretical dimensions that have yet to be discussed.
Background

The history of this conflict suggests a dynamic of fear and greed that is deeply entrenched. While ethnic fears have lent themselves to easy manipulation and led to pre-emptive massacres on both sides, greed and the hunger for power also have also played their roles. But while the ruling class has always been able to use the army to protect its hold on power, the rebel cause has been helped by the alienation of a deeply impoverished rural population. Their support, whether active or passive, had enabled a serious rebel challenge to develop from a militarily weak power base. However, both sides remained too weak to eliminate the other. Through most of the conflict, the Army maintained a tenuous hold on all major towns and were able to prevent rebel forces from holding ground through the use of superior firepower. Rebel forces, for their part, persistently cut lines of communication and seemed able to move at will through the countryside using guerrilla tactics. By the early year of this century, the conflict had achieved a see-saw stability in which rebel forces launched harassing attacks but avoided major battles while government forces manoeuvred to shrug off minor ambushes and to find rebel concentrations. Meanwhile, the economic and psychological effect of

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There are a number of good histories available. We have found Martin Meridith’s recent book, op cit, among the most complete but have also found much useful information in Robert B. Edgerton’s *Africa’s Armies: from Honor to Infamy, a History from 1791 to the Present* (Cambridge, MA: Perseus Books, 1999). The first chapter of Gerard Prunier’s *The Rwanda Crisis 1959-1994: History of a Genocide* (UK: Hearst and Company, 1995) also provides good historical background of the region as a whole.
continued instability weakened the country as a whole and undermined government capacity in all spheres. The war had, and continues to have, a drastic effect on children.

The Peace Process

The peace process stumbled repeatedly since the signing of the Arusha Accord in 2000 but in 2004 finally resulted in a cease fire agreement to be monitored by UN Peacekeepers. One of the most significant obstacles to progress was frustration with a process that somehow did not include representatives from all the main opposition forces. The two most significant rebel elements, Conseil National pour la Défense de la Démocratie/Forces pour la Défense de la Démocratie (CNDD/FDD) and Palipehutu-Front National pour la Liberation (FNL) required some time to finally achieve a level of recognition that permitted some confidence that negotiations included the right people. However, a number of factors, including: the end of the war in DRC, increasing Tanzanian impatience with refugees, strong diplomatic pressure and the possibility of a connection to the international war on terrorism, put pressure on all parties. As the Rwandan genocide made clear, international pressure carries with it certain risks, not the least of which is the illusion of success.59 While external pressure may generate signatures on the relevant documents, there remain many divisions between the positions of contending parties that will be ignored at considerable peril to long term prospects for peace.

As of the end of November 2002, the FNL continued to insist on seven pre-conditions to a cease fire and had refused invitations to attend facilitated talks in Dar Es Salaam until their conditions were met. When work on this paper began, they were still active in the field and still sticking to their original negotiating position. The CNDD/FDD had been more co-operative in participating in talks but had also been more active militarily. Both groups maintained a higher than normal level of action through the autumn of 2002, the period leading up to the cease fire and there are some grounds for believing this to have been part of a strategy to improve their negotiating position. Throughout the conflict, the national Army had managed, to a certain extent, to contain the threat against major population centres but had not been able to come to grips with main rebel forces.

Once the peace agreement was ratified and Peacekeepers deployed, the success of the CNDD in national elections brought about a complete change in the political dynamic and created a wave of hope that has been sustained by good political leadership and consistent international assistance. It also opened the doors to the demobilisation of children from all but the FNL, who continue to recruit to this day.60

Recruitment and Use of Child Soldiers in Burundi

59 Signing the Rwanda/Arusha Accord of 1993 was resisted by Hutu hardliners and may ultimately have contributed the spark that set off the genocide in 1994. See Romeo Dallaire: The Failure of Humanity in Rwanda (Canada: Random House, 2003) and Martin Meredith, op cit.

60 UNSC Resolution 1612 (2005) acknowledges that recruitment may be ongoing and assigns monitoring and reporting tasks to various UN elements in place.
The use of child soldiers in Burundi raises a particular set of issues worthy of close consideration in the context of our attempt to understand better the instrumental dimension of the child soldier phenomenon. Although today Burundi is a country in the difficult condition of post conflict recovery, the deep ethnic mistrust that fuelled nearly 4 decades of atrocities, still haunts nearly every Burundian family. During the conflict, this created a context in which certain parties, and some children, felt that they could justify child recruitment, in the ‘winner takes all’ or ‘total war’ scenario in which they perceived they were caught up. Children were drawn into conflict: sometimes as willing participants, sometimes as reluctant participants with no other viable survival options, and sometimes were forcibly recruited. None of the other case studies considered so far contained quite the same elements in their recruitment dynamics and the differences are important. Nor do the other cases include some of the political and diplomatic complications seen here. In the early stages of the internationally sponsored peace process, very little attention was paid to the plight of child soldiers, except by humanitarian agencies. However, since the deployment of the Operation Nations Unies pour le Burundi (ONUB), which included a robust Peacekeeping Force, and the commencement of a demobilization process, it is claimed that 2,923 child soldiers were demobilized in the first 15 months of the process. It was estimated that there were approximately 5,000 child soldiers to be demobilized and reintegrated, among an estimated total of 55,000 combatants who were (at time of writing) being demobilized and reintegrated over a period of 4 years. This included an as yet unknown number of children still serving with the FNL. Whatever their final numbers prove to be, the estimate suggesting that approximately 10% of the total number of combatants were children indicates that they played a significant role in the conflict. This figure included all children with the protagonist forces except for dependants; i.e., an inclusive definition of child soldiers was used in the demobilization process.

While the scale of child recruitment never reached the level of conflicts in northern Uganda or DRC, many hundreds of children were used as spies, couriers and porters. Others have simply got into the habit of following groups of soldiers in hope of handouts and ended up in a dependent role that led almost inevitably to being assigned some sort of military role. Sometimes they were used as combatants. Nearly 1,400 served in government home guard forces. In some ways, the most prevalent form of child use by adult fighters can be seen as a reflection of the logistical weakness affecting both sides of a war fought largely on foot. Children were readily available and filled a need for transport, cooks and supply gatherers felt by fighting forces composed primarily of light infantry. In an environment characterised by increasing war fatigue, children may simply have been easier to recruit than adults because they were more susceptible to force and persuasion. Once recruited, they were much easier to control. All sides were aware of the diplomatic difficulties that using children might cause and seem to have restrained themselves to some degree by avoiding excessive degradation or torture. Interestingly, there are very few reported cases of female recruitment and the phenomenon of ‘bush wives’ widely reported in Sierra Leone, Liberia and Northern Uganda was not reported at

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61 In the early stages, UNICEF was debarred from several attempts to get the child soldier issue onto the negotiating table. (Lancaster field notes, Burundi, 2002).
62 Associated Press Newswire, March 24th 2005, “About 3,000 child soldiers demobilized in Burundi, 5,000 more to go”
all. Though the situation of Burundian child soldiers was often bad, the available evidence suggests that the conditions they faced were not as bad as those faced by children taken by the LRA or child soldiers in Sierra Leone or Angola.

Nevertheless, the scale of the use of child soldiers by all parties to the conflict reached a point, some time in the late 1990s, that it sparked general alarm. In late 2001, a paper entitled *Enfants soldats: un défi à lever au Burundi* was circulated within various departments of the Government of Burundi. This paper was surprising both in its candour and for the fact that it was generated within the government and did not, despite the strong position it took against recruitment within government forces, lead to censure of the middle level bureaucrats who produced it. UNICEF was quick to spot the opportunity the circulation of this paper presented and began exploratory work to develop a project aimed at disarmling, demobilising, rehabilitating and reintegrating (DDRR) children on all sides of the conflict. Despite the apparently broad consensus behind their efforts, UNICEF met with mixed results and the problem of child recruitment continued into 2006, despite a peace agreement that has led (at time of writing) to the disarmament of all but the FNL and the deployment of UNOB.

Child soldiers in Burundi could be placed into several rough categories according to who recruited them and how they were used. Those who were employed by the *Forces Armées Burundaises* (FAB or Army) as spies or scouts were given the name *doriya* and included children who had approached military posts in search of scraps of food or security as well as those who were actually given scouting missions. A second group consisted of those recruited by the government to form local defence militias (*guardiens de la paix* or GDP). This set of children did not generally deploy away from home but were used more as sentries or point guards within their own villages and towns. The third set was composed of children with the armed opposition forces on a full time basis. Finally, there was the category of children pressed into temporary service as porters by any armed group. This last group tended to be treated as expendable resources valuable to their captors only when material or loot needed to be shifted but not worth training or arming for longer commitments. No reliable statistics were available while the conflict continued though estimates in 2002 generally put the figure at about 14,000 for all categories.

The DDR project, executed by UNICEF with World Bank funding through the mechanism of the Multi-Country Demobilisation and Reintegration Programme (MDRP) reported that by August 2005, approximately 900 former FAB child soldiers had been demobilised, with just over 600 being demobilised from the FDD and other smaller opposition forces (excluding the FNL) and nearly 1,400 from the GDP. While this may seem at odds with the large number in the initial estimate, the criteria used to identify beneficiaries for long term assistance was based on actual presence with fighting forces and might therefore have excluded a large number of children in the fourth category; those used as temporary porters.

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63 UNICEF demobilization figures list less than 70 female children among the 3,000 involved in DDR.
64 This is Kirundi for “one who listens”.
65 Why this group did not include a substantial number of girls remains a mystery. One might speculate that their fear of possible sexual abuse from soldiers made girls more likely to look elsewhere for safety.
66 Both the government document already cited and the Coalition Report of 2001 gave the same figure. Both used estimates provided by UNICEF that proved, on investigation, to be wrong.
The case of FAB child soldiers presents a particular set of considerations that pose a challenge to some of the prevailing beliefs about the harm caused by premature military service. Keeping in mind the ethnic dimensions of the conflict in Burundi, children living in rural areas were extremely vulnerable – simply because of their ethnicity. The early part of the conflict included a round of massacres and mass reprisals in which the attacker made no gender or age distinctions. The only classification that mattered in this type of fighting was ethnicity. In the swirl of displacement that occurred over the course of the first several years of conflict, many children on different sides of the ethnic divide found themselves living in dramatically insecure conditions and either fled to refugee camps over the closest border, to IDP camps within the country or sought the illusion of security offered by friends or relatives among the fighters of either side. Children in this latter group were not necessarily recruited as such but attached themselves to the only visible protection available. One needs to remember that the collapse of the Burundian state left the FAB as one of the few surviving institutions with the capacity to do anything at all and with enough resources that they could at least feed themselves. One could argue that the FAB inherited a protection function that, in the midst of violent chaos, could not be provided by any other national or international institution. Other government institutions lost their capacity for effective action when the state’s legitimacy was thrown into question and UNICEF and its partners had no army. UNOB had not yet been approved or deployed.

Whatever the moral category we assign to the phenomenon of FAB recruitment, information gathered in early 2002 described a number of different uses to which the children with them were put. The overwhelming majority of younger children filled administrative functions inside FAB camps and positions. This included cooking, gathering firewood, washing clothes and running errands. Occasionally, some of these children were used as doriya, that is, low level intelligence agents familiar to readers of Rudyard Kipling. In a battle environment where human intelligence was critical and yet difficult to gather because of ethnic solidarity, children were usually able to pass unnoticed and thus were useful in a listening capacity. Seldom were they trained to use weapons or intentionally used in direct combat roles. During a focus group with child soldiers serving with the FAB conducted in 2002, a group of children who had been with FAB units for up to 8 years reported that they had progressed through several stages of integration into the Army which began with logistics functions, progressed through a stage in which they were permitted to wear cast off bits of uniform and to carry guns for low level commanders during long marches. Eventually, some of them were armed but, according to the children, this happened after years of pleading with commanders to let them copy the adults. Though this inevitably put the affected children on a slippery slope towards combat, there appears to have been an attempt on the part of the Army to keep children as safe as circumstances permitted. Some of the children were afraid to go home because of continuing interethnic fear and claimed they felt safe with the Army.

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69 UNICEF Burundi Proposal for Child Soldier DDRR submitted to the World Bank, 2002
70 Though there were many allegations, few referred to actual combat. Discussions with FAB senior officers suggested a consistent aversion to using children in combat though many of the same officers thought that 16 and 17 year old boys were no longer children.
71 During a field interview with former child combatants (Lancaster, Oct 2005) one child explained that the FAB unit he had joined had found money to pay his school fees for several years.
Others couldn’t wait for peace to break out so they could get away from guns and uniforms for good.

However, the FAB were as ruthless to children as any of the other groups under certain circumstances. According to newly arrived Burundian refugees in Tanzania interviewed in 2002, children in villages in Ruyigi and Cyankuso had been taken by force as porters by the FAB during operations in early October 2002. Some were killed or injured during subsequent confrontations with CNDD/FDD forces. Others were simply abandoned wherever they happened to fall after being too exhausted to continue the march. In view of the seriousness of FAB senior level interest in the issue of child soldiers and the difficulty they seemed to have trying to stop child recruitment, it is possible that at least some lower level commanders found themselves unable to resist the temptation to take advantage of human resources that were there for the taking; no matter what the consequences. Though it would appear from the accounts available that the intention of the FAB was simply to solve a temporary logistics problem it is also possible that the commanders involved wanted to avoid both disciplinary problems from their own senior commanders and the logistics burden of having to care for children over a longer period than the short duration for which their services were used.

Rebel forces faced a different operational challenge. In the first place, they had to form their fighting forces from scratch and did not have the luxury of a formal recruitment process enjoyed by the FAB. Nor did they enjoy a formal logistics system that might have allowed them to meet their transport, food, and cooking needs without resort to informal taxation. They, literally, lived off the land and that meant having to take what they needed wherever they found it. Their recruitment policies seemed to adapt to both operational and political factors. FNL forces, for instance, remained engaged in Bujumbura Rurale and Cibitoke districts of the country for at least 8 years and, initially, did not recruit or use children in noticeable numbers until just before the peace agreement was signed. On the other hand, CNDD/FDD forces appeared to make regular use of child soldiers. Certainly, the roughly 600 opposition child fighters demobilised by UNICEF are overwhelmingly from the FDD. An interview with a child who had escaped CNDD forces after being recruited from Mtabila refugee camp in June 2002 confirmed reports of child recruitment as far away as Tanzania. This child described how he was promised a job only to find himself forced, with a group of about 200 other children, to carry weapons and ammunition for CNDD elements in Burundi.

In another incident, in July 2002, 223 children were arrested by Tanzanian forces as they tried to cross the Burundian border into Ruyigi province. These children were part of a group of 400 young males (only 1 female among them) who claimed to be trying to repatriate to Burundi voluntarily. Subsequent interviews with various members of this group left little doubt in the interviewer’s mind that their real objective was to join rebel fighting elements in the Ruyigi area. Significantly, a number of those who eventually made it to refugee camps were reported by friends to have joined the FDD fighters in Burundi. Still another interview with 3 children released from the Mwisa Separation Facility (Oct 2002) provided a description of how children were recruited with false

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73 Interestingly, this information came from interviews with FAB senior officers (Lancaster, 2002).
74 Field notes, Lancaster/Tanzania Oct/Nov 2002.
75 Field notes, Lancaster/Tanzania Oct/Nov 2002.
promises of food, clothing and money. Suffice to say that the evidence of child recruitment by CNDD/FDD both from refugee camps and within Burundi is compelling.

Anecdotal testimony collected by UNICEF from escaped children who had been forced into rebel ranks describes a grim set of conditions including⁷⁶:

- violent training methods;
- threats, physical abuse and harassment;
- acute hunger;
- extreme fatigue as a result of being forced to keep pace with adult soldiers while carrying heavy loads;
- forced cross border movement into DRC and Tanzania;
- lack of medical care; and,
- extreme fear.

Over half of the child soldiers demobilised as part of the current DDR process served with the GDP. As mentioned above, these children were engaged by government as part of home defence militias. They were not normally deployed on offensive operations but were given military training and uniforms for use in defensive operations around their home communities. Though exposed to some of the hazards and hardships of underage recruitment, they did not suffer the extreme forms of abuse noted in Sierra Leone, Liberia or northern Uganda. They were largely used as sentries and as a sort of armed reserve in case of attack. Interviews conducted over the course of several years⁷⁷ revealed that some children resented having been forced into service while others regretted the loss of status that demobilisation brought. Adults in communities served by the GDP had little good to say about their conduct and thought the children made poor policemen; largely because they became arrogant to their elders once given uniforms and guns.

Nevertheless, though of limited general military value, the GDP in some places provided an improved level of community security; as long as discipline held. Objectively speaking, the presence of local militias should have freed FAB elements for offensive operations at the same time that it provided affected communities with some level of protection from rebels and from forced FAB recruitment of porters. However both the FAB and their GDP back up units suffered a steady erosion of discipline under the stress of near constant warfare over a decade of conflict. It is not surprising that there were many rumours of indiscipline among the GDP. Before we leap to condemn the inclusion children in GDP recruitment, we should perhaps remember that the Boy Scout movement began under similar conditions and used boys in the siege of Mafeking to take over sentry, scouting and messenger duties so that adult soldiers could man the defences.⁷⁸

We need also to consider the fact that many of those children protected from rebel

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⁷⁸ Lord Baden-Powell devotes several pages at the beginning of Scouting for Boys: a Handbook for Instruction in Good Citizenship through Woodcraft (Reprinted circa 1965 by the Boy Scouts Association of Canada) to praise of the “work” done by boys in war. Drawing on Rudyard Kipling’s Kim and his own military experience, he set out a comprehensive training plan to develop a set of virtues grounded on service to “God, King and Country”; including self sacrifice in war. Though shocking by today’s standards, Baden-Powell’s approach seems to focus on empowering boys by developing self reliance and teaching a minimal set of survival skills needed to face conditions of conflict that many of us today seem to think simply ought not to exist. Of course, in the case of GDP child recruitment, child protection seems to have been, at the most, a tertiary objective.
recruitment by GDP elements had no other source of protection and that, while far from perfect, this can also be understood as the lesser of the evils facing these children under extreme circumstances that left few choices. As is so often the case in Africa, the iron laws of necessity drove the FAB in the direction of choices they might well have rejected under more benign conditions.

Military Value of Child Soldiers in Burundi

From the evidence available pertaining to Burundi it seems clear that the degree of child involvement in the conflict never reached the high levels that it did in other conflict areas considered here. It would also appear that, at least near the end of the conflict, few children below the age of 16 were employed by any of the forces that were subsequently demobilised through the DDR process. 79 There are few reports of child fighters being used in actual combat and no reports of child commanded units or children fighting independently. By and large, the fighting in Burundi seems to have involved the majority of child participants in support functions rather than in combat. These functions fall into two general categories: light security and logistics.

The phenomenon of the doriya children alluded to briefly above is interesting for what it reveals about the nature of combat operations in the Burundi context and the ways in which the special characteristics of children were developed and employed. The doriya function was primarily to listen. In a country where lineage is important and people largely know the ethnic and political affiliation of their adult neighbours, children had a special intelligence gathering value because they were often overlooked. This was, and is, a function of simple demographics. Children seem to be everywhere in vast numbers in Burundi and a single child tasked by any of the combatant forces to blend in, listen and report could easily pass unnoticed. The capacity to pass unnoticed in markets, schools or play areas had particular value to the FAB as it gave them a capacity to see around barriers of ethnic solidarity and to pick up market rumours; always an important source of intelligence. On the opposition side, this capacity was particularly useful in detecting the deployment of government forces and identifying food sources in villages through which they wanted to move.

By far the most important military function provided by children in Burundi seems to have been logistics support. As mentioned above, this included the full range of food gathering (particularly important to guerrilla forces), cooking, firewood gathering, water carrying, laundry and transport. It would appear that it was fairly common practice for all sides to simply conscript porters by force as they moved. Children made good porters and were often taken only for the short period of actual movement. This made military sense in a context of guerrilla conflict where most movement took place on foot across terrain without good roads and where there simply was no way to move food and combat equipment except by human power. Children may have been prime targets for recruitment into this function because they were easy to find in large numbers, easy to frighten into obedience and easy to manage for short periods once captured. It would appear that the practice usually entailed forced marches without the bother of feeding the porters and without concern for their welfare beyond ensuring that enough survived to get

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79 Report on Child Soldier DDR, Structure National pour les Enfants Soldats (Government of Burundi) October 2005 found over 80% of child beneficiaries of the DDR project reached the age of 18 well before the end of the 18 months of support provided. Ergo, few were under 16 at the time of demobilisation.
the job done. Once no longer needed, they were usually simply released to make their way back to wherever they had been conscripted.

Political and Military Factors

In December 2002, the peace process was lurching ahead towards the critical date set in the Arusha Accord for power to change hands. The FAB had not yet been reformed and many observers and some interested parties saw this as the real litmus test for serious change. Meanwhile, the CNDD/FDD and FNL factions that had initially been excluded from negotiations and had not signed the Accord and refused to agree a cease fire and continued to communicate through military action. Each call for them to lay down their arms before Army reform had taken place seemed to evoke a new round of attacks. Rebel forces fell back on the use violence to make the point that they did not feel they could disarm safely as long as control of the Army remained in the hands of the same power elite they held responsible for so many massacres. The Itaba massacre (9 September 2002) was, they claimed one of several that took place during that month and only the most recent in a string of incidents dating back many years. Rebels claimed that the Minister for the Interior, a Hutu, was not informed of the massacre and argued that this showed the transitional government process to be a sham. However, the FAB seemed to be trying to change. Two officers were arrested (one major and one lieutenant) following the Itaba massacre and the Army leadership had taken a much more serious interest in training on International Humanitarian Law and children’s rights.\textsuperscript{80} These two factors suggested the Army was paying attention to the task of rehabilitating its public image. In addition, conversations with senior FAB officers at the command level suggested an understanding of the pressing need to change their strategies towards a more positive attempt to win hearts and minds.\textsuperscript{81} That said, the Army was a long way from either consistent behaviour or unified opinion on the best course of action to take.

Meanwhile, at least one international agency, the United Nations High Commission for Refugees (UNHCR), was caught in an awkward position between the obligations of its mandate to protect refugees and regional political dynamics that contributed to concern that the Government of Tanzania might resort to forced repatriation of Burundian refugees (\textit{refoulement}) in response to allegations that they were supporting Burundian rebels. This added an interesting political dimension to the problem of protecting children from recruitment and faced the prime protection agencies, UNHCR and UNICEF, with a nasty little dilemma. Were they to cooperate openly with efforts to provide evidence of child recruitment in refugee camps, they could well end up providing information that might be used to support \textit{refoulement}.\textsuperscript{82}

The Transitional Government had an urgent need for funding that was well understood by the rebels. One of the reasons funding had been held back was that donors remained deeply troubled by lack of progress on the military reform called for in the Arusha

\textsuperscript{80} UNICEF began a series of short course on the CRC for FAB senior officers in June 2002.
\textsuperscript{81} Field interviews Lancaster/Col Karibwami, 2002.
\textsuperscript{82} After over a year of outright denial by UNHCR field staff, the UNICEF Eastern and Southern African Regional Office contracted a consultant (Lancaster) to investigate the possibility of recruitment in Tanzanian refugee camps. It took only several days to find conclusive evidence that child recruitment was common practice and that it was largely supported by the refugee community. It would appear that the relevant UN Agencies had not been able to see what they had not wanted to see.
Accord. Until these reforms were carried out, the Army’s legitimacy and the intentions of the Tutsi elite remained in question. The opportunity existed for the Army to demonstrate that it was no longer a threat to its own people and thus reduce pressure for reform. It follows that the Army had an interest in taking measures that assisted in transforming its image. In short, the Army had, or ought to have had, a strong interest in apparent legitimacy if only to improve its chances of avoiding being forced into real reform that threatened established interests. Child soldier demobilisation offered an excellent opportunity to do just that and offered the further potential benefit of seizing the moral high ground from opposition forces which continued to recruit children.

What It All Means

Thus far, we have consistently deferred all but the most preliminary analysis in order to put as many facts and observations onto the table as possible. The next step is to try to figure out what to do with the information we have presented and to try to work out a coherent logical approach to the problem of trying to protect children against military service in the midst of ongoing conflict. Put another way, in trying to figure out how the doctrine of using children in conflict might be eradicated, we want to explore the core issue of recruitment. This requires an intermediate step of identifying and discussing issues gathered from the research cited above and making some attempt to work our way towards common understanding of a number of concepts that have been glossed over in our discussion so far. While ever mindful of the need to consider each recruitment case in context, we hope to be able to draw some general conclusions that will be useful later.
CHAPTER 3 – ISSUES, CATEGORIES AND DISTINCTIONS

It will be useful here to try to describe more clearly some of the basic categories that will be dealt with later and to introduce some of the distinctions we think important to progress towards more effective interventions to protect children from military service. As will soon become clear, one of our main concerns is that some categories are so large that they complicate the process of dealing with specific cases. Once we have all of the most salient issues on the table, we will begin the process of developing sets of strategies that offer hope of success. However, while we recognize the requirement for some sort of theoretical basis for analysis, we believe the discussion of issues which follows may help to explain why we feel it essential to tread carefully towards a viable theory. As will soon become clear, contextual factors vary enormously across the range of cases under review.

The Cape Town Principles articulate the set of standards and interpretations commonly cited in advocacy against the use of child soldiers and serve as a useful starting point here. This document defines the set of children defined by the term ‘child soldiers’ and stipulates that all categories within the set are to be considered the same in terms of their rights to protection. This means, for instance, that children accompanying a rebel group as porters or captured ‘wives’ are considered the same, for protection purposes, as children carrying guns. While the consensus behind the Cape Town definition has been very useful in structuring interventions so far, it tends to blur some distinctions that are important for a clear understanding of the different conditions and motivations that drive or seduce children into war. While distinctions may seem to make no difference in this context, at the very least, there is a moral obligation for us to consider whether child soldiers have found their way into battle as a result of their own agency or because of conditions that structured the outcome of their agency in ways that left them no real choice. This may at first glance appear obvious and irrelevant to the business of helping them but it is suggested that distinguishing among different cases is not a trivial undertaking for a problem affected so strongly by limited resources and where tough decisions have to be made if those resources are going to be well used. Moreover, in some known cases of child recruitment, the conditions that motivate recruitment are so far beyond the power of any single actor to control that advocacy which points fingers at key individuals may be unfair - and ineffective. In other cases, the key to determining the most promising intervention strategy may well be identification of the major causes of recruitment.

The UN Convention on the Rights of the Child (CRC) sets a very high standard of protection for a full set of rights bridging both the UNDHR and the UN Convention on Economic and Social Rights. For instance, it is proclaimed that all children have rights to basic education, healthy environments and protection from physical and psychological abuse. The underlying idea is that children need special protection because of their development needs; they are not yet able to look after themselves and need special

84 We refer here to the tactic of ‘blaming and shaming’.
assistance and protection to develop into well balanced adults capable of taking on the full set of rights and obligations of citizens of whatever state they happen to belong to. However, the CRC also stipulates that a child must be consulted in any decision affecting him or her.\textsuperscript{86} This suggests recognition that the capacity for rational decision making, though not fully developed, exists and is part of the set of considerations that ought to be part of all decision making with respect to children. Despite the implications of the Cape Town principles, this allows room for the possibility that there may be times and places in which conditions are such that children may choose to fight for reasons that should be respected and that may, on reflection, be considered to be in their own best interest given the range of choices open to them. Here we mean to imply nothing more than the necessity to take full consideration of the background conditions commensurate with an acknowledgement that we do not live in a perfect world and that we cannot control all circumstances. Thus, it is important to consider various categories of conditions if only as a prelude to considering what sorts of interventions are likely to be effective in changing conditions so no child with a modicum of rational judgement would choose to fight. As we shall see, this is often a very tall order and one which is seldom given the resources that would indicate that it has been taken seriously.\textsuperscript{87} Discussion below should, of course, take into account the effects on innocent third parties of any decision to participate in fighting taken by children, who are notoriously uninhibited by the laws of war. It is simply not good enough to try to lift the issue out of the broad context in which children’s decisions may have deadly consequences for others.

Age of Childhood

The CRC, when taken together with its Optional Protocols, stipulate clearly the age of childhood and provide a basis for legal definition that is reflected in virtually every pertinent international document. However, communities, military leaders, armed factions and children themselves frequently question the apparent arbitrariness of the stipulation. Some professional soldiers consulted stated that the age of majority in some of the areas in which they have served is traditionally much lower than 18\textsuperscript{88}. Others pointed to the age of consent for marriage, which may be as low as 12 in some places, and argued that children forced into bush marriages were not very different from rural girls married off young by their parents to ease economic or social burdens. Further, many of the boys met during parts of this research were insulted by the insinuation that they were too young to carry weapons and showed no inclination to be convinced otherwise by arguments linked to the CRC. For many of these children, fulfilling roles normally assigned to adults has led them to think of themselves as adults and to demand

\textsuperscript{86} Ibid, article 12. This article stipulates that the importance given to the child’s view is relative to the particular child’s maturity.

\textsuperscript{87} Jeffrey Sachs argues in \textit{The End of Poverty: Economic Possibilities of our Time} (New York: Penguin Books, 2005, chapter four) that economic development theory suffers from clumsy diagnostic tools and needs something analogous to medical diagnostics. Analysis of recruitment cases, where it exists, seems to suffer from the same sort of clumsiness.

\textsuperscript{88} Throughout the developing world, rural modes of living confer adult responsibilities on youth at a much earlier age than in the developed world. The Canadian Army, in 1967, had many old soldiers who had fought in WW2 as 16 and 17 year olds by lying about their age. Most came from farming, logging or mining towns.
that they be heard as adults when considering how to intervene on their behalf. It is not too great a stretch to argue that holding an AK has empowered some of these children in ways that go far beyond the watered down version of empowerment that orients much humanitarian rhetoric.

Clearly, while we may have a universal international standard protecting children from underage recruitment, we are far from having a universally supported value. One possible reason for this may be that collapsing states possess a common characteristic of separation between the people and the members of the elite who sit as delegates in international conferences where standards are agreed. While governments might sign international agreements, the values agreed may not be reflective of a national consensus in the nations concerned. Fundamentally, the tension between imposed universal standard and accepted national and social value requires national dialogue that happens much more easily in more developed states than in states still in the process of evolving effective political dialogue. Where what happens in government is not directly linked to a mature democratic process, we cannot be sure that dialogue to develop consensus about these values has occurred. Under conditions of violent conflict, where order and dialogue are no longer salient elements in the lived experiences of the citizens concerned, it should hardly surprise us that age criterion that correspond appropriately to conditions obtaining in orderly, peaceful states are seen as arbitrary. We do not argue that the values reflected in the “straight 18” position are wrong, only that they are based on a norm that is not necessarily reflective of survival imperatives under conditions of conflict that present dramatically different challenges to the children concerned than those faced by children in peaceful states. While this issue may seem to require an arbitrary distinction if only to provide some basis for collective action there are certain practical implications that need careful thought when considering interventions.

First, strict adherence to age criteria during DDR can work against the overall objective of reintegrating child fighters; or even of disarmament. It is one thing to use a universal age category to protect children from the worst effects of war but quite another to use it to block demobilised child combatants from access to the same levels of reintegration assistance offered to adults. Child combatants in particular need to be consulted in developing DDR options to ensure that the packages offered reflect the desires and needs of the children affected. Some of these children will almost certainly have been military leaders whose capacity to influence others makes them potentially very disruptive to any peace process that fails to satisfy their hopes. Programmes should recognize relativities in the aspirations of different categories of child soldiers rather than considering all of them as a homogenous group based solely on age criteria. Thus, it may be appropriate to offer some child fighters access to adult vocational training packages rather than focussing on elementary education. Similarly, it may be more useful to offer young

89 This has happened in Burundi, DRC and other countries affected by the Great Lakes Conflict. Typically, in an attempt to shield child combatants from further harm during DDR, they are separated and treated differently. While laudable in intent, this often has the practical effect of blocking those children from adult levels of reintegration assistance. In Burundi, adults received one year of salary plus a reintegration package valued at approximately 600$ while children did not get the salary support at all and received slightly less in reintegration (approximately 500$).
women who bore children while serving as bush wives assistance programmes designed for more mature mothers of families.

Second, when searching for possible means of disuading voluntary child recruitment, the context of conflict becomes a key factor. As Rosen argues, children have sometimes been trapped by historical events that left them a stark choice between resistance and death. In compelling reference to the Holocaust, Rosen claims that many children recognized the evil that awaited them even when their parents did not and consequently chose to fight rather than try to appease the Nazis. Similar motivations, though perhaps less dramatic, may have been behind some of the voluntary recruitment in Burundi. The point here is simply that military commanders who accept child recruits under some circumstances, whatever their own motivations, may actually be empowering children in their own self defence. In certain extreme cases, the category of ‘child’ might be considered less important than the category ‘victim’. Where there is no Agency capable of protecting a child from violence, there ought to be at least some leeway allowed to adults who allow children to fight in their own defence. Thus, it could be argued, that the set of children defined by the Cape Town Principles ought to allow some exceptions based on the actual context of conflict. However, we recognise that there are many slippery slopes in this domain and that making an informed decision about particular cases is extremely difficult.

The lack of formal proof of age endemic to much of Africa further complicates the set of issues around underage recruitment. In most of rural or shanty town Africa, there simply are no formal means of registering birth and therefore prosecution of child recruitment along the margins of 18 becomes a difficult process. However, having the age of recruitment set at 18 should, in principle, make it easier to prosecute cases where there is no doubt that the child in question is young enough that there is no reasonable ground for mistake.

The argument here is not that the “straight 18” position has no usefulness in the fight against child recruitment but rather that there are times and places where judgement is required and that all cases where doubt exists ought to require consideration of the best interests of the children involved relative to the actual conditions they face.

Categories of Service

Discussions with child soldier activists conducted during this project frequently included reference to difficulties in dealing effectively with different categories of child soldiers during DDR initiatives. Those who acted as front line fighters generally presented a known quantity and could be assisted to reintegrate according to well understood procedures. However, many of those who did not carry weapons were not generally considered to have been soldiers at all and were not included in the census of troops leading up to peace agreements. This may reflect a general unwillingness to admit to the presence of larger numbers of children out of fear of stigma; however, it creates practical difficulties that need consideration. The main thrust of this work is to consider the military effectiveness of children so this problem poses a difficulty for us as well. The

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“child soldier weapon system” is one of the most complete and sophisticated weapon systems in existence in low intensity conflicts. Viewed as a weapon system, the child soldier presents as an integrated whole from logistics tail to sharp end fighter. The conclusion we reached is that children represent a military potential with multiple dimensions that must all be considered if effective counter measures are to be developed. Thus, it is important to understand the roles of child spies and messengers, of child sex slaves and of children used solely as logistics support as well as understanding the functions of children used in more overtly military ways; most particularly those who acted as child commanders or leaders. These will be discussed in more detail later but at this point we suggest the idea that distinctions according to category of service may be useful in sorting out appropriate post conflict assistance. Such distinctions will also be important in developing effective instrumental responses during periods of actual conflict.

Recruitment Status

There is a dubious moral distinction to be made between those forcibly recruited and those who volunteer. The blurred line between the compulsion of circumstance and actual physical force has been mentioned above but it remains unclear how the residual distinctions can be dealt with in the practical world. Since both categories of child fighters, at least those carrying weapons, present similar risks and since both are in some sense victims of social and political collapse at the same time that they are potential perpetrators of violence, perhaps the best course is to treat all as hostages to history who must somehow be redirected.

From a practical perspective, it is clear that those forcibly detained, as is the case with many LRA captives, will be more likely to try to escape if an opportunity presents itself. Those who fight voluntarily present a different challenge in that they are unlikely to be persuaded of the error of their ways unless important progress is made in redressing whatever conditions motivate them to carry on fighting. Where the motivation is mercenary, a combination of approaches is probably necessary. In any case, it will be essential to study the causes of recruitment in any given conflict as a prelude to effective action. Important elements of this study will include: issues of legitimacy and justice in the prevailing political dynamic, prevailing security conditions compared against the possibilities offered by international presence (if any), economic factors driving recruitment and social conditions. Where dealing with non-state fighting forces, it will be important to decide if their motivation can be reasonably interpreted as political, economic, social or some combination thereof. Where no other motive is apparent, the possibility of nihilism should be considered.

Voluntary Service: Underlying Conditions

The reasons why children volunteer say a lot about the context in which they find themselves at the moment they make their decisions. In conditions of chaos, such as one finds in most civil conflicts, children face a set of survival imperatives that impose dramatic choices difficult to understand viscerally from the comfort of a secure political
environment. Simply stated, where the law of the jungle obtains; i.e., where there is no formal mechanism to protect individuals from each other, one may have to arm oneself or to join a group of armed people simply as a means of protecting oneself. For the individual concerned, this is nothing more than a logical selection of means to reduce vulnerability. It may be better under conditions of violent turmoil, from an individual point of view, to be a wolf than a lamb. For the nation state in question, the fact that children feel obliged to make this choice is an indication that the state no longer has the power to exercise its most basic duty as guarantor of personal security. While all this is relatively easy to understand, its implications for child soldier interventions may not be so obvious.

One problematic aspect of voluntary recruitment is that posed by young people who genuinely feel they have an obligation to fight against political injustice. One need only think of the Intifada. Curiously, the images of rock throwing youth or news of child suicide bombers in this particular context have drawn scant criticism and have not provoked the shock and horror we associate with reports of LRA recruitment. Similarly, many young fighters who joined the Rwandan Patriotic Army after the genocide had begun may have felt they had both a duty and a right to fight to protect their families and larger ethnic kin groups from the cruelest form of injustice. In this particular case, the international community lost its right to accuse recruiters who accepted child soldiers in their ranks by virtue of its own inaction when lives were being lost. The salient point here is that there may well be issues of political justice at play in any given instance of child soldier involvement and that these issues must be considered in all their complexity if intervention is to have any real hope of success.

A great deal has already been said elsewhere, in virtually every study of the issue, about background economic and social conditions that contribute to voluntary recruitment. Little more needs to be said to explain the links between chronic poverty, hunger, unemployment or lack of educational opportunities in this context. Economic desperation requires many sacrifices and there appear to be many cases where risk is weighed relative to needs that we in the developed world find difficult to grasp from the comfort of our own existence. Suffice to say that economic conditions form part of the background context of conflict throughout Africa and simply must be addressed seriously if there is to be anything more than the illusion of progress towards the goal of protecting children from voluntary involvement in conflict. It is, however, worth pointing out that few existing post conflict DDR programmes seem to have the resources needed to meet the challenge of blocking re-recruitment effectively. Most have funds to provide a very basic level of vocational training, usually limited to about a six month period, or to cover the cost of primary school education. The strange thing is that this is often enough, primarily in contexts dominated by conflict fatigue and a genuine desire for peace, even

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91 See Ahmadou Kourouma’s two novels Allah n’est pas obligé (Seuil, Paris, 2000) and Quand on refuse on dit non (Seuil, Paris, 2004) for a vivid depiction of life in war torn West Africa.
92 John Locke, in his Second Treatise on Civil Government (1690) says that a state of nature is “also of equality, wherein all the power and jurisdiction is reciprocal” Ch2 para 4.
93 It is claimed widely that the ratio of military to civilian casualties in contemporary conflicts is 1:9. Clearly, the safest place in any fight is with the fighters.
94 We, who saw it first hand, think the RPA mobilized their youth for their own war aims rather than with the intent to protect their kin group. However, the fact remains that many of the children who participated may have been motivated by apparently legitimate goals.
though it falls far short of what is necessary for real economic self independence. Whether this minimalist strategy can stand the test of time is another matter.

In societies where revenge killing and family honour are salient parts of the social condition, it is sometimes the case that children volunteer to fight in hopes of finding a means to take revenge for a murdered family member or dishonoured sister. This is not generally a big factor in sub-Saharan Africa though it cannot be ruled out. It is enough for present purposes to note that there may be personal reasons for wanting to fight that may be very hard to address through collective approaches. This implies a need to understand the particular social dynamics in any area of proposed intervention.

In many parts of rural Africa, a uniform and gun are associated with power and social status. This may reflect the desperate relativities of deeply impoverished social settings or it may be an echo of distant times when soldiers were considered honourable defenders of home and family rather than the murderous thugs many now seem to be. If this is a response to conditions of chaos discussed above, then it follows that little can be done without addressing the background conditions that contribute to insecurity. However, it should be noted here that the natural impetus of youth towards adulthood also plays a part in motivating young boys and girls to seek adult status by assuming adult roles. In properly functioning political and social systems, the duty to protect children from the effects of their own premature decisions normally falls to adults, who control the society. Under current conditions of conflict in much of Africa, the capacity to control the young can evaporate quickly in the heat of fighting that is both cause and effect of political and social dysfunction.

Special Cases

Field interviews conducted in Rwanda with captured child soldiers and in Liberia with former child fighters turned up the unique case of children who had simply followed their families into combat. Their parents or responsible adult care givers (usually members of an extended family) had joined a guerrilla group and they had no choice but to go along and take whatever function was allotted to them. Though the numbers are small, the fact that it happens at all conjures up images of conditions similar to the 30 Years War in Europe. In circumstances of acute hunger and insecurity, it is possible that the most promising option to assure the survival of one’s family is to take them under the protection of whoever is best placed to assure it. It may well be that the former Interhamwe armed elements offered both some hope of resisting Rwandan Patriotic Front attacks and a more reliable source of food than WFP.

Forced Conscription: Underlying Conditions

While the general factors that facilitate strategies of forced conscription are well understood and well documented, there are a few dimensions of the phenomenon that warrant further comment here. Basically, wherever there are large numbers of children living among a population not protected by adequate government capacity; i.e., under the chaotic conditions typical of civil strife, the necessary condition causes of child
recruitment are satisfied. These conditions are exacerbated by poverty, unemployment, lack of educational and other positive community activities and by general insecurity. If these conditions are joined by a political or social cause of some kind, however weak, the impetus to restrain potential recruiters willing to risk forced recruitment may be weakened by underlying resentment of the prevailing regime to an extent that parents and caregivers won’t resist recruitment of their children.\textsuperscript{95} If all the above conditions obtain in a geographic area that happens to contain easily accessible loot, perhaps in the form of diamonds, gold or coltan, then profit motives leach into the mix and may, in extreme cases, constitute sufficient condition cause for child soldier recruitment to begin. These parts of the problem are thoroughly discussed elsewhere.\textsuperscript{96} The related issue of leadership and the easy availability of light weapons will be discussed separately. There remain, however, several other issues needing emphasis in this context.

The deterrent effect of international laws and the prospect of criminal prosecution may be easily trumped by fear of more immediate consequences. Where a state has fallen to such a level of anarchy (e.g., DRC, Liberia, Sierra Leone) that it matches the Hobbesian condition of a war of “all against all”\textsuperscript{97}, legal constraints lose their purchase against the general irrationality that may obtain. Thus, it may be more urgent in the minds of the protagonists to assemble defensive forces than to worry about breaking laws. Certainly, it is difficult to see how international law would outweigh the deeply felt need for protection in places that have degenerated to the point that cannibalism and other primitive forms of barbarism obtain.\textsuperscript{98} Suffice to say that conditions of civil war are themselves a challenging enabling condition for forced child recruitment.

One particularly troubling aspect of civil war conditions is the possibility they afford for anonymity. Commanders who forcibly recruit children to fight for them may take advantage of the general confusion of their circumstances to remain hidden; thus allowing them the illusion of immunity from prosecution and further weakening the deterrent effect of international law. Where profit is the sole motive for recruitment, this is quite likely to be the case.

The relative weakness of protagonists in any particular conflict stands as a further temptation to recruit children. In the same way that the determination to win WWI drove the nations of northern Europe to bleed themselves white through mass mobilization that ensnared ever wider cadres of old, feeble and young men, fighting forces may be tempted to collect children out of desperation. Just as a wounded or weak carnivore may turn to hunting weaker and easier prey, often human, the weakness of fighting forces and the

\textsuperscript{95} This seemed to be the case among Hutu refugees living in Tanzanian refugee camps. Parents may not have actively encouraged their children to enlist but nor did they seem to resist forced recruitment. Field notes, Lancaster, 2002.

\textsuperscript{96} Singer’s treatment of these issues is most interesting for his focus on the economic dimension of the problem. Though preceded by work on blood diamonds, his book on Child Soldiers seems to be the first to address squarely the possibility of child soldier recruitment for purely economic motives. Interestingly, many of the major contributions to the debate overlook this problem.


\textsuperscript{98} The Economist, June 11-17\textsuperscript{th}, pp20-22.
degree of desperation they feel may act as a survival imperative inclining them to seek the easiest way out.

Lack of Attention

One of the more puzzling aspects of the global child soldier problem noted in this research concerns the apparent lack of attention it is given in policy decisions and its apparent invisibility in peace processes around the globe. In Burundi, for instance, while there was broad agreement on the scale and scope of child recruitment and a relatively high level of understanding of its importance as a humanitarian problem, its impact on security did not appear to have been appreciated and was not considered important enough to be included in deliberations. It would appear that the military community has been slow to recognize the potential security implications of child recruitment and that diplomats have tended to focus on the humanitarian dimensions of the problem while ignoring links to security issues. Thus, by and large, child soldier issues are generally classified as post conflict issues that can be considered after more pressing concerns have been dealt with and peace has been agreed. This seems to fly in the face of clear evidence of the destabilizing potential of child soldiers within any peace process that does not address their specific concerns. All things considered, it is somewhat puzzling that, given the public importance accorded to international agreements and conventions on the subject, that the problem of child recruitment continues to be ignored on the ground – particularly in post conflict zones where UN Peace Keepers are deployed.

Two Sides of Advocacy

One of the main objectives of most child soldier interventions is advocacy on behalf of the children affected. This has been quite effective in cases where the idea of being held up to public scrutiny or the possibility of sanctions being imposed as a result of public allegations of recruitment has been aimed at political or military leaders concerned with their own public legitimacy. However, it can also complicate the operating environment for military forces engaged against child soldier using forces. One reason for this is that media attention to the plight of children generally works at an emotional level. Thus, sympathies aroused by stories of child abduction by the LRA may be transformed into anger and indignation at military operations that appear to harm the same children. Here, it is possible that important distinctions, such as that between gratuitous violence for personal gain and unpalatable but necessary violence to restore political order, are lost. However, the media, and those who rely on them for advocacy, have a legitimate role to play in monitoring and reporting truth.

Given the power of the media today and the ease with which their attention can be attracted by the sight of children’s blood, it is critically important that any military action imagined as part of a solution to a particular child soldier caseload includes careful attention to the emotional impact of proposed operations and to the kinds of justifications that may be plausibly offered. Since the ultimate aim of military operations against child

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99 UNICEF tried mightily to get child soldiers onto the table during peace talks between December 2001 and December 2002 but was actively ignored throughout.
soldier forces includes a requirement to win over the hearts and minds both of the children and the communities from whence they were recruited, it is of the utmost importance that the operations be well grounded on sound moral and practical considerations and that they be well explained. The dispute between the UPDF and various child advocates described in previous chapters illustrates one way in which the campaign can be lost before it begins. Military commanders and humanitarians must pay close attention to the increased emotional temperature media coverage of operations involving child soldiers and be well prepared to deal with it. Generally, the tendency to restraint resulting from close media attention may further complicate the difficulty of fighting against forces that include children and may eventually make the viability of children as human shields even more tempting to prospective commanders.

Advocacy Aimed at Commanders

Some of the participants in this research expressed a conviction that advocacy could be quite effective when directed against specific commanders. One person recounted seeing a change in behaviour of a certain commander in Liberia after she mentioned a case of prosecution against another former commander. Other participants thought that better knowledge of international and national laws or prosecutions might just as easily lead to more secrecy.

Effective advocacy is advocacy that results in positive behaviour change. While there is certainly a place for much more work to spread the word about existing international conventions and agreements against child recruitment, these efforts need to be complemented by more focussed advocacy that attempts to persuade, cajole or compel specific commanders to change their ways for the better in specific cases. If it were the case that knowledge of laws or norms were enough to generate compliance, then there would be no need for the judicial and policing apparatus found in all developed nations. Clearly, if advocacy is to be effective, it must work within a framework of a comprehensive strategy that aims at a specific goal and coordinates all available efforts to achieve it. This includes a need to ensure that interventions are properly timed to avoid the kind of problems that have resulted recently from the current International Criminal Court proceedings against Joseph Kony.

Economic Factors

Understanding the factors enabling forced recruitment requires an understanding of local measures of wealth. While profit has been discussed as a motive for forced recruitment with respect to Sierra Leone, Liberia and DRC, it gets little attention in discussions of the LRA in Uganda. However, Joseph Kony is reputed to have amassed a large number of wives and cattle. Though neither of these constitutes a visible form of wealth within the global framework used to interpret economic factors in most conflicts, they remain a traditional source of wealth conferring a certain level of power and status on their owners within the specific operational context of Uganda. In the case of Kony, the fact that he has cattle allows him to tap into client/patron relationships typical of the cattle
communities through whose lands he operates. Whether investigation eventually discovers the extent to which this is an important feature of the conflict in northern Uganda remains to be seen. The fact that the phenomenon of the persistence of a fighting force without any visible economic motive and with no apparent attempt to advance political objectives suggests that there is more here than meets the eye. It may well be the case that child soldier recruitment is driven by strictly political motives but in cases where apparently unpopular child recruitment has gone on for some time, such as in the LRA case, there would seem to be merit in looking for the sources of wealth that must be part of the process of buying the support needed to carry on operations. In undeveloped parts of the world, this may mean studying economic forms that do not necessarily come under the normal purview of the IMF or World Bank.

We also think that there is a distinct possibility that conditions in parts of Africa today lend themselves well to the employment of mercenary forces. Certainly, the presence of Occidental professional soldiers has been noted and commented on in other contexts. If, as Singer claims, “With enough money, anyone can equip a powerful military force. With a willingness to use crime, anyone can generate enough money.” It is therefore very possible that international sponsorship could play a much greater role in child recruitment in contexts where there exists an interest in exploiting criminal activities across international borders. Charles Taylor’s alleged use of Sierra Leonean child fighters to assist in the theft of diamonds is one well known case and the use of local child fighters in DRC by both Ugandan and Rwandan mineral interests is also worth further consideration. More recently, there are ongoing investigations into the cross border movement of child fighters who appear to be operating as mercenaries in various countries in the Mano River basin and Côte D’Ivoire.

First Principles

There is a great deal of discussion needed to resolve apparent differences in first principles separating various communities involved in the common objective of protecting children. For example, human rights advocates generally argue that ending impunity for those who recruit children is essential to the eventual establishment of a climate of effective deterrence. Politicians and diplomats argue that peace is prerequisite to law and that an offer of punishment is unlikely to induce combatants to cooperate to achieve peace. Military officers tend to argue that security imperatives impose on them the necessity of harming some children (child soldiers) in order to establish security conditions under which legal and political objectives can be met. Similarly, humanitarian agencies tend to focus on relief efforts that align with the Humanitarian Imperative, and consider themselves fundamentally apolitical. Suffice to say that the issue of child soldiers is embedded in a host of complications and issues that

102 Ibid, p64.
can’t be ignored even though the underlying goal of stopping the use of child soldiers is proclaimed as a common objective.

One way of working through the various arguments is to consider the best interest of the children affected relative to the circumstances they face. While it is simply not possible to articulate here a moral or political argument that will win universal approval, it might just be possible to develop a practical approach adapted to specific contexts. Rather than trying to develop one single approach that meets all moral and practical objections, we could choose to apply our efforts to figuring out what works best for children, given the opportunities at hand and the challenges entailed in specific contexts. In a world fraught with moral complexity, this seemingly simple approach might at least allow objections based on first principles from any of the various interested communities to be assessed relative to the lives affected in particular circumstances.

Effectiveness of Responses

When we look for effective responses to child soldier recruitment we find very few cases in which it has been possible to deal with the issue separately during an ongoing conflict. In fact, the only cases we were able to find in which children were demobilised in the midst of ongoing conflict were those initiated by UNICEF in Sudan in 2001 and the case in Uganda described in a previous chapter. In nearly all other cases, DDR of children has come at the end of hostilities and required some sort of peace agreement leading to general DDR of all combatants. However, a great deal of international effort has gone into the effort to develop legal instruments designed to protect children from recruitment and to provide the legal means to pursue child recruiters as war criminals. While this has, according to some of the discussions conducted during part of this research, given new tools with which to underscore to commanders of child soldier forces the possibility of legal sanction, it has, by and large, failed to achieve much on the ground.

One constant refrain heard during field visits and discussions at head offices in New York, Paris, London and Geneva was that there is little evidence that diplomats or Peace Keeping commanders involved in peace processes were actively engaged in the struggle to protect children or considered themselves in any way responsible for enforcing the CRC and its related instruments. This suggests that, while the existing international instruments stipulate clearly what standards ought to be respected with regards to children, the effectiveness of these instruments is hampered by the lack of accompanying mechanism to spell out who is responsible for enforcement. The responsibility for Agency on behalf of child soldiers is left, by default, in the hands of humanitarian agencies that do not have direct influence on security measures that are so vital to effective child protection. Some of the reasons behind the ineffectiveness of responses:

- Great deal of effort directed to international and national legal instruments
- Little effort to work out effective agency in specific cases

103 UNICEF successfully negotiated the demobilization of some 3000 child fighters with the SPLA in southern Sudan in late 2001. However, subsequent investigation suggests things were not quite as they appeared. Details of the investigation have still not been released.
- Lack of coordination between diplomatic, military, humanitarian and community responses
- Lack of resources
- Short-term/one-size fit-all solutions

Disarmament, Demobilisation and Reintegration (DDR)\textsuperscript{104}

The DDR process is not, at first blush, relevant to this discussion since it already forms part of an established process that has had some success and which is continuing to generate lessons.\textsuperscript{105} Several observations came out of this research that merit consideration here. The most important issue concerns the timing of DDR. Child soldier DDR that is part of a general peace agreement is relatively simple as it presupposes an end to the condition of insecurity that gives rise to child recruitment in the first place. However, given the degree of concern and horror that the condition of child soldiers evokes, there will almost always be a strong desire to try to effect child soldier DDR even in the midst of ongoing conflict. To achieve complete child soldier DDR in any given conflict, either children must be released by their commanders (through compulsion or persuasion or a combination thereof) or children must escape \textit{en masse}. To sustain a condition of non-recruitment in either case, either commanders on all sides of a conflict must stop recruiting children or children and their communities must find ways to resist recruitment effectively, or both.

In considering post conflict DDR, there were a number of issues cited during research discussions. A condensed list includes:

- Later phases of DDR are historically not well supported. It was suggested that this is because few donors are willing or able to sign up to support projects that may go on long after media attention has been drawn elsewhere. Though it may sound overly cynical to put it this way, money follows interest and interest is largely driven by media attention; which is more easily captured by the drama of conflict than by peace. This is mitigated in some cases where reintegration projects draw on development funding rather than emergency funding.
- Cash payments made to children makes them more vulnerable to abuse. It was found in Sierra Leone that cash given to children just made them targets of nefarious adult attention and did not help with long term reintegration plans at all.
- Girl soldiers or ‘wives’ often not assisted at all. Many of the affected children are too ashamed to come forward or are just not picked up in the initial census of child fighters because they are not seen by the census takers.

\textsuperscript{104} There is sometimes a second R, standing for rehabilitation, used in international work. However, we use the short form in more common use today but do not intend to suggest that psychosocial or medical rehabilitation are not important aspects of the larger process.

\textsuperscript{105} The question of the effectiveness of the idea of controlled and assisted reintegration arises in this context where ever it is part of an effort to set the clock back to the pre-conflict status quo that has not also addressed the underlying causes of conflict. Though the economic causes of conflict are almost universally considered important, there seem so far to be few cases in which important sums are committed to post conflict development. This usually leaves the reintegration part of DDR trying to teach money making skills within economies that are so weak that there is often no possibility of applying the skills acquired.
• Danger of broken promises. Cynicism grows in the gap between rhetoric and action. Where promises of support have been made, it is absolutely critical that they be kept if problems associated with mistrust and cynicism are to be avoided. It is critical that all parties involved in post conflict DDR understand that their primary function is to help foster trust.

• Donor support is sometimes not based on a sound grasp of reality on the ground. There were a number of cases cited during interviews in which donor eagerness to solve a problem seemed to lead to unrealistic demands. DDR techniques are designed to address specific problems associated with absorbing combatants into civil society and are not, on their own, adequate tools for resolving outstanding conflicts that are fundamentally political.

• Recognition of the fact that effective child soldier DDR may entail long term commitments to development and ongoing political evolution to sort out issues of distributive justice within affected states to address background causes that led to conflict in the first place. Broadly stated, DDR can seldom be isolated from the larger issues, often economic, affecting security and the cohesion of affected states.

Drugs and Intoxicants

Drugs have come to play an increasingly important role in the control of child soldiers by their commanders. Using strategies of forced addiction familiar to anyone with knowledge of the ways prostitutes are controlled by their pimps, commanders control children by controlling the supply of drugs. This has several immediate implications for intervention. The most obvious is that the need for detoxification and treatment capacity must be included in DDR planning or in the planning of any attempt to obtain the early release of child soldiers in advance of a peace agreement. It is also clear that attempts to deal with addicted children directly must be grounded on an understanding of addiction and how it affects the reasoning capacity of those whom it enslaves. Since our own police forces have years of experience with this problem, their expert advise would be very useful for UN Peace Keeping forces deployed to child soldier active areas.

Coordination

Most approaches to child protection lean heavily on building community capacity to protect children from recruitment. Though this has an intuitive appeal, it does not actually seem to work unless accompanied by political and economic measures designed to deal with the security and economic dimensions of the problem. The most promising approach seems to have been that used by the UPDF in Rwenzori region of Uganda in their campaign against the ADF described in some detail above. Here, coordination of military, political, economic and social effort was held by the state and effected through local provincial authorities working in concert with local Army commanders and NGOs. In the case of weak or incapacitated state authorities, the capacity to coordinate may not exist or key ingredients of the recipe may be missing; such as an arrangement guaranteeing that military capacity answers to civilian authority.
Where Peace Keepers have been deployed and where their mandates include responsibilities to assist in development, the security responsibilities of the states in question may fall to international military contingents pending development of appropriate national military capacity. However, effective coordination in these cases requires better understanding by Peace Keeping authorities of the importance of protecting children from recruitment and of their critical role in providing a secure environment within which economic and social interventions might have a chance to succeed. The introduction of Child Protection Advisors (CPA) within the structure of Peace Keeping missions seems to offer reasonable confidence that this weakness might be corrected but only if the CPA takes a more active role in applying military capacity to the prevention of recruitment.

Lack of training to peacekeepers on how to deal with Child Soldiers

UNICEF and some of the other child focussed agencies had initiated some tentative steps during the early part of this research period to develop a set of Standard Operating Procedures (SOPs) for peacekeepers faced with child soldiers. Some of the military officers interviewed discussed the unease they feel regarding the issue of child soldiers. Leaving aside the larger issue of child protection during peacekeeping operations, there is a perceived need to develop better ways of managing the confrontations involving child soldiers and peacekeepers. While the desire for training was cited as key by child protection agencies, the need for more effective tactics is also apparent. That is to say that suitable training content is a pre-condition of effective training. A fundamental conflict comes into stark relief when children cast in the role of helpless victims by agencies focussed on child rights also happen to be lethal killers whose weapons may challenge the mandate to assure security given to Peace Keepers. Neither community is comfortable with the status quo. The community of agencies using rights based approaches to child protection want firm limits on the use of force against child soldiers and the military want to ensure that they have the operational flexibility needed to neutralize any threat to security in their assigned sectors. Neither wants to hurt children but the military understand that there are circumstance when they may have to and where they are forced by circumstance to be guided by the general principle of the lesser evil.

There appears to be a need to integrate closely military and humanitarian operations whose ultimate aims are the same. This cannot happen as long as humanitarian agencies persist in lumping Peace Keeping forces under the general heading of military forces with which one should maintain a distant relationship.106 Nor can it happen as long as Peace Keepers fail to understand the critical role of humanitarian action to the overall mission

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106 Some humanitarians will be uncomfortable with this because they believe that association with military forces of any kind will draw attacks from terrorist or other forces who consequently confuse roles and ascribe military intent to humanitarians. The former soldiers on this research team believe that terrorist or other forces are not stupid and will attack targets for their own reasons regardless of fine distinctions preserved by the targets themselves. In our view, the risk of being ineffective outweighs other considerations.
objectives. Together, both elements need to work out specific doctrines and procedures affecting:

- Status of child combatants when captured
- Methods of handling children after disarmament or capture
- How to manage and win face to face confrontations with armed children
- Limits on the use of force and how they affect operations against child soldier forces
- How to conduct child focussed security operations to limit child recruitment
- How to work together effectively so that different functional responsibilities complement each other
- How to manage media coverage of child soldier/Peace Keeper incidents

Cross Border Support and Sponsorship

Conflict in some parts of Africa has a stubbornly regional character that may have something to do with the arbitrary establishment of borders by a group of European politicians sitting in Berlin in 1885. One consequence of this is that something of a pattern has been established wherein states wishing to destabilise a neighbouring state may sponsor insurgent groups that recruit child soldiers. Sudan has maintained an intermittent sponsorship relationship with the LRA for many years. Charles Taylor is alleged to have sponsored Revolutionary United Front forces in neighbouring Sierra Leone in a bid to camouflage diamond smuggling operations. Guerrilla forces have moved easily in and out of Burundi with child soldiers in tow and the third party sponsorship of various factions in the DRC conflict is complicated to the point that it is impossible to understand without very careful study. This phenomenon creates conditions that challenge the international community as a whole to figure out ways to complement in-country interventions with a range of diplomatic support that should allow appropriate measures to be taken across an entire region of conflict. The monitoring and reporting functions carried out by agencies such as Human Rights Watch and the Coalition to Stop the Use of Child Soldiers are critical to such initiatives as they often constitute the only sources of effective and disinterested feedback.

One of the main challenges posed by cross border sponsorship is the difficulty of triggering an effective response; i.e., a response that identifies correctly the requirements of Agency on behalf of children and then takes appropriate steps to give it the capacity and will needed to act effectively. Where significant powers have a hand in clandestine sponsorship of child-soldier-using forces, the task of dealing with local issues must be complemented by international diplomacy at Security Council level. This may include targeted sanctions, efforts to eliminate impunity such as prosecution through the ICC and other measures designed to inhibit free movement across international borders by those involved in child recruitment.

Sensitivity of Humanitarian Community to Criticism of Human Rights Approach
UNICEF and other child focussed agencies have for some years developed approaches to programming based on the core idea of protecting the rights of children in accordance with the CRC. Many existing programmes and many ongoing funding arrangements have been built on the idea of “rights based programming” i.e., on putting rights considerations at the centre of all programme designs. This makes any discussion of the viability of the rights based approach a matter of some sensitivity for the agencies concerned. However, it is apparent that to proclaim the rights of all children at all times, as UNICEF persists in doing, complicates the task of dealing in real world settings in which it is sometimes necessary to take firm action against those who threaten the peace and order on which all rights ultimately depend. This has been and will almost certainly continue to be the case where children are actively engaged in combat operations that endanger other children. The CRC has great value as a statement of principle and as a guide to action but has to be understood within the general context of conflict situations and state collapse if it is to be useful in a world were political and economic interests or communal values may trump universal ideals. An absolutist approach to rights is only possible in a world within which values do not compete and principles are universally shared. Given the domestic political processes within many of the signatory countries, we are reasonably certain that the CRC contains many elements that would be contested by peoples living under governments that are not really representative and which thus did not project adequately their own community values. The CRC and other international instruments have, along with their obvious appeal, the unfortunate characteristic of being derived outside of particular national political processes. While these instruments must be ratified within national governments, their capacity to reflect an actual shared national value is dependent on the degree to which the governments in question follow democratic processes.

**Legitimacy and Non State Actors**

There remains a large grey area around the issue of Non State Actors (NSA). Some agencies dislike the idea of dealing with any group not operating under the umbrella of an existing state and the most oft cited reason seems to be fear of conferring political legitimacy on forces that might be operating outside of political controls or that might be in conflict with a government with which the concerned agencies have also to deal. This is understandable in light of the complexity of many of the dramatic events in Africa over the past decades however there remains a requirement to find ways to reach some working arrangements sufficient to the task of dealing with NSA on child soldier issues. The arguments on both sides of this issue are formidable but the moral ambiguities presented by specific cases might be reduced if approached from the perspective of the children directly affected. Where real people are involved, abstract argument should take second place to the real interests of those concerned.

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107 Michael Ignatieff explores the tension between immediate necessity and long term harm quite nicely in his recent book *The Lesser Evil: Political Ethics in an Age of Terror* (Canada, Penguin, 2004). Chapter two is particularly relevant.

108 One wonders at times if Michel Foucault’s idea of a kind of dictatorship of discourse is not germane here.
As a rule of thumb, it is suggested that the main criterion of judging whether engagement is permissible is whether a given NSA has a political objective or not. In cases where NSAs oppose oppressive regimes or have some visible popular support against abusive governments, there are at least some grounds for attributing legitimacy sufficient to justify engagement for protection purposes. Operation Lifeline Sudan (OLS) offers a useful precedent for dealing with such a political rebellion. Indeed, OLS intention seems to have been to nudge the South Sudanese People’s Movement to develop political legitimacy by encouraging them to assume responsibility for the people on whose behalf they claimed to be fighting. This eventually led to collaboration on the release of a number of child soldiers. In cases where survival imperatives force resort to violence (Rwanda, Burundi, Darfur) one can understand NSA defensive action provided that it is manifestly defensive. There ought to have been no hesitation in engaging with the Rwanda Patriotic Front during the Rwandan genocide simply because genocide is so clearly wrong that it is the subject of a UN Convention calling on all states parties to act to prevent it. On the other hand, in the case of an NSA with a long history of rejecting political or diplomatic contact, such as the LRA in northern Uganda, there are grounds for questioning claims to legitimacy. Indeed, the LRA have consistently refused to talk or negotiate with anyone at all so the issue doesn’t really arise if only because the LRA themselves seem little concerned with it. This same reservation carries over to cases in which the only motivation behind NSA violence appears to be some illicit economic activity (RUF in Sierra Leone) or where an attribution of nihilism accurately characterizes NSA behaviour. However, the problem of what to do about abducted or conscripted children remains no matter what issues of NSA legitimacy arise. One aspect of this problem is that different agencies arrive at different decisions in the same case and there are few, if any, mechanisms to help reach the kind of consensus needed for effective action. This concern needs to be addressed in any serious attempt to protect against recruitment.

Widespread Availability of Small Arms

The issue of the easy availability of small arms was raised in several cases. Given porous borders, weak institutional structures, huge global surpluses of weapons in the hands of desperately poor countries and market mechanisms corrupt to the point of supporting a variety of different kinds of smuggling, there seems little realistic hope of cutting off the supply of small arms anywhere in contemporary Africa without extraordinary measures such as setting up extra-governmental controls on the flow of arms. However, such measures could probably be organised through international agreements for short periods of time in critical places using a combination of technologies to control communications corridors and air space. But it must be stressed that such measures would require serious effort that should include capacities to detect and seize shipments, destroy them and arrest perpetrators. The responsibility to do this sort of work within sovereign states falls clearly within the jurisdiction of the appropriate state but few, if any, states in Africa have the capacity to do this without resort to excessive police restrictions and would undoubtedly need external help both in monitoring and enforcement. The political ramifications of this sort of external help are not dissimilar from those associated with
Peace Keeping and might conceivably be addressed through the same general process as for Peace Keeping missions.

**Girls Recruitment for Sexual Exploitation**

The presence of girls among child fighters constitutes an added dimension that is seldom given full consideration. Under the brutalised conditions typical of most conflicts that include child soldiers, girls may be reduced to the status of chattels and given to young male fighters as rewards. Girls can be forced into sexual bondage simply to survive. However, much of this happens in ways that are invisible to outside observers. International agencies, despite the Cape Town definitions, sometimes have difficulty seeing children who are not actively employed in combat as easily as those who are. This sort of blindness is even more likely among military formations, where soldiers tend to associate military status with weapons. Interventions should include careful investigation to determine numbers of girls with fighting forces and should address specific concerns of this group. One of the less than subtle ironies of the child soldier phenomenon is that boy child soldiers may be forgiven for participation in murderous acts more easily than girl children are forgiven for sexual acts that were forced on them. However, the sexual exploitation of girls in this context is of concern here primarily because their place within the overall military structures that include children as a class.

**Increased Security Around Children Targeted locations**

Many interventions designed to protect children from recruitment focus on educational opportunities. Based on the assumed link between lack of educational opportunities and child recruitment, protection initiatives sometimes included measures to establish new schools and to cover their operating costs. However, these efforts are seldom coordinated with security measures to ensure that new educational facilities do not in fact make it easier for recruiters to target children. As the LRA continue to demonstrate, schools are excellent recruiting stations when left unguarded. As described above, the UPDF themselves were able to block similar tactics attempted by the ADF. This again speaks to the need for integration of security and humanitarian interventions.

**Asymmetric Conflict: Children as Weapon of Terror**

“[Asymmetric conflict] has evolved in ways that exploit the political, social, economic, and technical changes since World War II in such a way that militarily weaker forces can defeat a stronger enemy by unconventional or asymmetric tactics”.

Children form part of a continuum of terror that is one of the defining characteristics of contemporary asymmetric conflict in Africa. The specific nature of the terror potential of child soldiers is discussed in more detail below. The concern here is with the nature of

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109 Colonel Thomas Hamm, quoted by Martin Walker, “Afghanistan and Iraq: 4th Generation Wars” UPI, Washington, 30 June 05
asymmetry and its effects on the kinds of counter strategies that are likely to work. Terror is difficult to turn back on its perpetrators and does not lend itself to the kind of tit for tat strategies that work in conventional conflict. As the American failure in Viet Nam and the current Coalition operations against violent opposition in Iraq illustrate clearly, body counts are no measure of success against an enemy that is largely hidden and driven by a kind of anger that is made stronger with the almost inevitable collateral damage of each counter strike. This kind of conflict is asymmetric in the sense that weak guerrilla type forces can easily attack government infrastructure or civilian targets that are part of a system of order but guerrillas present very little in the way of an organised structure that might be counter attacked. While the nation state generally has defence forces to protect an array of civilian activities, the guerrilla force more often has only fighting elements operating with minimal logistical support and often supporting itself by parasitic use of its host.

Weapons of terror are most effective when they turn common everyday elements of a given society into weapons to achieve acts of sabotage that might be broadcast to generate a sense of general insecurity. Thus, car bombs, hi-jacked jets and suicide bombers use automobiles, civilian jets and apparently innocent civilians respectively as weapons against a state which has a great deal of trouble trying to figure out how to hit back. Children are particularly effective in this role insofar as they are at once victim and weapon. Where the commanders are ruthless enough, hitting back at the child soldier weapon is inconsequential to their leaders as long as they are able to escape to recruit new child fighters.

Children as “Weapons Platforms”

One avenue of enquiry that stimulated a great deal of controversy during this research centered on the question of whether a viable military substitute for children might be found. The basic idea of this approach was taken from the process used to develop a consensus on the anti personnel land mine ban, where professional military officers were persuaded that there were better ways to achieve the same results given by land mines. However, considering the range of functions filled by children and their general ubiquity throughout Africa, it has simply not been possible to develop a clear idea of a viable substitute and this line of enquiry has not yet advanced to a useful conclusion; though we have not entirely dismissed the idea. The main problem we face is trying to conceive of some alternative that might appeal to utilitarian interests of commanders that would be viable given the state of desperation and military weakness that is usually behind child recruitment. Child soldiers are an effective weapon of terror and it has so far not been possible to develop an alternative that falls within the correct orientation of our moral compass.

It must also be re-stated here that the “weapons platform” consideration has allowed us to see child soldiers in a slightly different light than most analyses. This has led us to a number of observations about military capacities and gaps in current intervention that are discussed and developed throughout this paper. Though the phrase has been quite controversial, the idea it conveys has been very useful as a research tool.
It is indeed interesting that the idea should have met with such strong reactions even before it had been fully considered. It is our opinion that, in view of the lack of progress on protection against recruitment, any and all options should be considered with open minds until analysis or experience suggest otherwise.

**Military Realities**

The most compelling truth about child soldiers for anyone who must face them while they are still armed is that they can be lethal. This suggests that standards of professional military competence for peacekeepers or other military forces which must face them must be very high. Whether they are considered innocent victims of circumstance or willing delinquents, they have the proven capacity to attack and kill and even, on some occasions, to mutilate ruthlessly. They must not be underestimated. Soldiers dealing with them must walk a fine line between the need to protect themselves as they try to accomplish their missions and the requirement to avoid unnecessary harm to children. As Singer suggests, defensive positions must be well sited and well managed, patrols must be properly prepared and executed with constant surveillance.\(^{110}\) It also suggests that, as the UPDF demonstrated, rapid reaction forces must be prepared to counter attack vigorously and pursue child soldier units until their commanders are killed or captured.

Children forced into combat may be willing to escape given the opportunity. Singer makes a good case for using artillery fire to create predictable patterns of explosions to cover child soldier defections.\(^ {111} \) However, more can be done if the military force engaged understands the effectiveness of intimidation using gun ships, high explosives and air power combined with the threat of effective sniping targeting adult leaders. Ultimately, nothing is likely to be more effective in providing cover for escape than battlefield victory. As the LRA, the ADF, LURD and the RUF have shown repeatedly, child soldier commanders will simply recruit more children to replace the ones they lose in combat if the commanders themselves are not specifically targeted and taken out of action. Thus, to be effective agents for the prevention of child recruitment, military forces engaged in action against child soldier units must focus on achieving the ultimate aim of putting commanders out of action. From a military standpoint, this implies making and sustaining contact with child soldier forces until they are decisively defeated and their leaders are killed or captured. This simple military reality is sometimes beyond the understanding of humanitarian agencies that tend to view all violence as necessarily bad. It is suggested that the actions recommended here might be considered analogous to the use of a knife by a surgeon: he cuts to heal.

As the UPDF demonstrated against the ADF, immediate response and determined pursuit of abducting forces can limit their success and force them to free children to speed their escape. The chances of success are improved for protection forces equipped with helicopters, good communications and flexible long range fire power but the objective can still be achieved using sound military planning and well trained and led infantry. Where the civil population is not fully supportive of protection efforts, military action must be complemented by serious attempts to win hearts and minds in the regions.

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\(^{110}\) Singer, Op Cit p 172.

\(^{111}\) Ibid., p. 173. He also advocates the use of smoke rounds to mask escape attempts.
affected. Protection forces must be seen to be protecting children rather than punishing their communities. This should include measures to provide material support to families who previously depended on child soldiers.\textsuperscript{112}

Child soldier forces usually operate as guerrilla forces and demand the same response from protecting forces as for any counter guerrilla operations: a combination of area security with active patrolling, excellent communications, civil defence, and overwhelming fire power. Because child soldiers are usually pushed out ahead of the main body of attacking forces, the use of anti-personnel mines must be forbidden to all protection forces. Using them, aside from contravening the Ottawa Convention, would only increase child casualties and give early warning of defensive positions without affecting the fighting power of child soldier units.

The key element in child soldier unit cohesion is leadership; which is often hidden. Given that the aim of all operations against child soldier units should be to defeat them decisively and prevent their leaders from recruiting new forces, all protection forces should deploy competent sniper teams specifically tasked to knock out adult leaders. Aviation assets, high tech surveillance equipment and advanced communications support are invaluable assets in countering guerrilla tactics used by child soldier forces and seem to confer a psychological advantage against children that may ultimately result in lowering child casualties. However, it should be remembered that reliance on these has generally failed to produce decisive results whereas reliance on solid infantry tactics has occasionally worked. Neither is easy.

Given the possibility of clandestine recruitment and the known facility with which child soldiers may disguise themselves to move among civilian children, it may be necessary to mobilise children in their own defence. However, we do not suggest any form of military structuring but rather a kind of social mobilisation that relies on existing social structures, perhaps assisted by humanitarian agencies, to develop a monitoring capacity that feeds into either military or police capacity. This might conceivably be similar to ongoing efforts to protect North American schools from armed attack by organising children to watch for signs of trouble among themselves and to report their observations to authorities with the appropriate powers of intervention. This does not entail arming children. Rather it could provide effective monitoring of school or playground populations so that child spies can be identified to adult protection force personnel. This will skate dangerously close to the Cape Town definition of child soldiers but may be necessary as part of a coherent protection strategy for the simple reason that military and police forces do not normally have the capacity to tap into the underground currents of communication on school or play grounds. Nor would it be wise to put soldiers in positions where they might pose a threat to the very children they should be trying to protect.

**Political/military Complementarities**

\textsuperscript{112} Close cooperation with humanitarian agencies to achieve this was used in the case of the UPDF campaign against the ADF described in previous chapters.
Military action has virtually no hope of success in protecting children from recruitment if not linked to complementary political action. Where the necessary integration of functions does not exist, it must be created as part of an overall strategy. Ultimately, the strategic choices boil down to winning over the enemy camp to some form of compromise or annihilating them completely, which is usually impossible and always morally unacceptable. There is simply nothing worthwhile to be gained from brute military action without integrated political initiatives.

The main problem associated with failed efforts to stop child recruitment during conflict appears to be closely associated with the problem of Agency that will be developed in detail below. While it is relatively easy to analyse specific child soldier security risks and to develop a military strategy to complement political efforts to stop recruitment, it is another matter entirely to find an army to do the dirty work. In failed states, national armies may have neither the military capacity nor the political legitimacy needed to act effectively. Where recruitment is fuelled by international sponsorship it is likely that military measures against child soldier forces will need complementary international diplomatic efforts, including the threat of sanctions. Where there is no effective state security force capable of protecting the rights of children, either an international force is required or many of the steps necessary to stop child recruitment are simply not possible. Under these conditions, humanitarian action may mitigate the effects of recruitment but will not, of their own, establish the context of security needed to stop recruitment entirely until such a time as the conflict ends and a comprehensive peace agreement addresses the issues that sparked conflict in the first place.

Funding and Donor realities

Intervening effectively on behalf of child soldiers where state authorities are incapacitated by civil or interstate warfare to the extent that they can no longer fulfill the obligations of Agency requires both political will and financial commitment from donors. Large donor institutions tend to be driven by domestic political concerns that are in turn responsive to public perceptions over which the media has great influence. Domestic concerns vary from donor to donor and consensus regarding what should be done and who should do it is far from automatic. The best hope of coordinated action is through Security Council debate and resolution however, this is only likely in the case of failing states that are the subject of broad international concern. In cases where state powers are still functioning, such as in Uganda and, perhaps, Zimbabwe, the issues are much more complex and potentially divisive. Unfortunately, this creates opportunities for cynical concern with image management at the same time that it pits implementing agencies against each other for donor funding.

Too often, beneficiary needs require a depth of understanding that puts them beyond reach of media capacity to explain succinctly to a world awash in other distractions. Thus, the drama of the plight of children captured by the LRA may get a great deal of media attention and donor interest reflecting emotional reactions to accounts of horrific abuses. However the underlying complexities have no emotional traction and do not get the coverage they need. One consequence is that money is found for humanitarian rehabilitation efforts that fail utterly to achieve any reduction in the scale or scope of
child recruitment - largely because the security conditions have not been seriously addressed and may not be fully understood by those paying the bills. The sad fact of the matter here seems to be that some donors are willing to provide funds for measures that they believe might mitigate the harm caused by child recruitment but are not willing or able to consider the dramatic measures that might be necessary to stop recruitment in the first place.

Finally, most donor governments have their own domestic budgetary constraints and suffer from understandable changes in spending priorities from year to year. Unfortunately, this creates problems for agencies trying to plan long term projects that cross the divide between emergency and development funding, such as reintegration of child soldiers.

Conclusion

We have a very long list of issues to be considered in what was supposed to have been a relatively simple treatment of one part of a complex problem. However, issues associated with child soldier cases have an unfortunate tendency to cluster stubbornly together and cannot simply be eliminated from discussion without running the risk of generating a set of proposals that fail to achieve the objective. With apology to the reader who may find this tedious, we now turn to the task of trying to make sense out of the issues and trying to deduce conclusions that might be used to develop a set of proposals adequate to the challenges of stopping child recruitment and changing the very dynamics that make the concept of the use of child soldiers possible. Again, we focus on the possibility of including military solutions.
PART II– ANALYSIS

CHAPTER 4 – CONCEPTS AND DILEMMAS

Discussions among members of the research team inevitably led us deeper and deeper into a morass of issues and conflicts that drew us dangerously close to ‘meaning of life’ discussions. One early discovery was that there are a number of core concepts that need to be elucidated as part of the process of making real headway towards some sort of useful proposals that might survive the complexities of actual practice. Having offered up an array of issues and data, we now propose to retreat and regroup in order to work our way forward again taking care to explain basic concepts that underlie the conclusions we offer later on.

Agency and Human Rights

"The appeal to order alone, without concrete specificity, is futile; the appeal to the dissemination of norms, without these ever passing themselves in reality, or before consciousness, is equally futile." 113

There is a conceptual muddle sitting right at the heart of most attempts to apply the Universal Charter of Human Rights and, more particularly in this context, the Convention on the Rights of the Child. This is a simple enough problem to work through once it is unpacked carefully but, strangely enough, there is little evidence to suggest that this has been perceived as worth the effort in the understandable rush to action on behalf of child soldiers. Unfortunately, there now seem to have been consequences that might have been avoided had the urgency of various child soldier crises not been so pressing that the need for action trumped the requirement for philosophical enquiry. With apologies to those readers for whom this discussion is insultingly obvious, we will try to state the case as simply as our collective level of scholarship allows without getting in so deeply that we lose track of the overall objective. We will focus on the political, economic, social and judicial rights identifiable under the CRC but will usually conflate all four under the rubric of rights. Except where we make specific mention of a category of right, we will use the term quite loosely and in its most inclusive sense to include the set of four as explained above. The only distinction we hold to be important here is that between moral rights, which will be discussed later, and the set above.

It is our understanding that any claim to a right must be grounded, at least conceptually, on a corresponding obligation to meet requirements entailed by that right. 114 A weak claim to a right to security of the person, for instance, may be taken to generate a negative obligation on the part of all other relevant persons to refrain from doing anything that might prejudice the personal safety of the person making the claim. This kind of claim is weak or negative in the sense that it imposes only a duty of non-action or restraint on those who recognize the claim. A strong or positive claim to a right to

114 This is a simplification of John Rawls, Theory of Justice (Cambridge, MA: Harvard University Press, 1971).
security of the person would impose a heavier obligation if taken to imply that it generates the requirement actually to protect persons from harm. This kind of claim would, in order for it to be meaningful in a real or practical sense, would entail a set of obligations associated with the requirements of protection relative to the environment within which the claim is made. Generally speaking, a strong or positive rights claim, such as the right to education, would, in principle, impose an obligation on someone or agency to provide the means through which the education could be delivered. While there may be many distinctions made between kinds of claims, the inference that every positive or strong rights claim that generates a positive rights obligation also infers Agency through which that obligation can be met is central to all meaningful talk about rights.

In the case of rights claims made under the aegis of the CRC or other instruments that assert the existence of rights against child recruitment, the obligations guaranteeing the claim infer Agency on the part of the responsible nation state – unless some other party assumes the obligations of Agency. Where the state in question has neither the political dynamics nor the capacity to exercise its Agency as per the appropriate instrument, then either some form of external Agency is entailed by default or the claim itself is an empty one. It is simply meaningless to talk as if there existed a set of rights in a context where there is no identifiable Agency to meet the obligations entailed. The rights themselves may exist formally somewhere in conceptual space but they have no meaning in the manifest world without a corresponding Agency capable of fulfilling the instrumental demands created by their assertion. Similarly, they may be legitimate in concept but not in point of fact for the simple reason that, absent effective Agency, there would be no mechanism to ensure that the rights in question are claimable.

This is an over simplification of concepts that deserve much more careful consideration than space here allows. However, suffice to say that if the general line of reasoning is correct then it implies that much recent effort to buttress the formal instruments protecting children’s rights under conditions of armed conflict needs to be completed with a conceptually honest effort to consider the implications of Agency. If it is the case that the world is moving towards an effective international government then perhaps the concerns expressed here have already been anticipated in the plans of others. However, inasmuch as such efforts as the establishment of an International Criminal Court continue to be resisted over concerns that such a court would intrude on the sovereignty of the most powerful extant member state of the Security Council, we believe we have grounds for drawing the provisional conclusion that, perhaps by default, effective Agency to guarantee any and all human rights claims falls under the set of obligations attaching to well formed nation states. “For the foreseeable future, most individuals will receive [human rights] remedies at home – or not at all.” This implies that all nation states signatory to international instruments guaranteeing human rights, including the CRC and its Optional Protocols, have obligations to their people to deliver protections against

115 Herodotus tells of Themistocles’ attempt to extort tribute from the Andradians following the battle of Salamis by threatening them with the twin deities of force and persuasion; to which threat the Andradians replied that they were ruled by the competing deities of poverty and inability and so could not comply no matter how much they might wish. (The Histories, Book 8)

abuses of their full set of rights – *if only because there is no one else to do it.*\(^{117}\) This raises two distinct questions that have important implications in the context of the aims of this paper: first, what can be said about nation states that lack the means to meet their human rights obligations?; and, second, what can be said about nation states whose political dynamics simply do not allow them to generate the political will to meet their rights obligations?

Part of the answer to both of these questions lies in the relationship between individual citizens and their states. While it is true to say that, under existing international human rights instruments, individuals have rights against their states for the delivery of a full range of social, economic and security rights, it is also true to say that these rights entail obligations on them as citizens usually reflected in a constitution that binds them together or in a set of common laws and customs that have held them together this far. These obligations are related to the need to generate effective Agency through political processes designed to assure respect for human rights. Where the state has failed and is unable to hold citizens to the basic obligation of mutual respect of each others’ rights, the state has lost its capacity to meet obligations entailed by human rights instruments and is no longer capable of the required Agency. So, if it is the case that one of the derivative entailments of effective Agency on the part of a state is a minimal level of cooperation from its people then it follows that the state, as currently conceived, must be so structured as to be capable of building and sustaining loyalty to itself. So far then, the argument runs from rights to Agency to political obligation.

A distinction between the moral and political dimensions of these considerations sheds light on one of the weaknesses of advocacy and human rights laws. Kant’s deductions in his Critique of Practical Reasoning lead logically to his fundamental law of pure practical reason: “So act that the maxim of your will could always hold at the same time as a principle establishing universal law.”\(^{118}\) He argued elsewhere\(^{119}\) that ultimate knowledge is beyond reach or confirmation by any mere human but had to be assumed to be possible in order to make the concepts of free will and reason viable. The fundamental Kantian precondition of moral agency, which is freedom of moral choice, depends on the willingness to allow others the freedom of conscience needed to judge freely which in turn implies that everyone act to preserve a similar freedom for all. Moral agency in this sense can only be morally effective if freely guided by one’s own metaphysical intuitions. The problem comes when we try to make the transition from moral belief to morally guided action. The only way the system can work in a political universe is if everyone is prepared to act from the perspective of disinterested reason; i.e., universal reason. While by no means the only moral theory whose threads are visible in the fabric of contemporary history, Kant’s moral postulate has a strong conceptual connection to the framework of the Universal Declaration of Human Rights and is clearly visible in the

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\(^{117}\) It should be noted here that the signatories to all such extant instruments are indeed representatives of nation states acting as legal entities for the purposes of establishing binding collective commitments.

\(^{118}\) Immanuel Kant *Critique of Practical Reason* (1788) Lewis White Beck (trans) Pt 1, Bk 1, Ch 1, Sect 7.

\(^{119}\) Primarily in his *Critique of Pure Reason* (1787) and his *Prolegomena to Any Future Metaphysics* (1783), both widely available in translation.
language of the preamble. But while every reasonably intelligent person might be brought to see the virtue of respecting the universality of human rights in theory, getting from theoretical agreement to practical measures requires that all are prepared to consider personal interests as secondary to the principle of universality. By Kantian thinking, political obligation would require Agency that preserves the principle of universality.

More recently, rights based approaches that focus on the weakest elements of a given group of beneficiaries (usually specially disadvantaged women and children but not excluding the elderly) have conceptual debts traceable to John Rawls, an influential American philosopher in the neo-Kantian school. Interstingly as this approach might be from a purely theoretical perspective, it remains highly theoretical and has yet to be successfully applied to any real world problem where people, both powerful and weak, have interests that they hold very dear and from which they are not about to abstract away unless they can be convinced that there is a need to do so. To carry on in a simplistic vein, all that is necessary to upset the claims to political necessity arising out of any form of rights claims based on Kantian thinking is for a strong actor to persist in using force to get his or her way. Rather than grounding an argument for mutual respect based on mutual need for freedom from constraint, one frames the argument by reference to the outcome of competing powers in which the strong person need not seek through reciprocity that which he or she is capable of obtaining through force.

Kant argues, in his essay On Perpetual Peace that it might indeed be possible to set up the political conditions favouring enduring peace based on the principle of human rights. Interestingly, in view of his moral argument for the necessity of mutual respect, Kant here argued that such a peace was a possibility contingent on opportunity. Thus, at least politically, even Kant saw the establishment of peaceful political relations as the result of an opportunistic process rather than the necessary outcome of some form of collective reason. The point we wish to make here is a rather modest one: it is a mistake to approach the idea of human rights as if it contained within it all the solutions to complex political problems. It is rather the establishment of conditions favourable to the realization of human rights that ought to engage us.

The preconditions for political Agency are not restricted to one possible model. One can plausibly argue that the effectiveness of Agency does not depend so much on the freely directed will of others as on power to control that will. As the long history of the

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122 This is indeed overly simplistic. Even Machiavelli argued the need for restraint on the part of the ruler in order to assure support in times of trouble. It is significant though that this argument was ultimately grounded on the need for a state to be able to field cohesive heavy infantry forces (pike men) to defend itself. Since infantry could only be effective if it held together, Machiavelli argued that the state needed to give them enough of a sense of ownership to make the state worth fighting for. This argument runs through The Prince, The Discourses of Titus Livy and The Art of War.

123 See Phil Lancaster “Human Rights and the Survival Imperative” in Philosophy and the Universal Declaration of Human Rights, Op Cit, pp ... for a more detailed discussion of this point.
existence of other forms of political Agency confirms, respect for the rights of the ruled is not
necessary nor, in all cases, effective. However, if the argument is turned around and we look into forms of political association that might satisfy the causal requirements of Agency to protect human rights, then we are back to the notion of some sort of system that binds political leadership in ways acceptable to citizens and in the same way binds its citizens to loyal support of the collective whole.

We have already noted that the nation state is the extant system; but it now remains to consider what kind of state satisfies the requirements. While this may seem a long way from the issue of child soldier recruitment, it is essential, in our view, to understand what we are dealing with when we try to intervene in the way states deal with their citizens. Presumably, intervention aims at some state of affairs better than the status quo. Surely, there must be some idea of what this improved state of affairs must look like in the minds of all who intervene if their interventions are to be interpreted as somehow rational.

States and Political Agency

“It is surely the most monstrous and shameful thing in the world for shepherds to breed the dogs who are to help them with their flocks in such wise and of such nature that from indiscipline or hunger or some other evil condition the dogs themselves shall attack the sheep and injure them and be likened to wolves instead of dogs” Plato, Republic III, 416a.

The structure of the modern nation state is no longer the centre of intellectual study it once was. However, something needs to be said about the nature of states as effective agents of rights if the context of child soldier use is to be properly understood. At present, the nation state has the main responsibility for Agency with respect to meeting the set of rights obligations arising out of human rights claims. This falls to them in three ways: 1) by virtue of the legal powers of states to sign international covenants, accords and treaties on behalf of their citizens, 2) by virtue of their constitutional or customary structure; and, 3) by simple default. That is to say that, since there is no extant international government, there is no other reliable guarantor of rights than the nation state. However, only some states have the capacity for effective Agency on behalf of their citizens and only some of them would meet the requirements of a strict definition of a rights protection system. In some cases, the forms of assistance needed to develop their capacities might be highly suggestive of some form of colonialism. Though well beyond the scope of this paper, it will be essential for effective intervention programming on behalf of children to understand the various organic processes through which states evolve as a prelude to being able to judge whether a given state is on the correct course and how it might be either helped or nudged in the right direction as appropriate in

124 Cooper writes that, “there is a general difficulty in trying to achieve cooperation by means of coercion: a sullen acquiescence may perhaps be achieved, but that is not the same thing. Remove the instrument of coercion….and you are likely to loose even the acquiescence” Op Cit., p 120.
125 Plato, Republic III, 416a.
126 The term ‘system’ here is used in its technical sense. An effective political rights protection system would be a positive feedback system in which norms are agreed through mutual consent, applied through consensus and corrected as necessary through legislative and juridical process in response to social feedback.
particular historic circumstances. It is suggested that the judgement will require a well
developed understanding of the historical processes that different states have followed
and an appreciation of the possibilities inherent in the particular path they happen to be
following.

While it is tempting to reduce the discussion immediately to the Weberian notion that
states exist as such because of their capacity to exercise a monopoly on the legitimate use
of force within their borders, this does not leave us with enough to explain the peculiar
conditions obtaining today in states where child soldiers are being used. Rather, states
might be described as complex systems including economic, social, legal, legislative and
diplomatic dynamics that function best when they are rationally designed and reflect the
will of their citizens. States create the apparatuses they need to assure their functions
through systems of taxation and allocation so that the burdens and benefits of society are
distributed in a manner considered acceptable to their citizens. Where the fairness of this
distribution comes into dispute, the state’s capacity to maintain order is diminished and
may rest on the use of force whose effectiveness is affected by its loss of legitimacy. To
simplify, those states without the capacity either to develop or sustain a political
consensus or to enforce order with brutal efficiency are in danger of breaking down. In
most well functioning states, force is the handmaiden of politics rather than the other way
around.

Herfried Munkler describes the way in which the form of the modern nation state evolved
through a process of industrial, military and political reforms driven by the need to
compete militarily and economically within the relatively symmetrical structure of
Europe after the 30 Years War. Throughout this evolution, the capacity of any nation
state for effective collective Agency relative to other states depended on a combination of
factors that included the effectiveness of industrialization, economic force, effective
taxation and popular support for military defence. National consciousness and national
identity were both stimulated by and contributory to the competitive environment within
which the machinery of state that we take for granted today evolved. Ultimately,
the capacity for collective defence may have been a necessary condition cause of the
development of the rationalized bureaucratic structures fundamental to well formed states
today.

Munkler argues that this capacity was itself a response to the expense of modern military
forces and the technologically advanced weapon systems they use. These systems, he
claims, could not have been developed without the full resources of a geographic nation
state possessing the industrial capacity to produce them, the economic might to pay for
them and the willing pool of manpower needed to operate them. All stimulated to
cooperate in order to compete with other roughly equal states. This requirement created

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128 Force can be used effectively in purely Machiavellian ways, as Myanmar and Zimbabwe suggest. Much
depends on the economic and social conditions. Historically, autocratic forms of governance seem to have
worked where large peasant populations could be easily managed by central authority and where the
requirement for willing cooperation in the business of state is less essential to its collective processes.
However, the AK47 seems to be providing the means to challenge even this ancient system.
129 Munkler, op. cit.
130 Ernst Renan, “What is a Nation?”, 1895
conditions favouring the development of complementary political systems designed to engage national citizenry in the essential notions of collective identity needed to generate effective Agency in a competitive environment; consequently, unleashing a self sustaining capacity for economic productivity that fed back directly into the political dynamic in ways that ensured a level of distributive justice needed to keep the whole process going.\textsuperscript{131} The leaders of such states represented collective power that was dependent on high levels of cooperation and coordination that simply could not be achieved nor sustained without adapting measures to ensure that power was responsive to its people. Munkler and Singer both suggest that these conditions are lacking in most of the developing world and particularly absent from Africa today.

In much of Africa, the historical state has given little to its people and served more as an instrument of oppression than a vehicle for the advancement of the common good. The Democratic Republic of Congo, for example, began its post-European invasion history as a private protectorate of Belgium’s King Leopold\textsuperscript{132}, was eventually converted to a Belgian colony that continued the wholesale export of Congolese resources begun by Leopold only to have the machinery of state fall into the hands of a leader for whom the term ‘kleptocrat’ was invented. The Congolese security forces throughout this 150 year history served as the means of control and oppression for whoever held the reins of power. The descent into chaos that has characterized their history over the past nine years has doubtless left many hungering for order of any kind at the same time as it has cursed the political process through which a legitimate form of order might emerge with the lingering fear of power in the wrong hands. What, a Congolese might ask, has the state ever given him but slavery, poverty and, during the good times, indifference? During the brief moments of its history when the state appeared to function, it diverted most of its production to the benefit of Europeans while leaving Congolese with little to show for the cheap labour they provided. To expect the inhabitants of the Congo to believe in the power of state institutions to help them or to work to further their collective interests is to ask them to ignore their own history. Given the general level of chaos and violence in much of eastern DRC, the weak institutions of a new fledgling state offer little protection to villagers against gunmen who come in the night to kill and steal. In such a context, it must not surprise us if the logic that appeals most to its inhabitants suggests that they have more to gain by looking after themselves in small groups than they do from trusting the institutions of state. Nor is this story unique to the Congo.

The question then is whether it is reasonable to expect from a contemporary developing state that has not enjoyed the accidents of European history the capacity for effective Agency to meet rights obligations arising from rights claims made by its citizens. To truncate the argument, African nations do not, except for South Africa, have the industrial capacity to build advanced weaponry. Nor do they have the economic power to generate sufficient revenue through taxation to purchase them from more developed countries.

\textsuperscript{131} See, Du Preez, Peter, The Politics of Identity: Ideology and the Human Image (New York, St Martin’s Press, 1980) for a discussion of the dynamic evolution of political identity and a fascinating concept that he calls “identity traps”.

\textsuperscript{132} Adam Hochschild, King Leopold’s Ghost: A Story of Greed, Terror and Heroism in Africa (Boston: Houghton Mifflin, 1999), Mike Davis Late Victorian Holocausits: El Nino famines and the Making of the Third World (London, Verso: 2001) and Basil Davidson, Op.Cit. describe in graphic and plausible detail various ways in which the machinery of state was used to exploit African peoples.
More importantly, the nation state boundaries of Africa were decided in Berlin in 1885 and imposed during a colonial era by powers with little interest in anything but instrumental use of the peoples they ruled. One result of this is that virtually every African state contains multiple ethnicities without necessarily having an over-riding national ethos strong enough to bind ethnicities together under a common banner. Lacking external threats to bind them together, they also lack the basic impetus for collective action.

African leaders generally don’t need to rely on popular support to the degree that the leaders of European states did during the period of development of modern states, and are not dependent on the kind of social contract thinking that is fundamental to human rights protection. Rather, they have become adept at marshalling the strength of particular ethnic sub-groups within their states and using this political power to dominate the body politic. Moreover, the basic conditions of collective national Agency are, at best, poor in most of Africa. African states are not caught up in arms races that require industrialization; generally, they are not in violent competition with each other; they are are often cursed with competing sources of collective identity within the same state and do not have the multi-polar economic and social power sources typical of most European style states. Indeed, in most African states, political leadership requires little in the way of cooperation from their largely rural peasantry or their masses of desperately urban poor. Without some sort of mutual dependency binding the rulers and the ruled into forms of behaviour consistent with the protection of human rights, there is little likelihood of rights regarding Agency emerging from a context in which it is possible to exercise power without it as long as the capacity for effective collective Agency of the state is not challenged from the outside.

If one considers the characteristics of effective collective Agency from a human rights perspective it should be immediately clear that the obligation to protect children from recruitment logically entails two closely interwoven pre-conditions: first, that the state can muster the instrumental capacity to provide security appropriate to an existing threat to children; and, second, that the state has in place the political dynamics needed to harness the will to use its security apparatus for its own people rather than against them. The point of the argument so far is simply that states without the political dynamics needed to generate and control the security agents needed for effective Agency on behalf of their citizens, and in particular their children, pose a particular problem.

As explained above, few African states have the kind of political dynamics that empower citizens to exercise their rights nor are the conditions that led to the evolution of these dynamics in European states visible. While there is no set pattern that political development must necessarily follow, it seems reasonable to suggest that the possibilities for the emergence of effective rights protecting Agency within most African states today is obscured by the general lack of political and economic progress that would be needed if African states were ever to unleash their own positive productive potential. From a pragmatic perspective, those of us interested in protecting children against recruitment inside failed or weak states face a dilemma: either we assume Agency or work with the

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133 The correspondence between the state of affairs described here and the “state of nature” described in *Leviathan* (Hobbes, op. cit.) is remarkable and suggests the need for a more attentive reading of both Hobbes and more recent historical accounts if one wants to understand the difficulties properly.
state to develop the necessary capacity. The first choice entails an intrusive form of assistance that challenges the fundamental qualification for sovereignty of the target state. The second choice requires a range of subtle and not so subtle shifts of policy in which the ultimate goal is to assist target states to develop political and security capacities that align with the ultimate goal of protecting children. In either case, we seem committed to a type of paternalism that may effectively block our own path. It may be that the European concept of the state cannot be adapted to African contexts and that something else is needed.

What then are we to do? The goal of this paper is to discuss ways in which the doctrine of child soldiers can be stopped in its tracks. But there seems to be an enormous challenge to be overcome in dealing with the issue of Agency as it affects children at risk of recruitment in states that may have some of the trappings of statehood but lack some of the essential dynamic capacities necessary for the protection of rights. We may all agree on what needs to be done in a given case but still not agree to reach inside a dysfunctional state dynamic on behalf of responsible parties that lack a capacity that depends on collective will.

Having outlined the conceptual problem, we will now examine again some of the more practical issues associated with the military use of children discussed in the first section. We will focus primarily on what national armies might do to contain the temptation to resort to children; but will also consider the roles which child soldiers play in the destructive dynamics of state collapse in conditions characterized by weak military and political capacities. Ultimately, we will argue that effective military strategies against child recruitment are limited by political realities that must themselves be the object of concerted and well considered attention if the dynamics that facilitate the use of child soldiers is to be changed. In many cases, this will entail attempts to address issues of justice that may be behind various conflicts.

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134 One of the most honest recent books on Africa, Paul Theroux’s Dark Star Safar: Overland from Cairo to Cape Town (USA, Houghton and Miflin, 2003) aims some unsettling questions at the entire aid community; chiefly, what has been accomplished in 40 years of assistance?
CHAPTER 5 - CHILD SOLDIERS AND THE STATE

The discussion in the previous section puts many of the issues identified in the first part into a different light. Many operational issues reflect particular weaknesses of African states, qua states, and thus need to be reconsidered from the theoretical perspective we have just presented. The military use of children suggests combinations of clusters of causal factors affecting the decision to use them. Some of these fall from specific security conditions that reflect both economic and military realities. Whether any of these reflects the actual reasons why individual commanders resort to the use of children is not at issue here as much as is the question of how such decisions might be rationalized from the perspective of a disinterested observer. Though many of these conditions exist where child soldiers are not found, it must be understood that the necessary and sufficient causal combinations are distributed broadly enough that there are grounds for making a serious attempt to anticipate their effects. In general, and with some overlap, clusters of issues will be discussed under the following headings:

Context of Operations: Weapons technology and availability, unstructured social environment creating mass of poorly identified and hard to track child recruits, poverty and unemployment, insecurity, rural peasant based economies, ease of living off the land/logistics, humanitarian aid, lack of effective national military, alienated population, weak governance; legitimate grievances; insecurity,

Military value of children: Military capacity with light weapons, ease of recruitment, ease of manipulation, psychological vulnerability, effectiveness as weapons of terror, logistics, spies, messengers, disposability; and,

Leadership: Presence of ruthless leaders, opportunity, motivation, lack of credible deterrent.

Context of Operations

The development of light weapons technology that can be handled easily by children makes children potentially as effective in light infantry operations as adults. In the older cowboy films, reference is sometimes made to the Colt revolver as the “equalizer”. The image works to explain that relative strength in battle is no longer a question of physical size. In an age when light automatic weapons confer firepower on anyone able to point and shoot, it is sufficient that a potential recruit be able to carry and manipulate a weapon weighing less than 5 kg. Not only do weapons which meet this criterion, such as the AK47, RPG7 (Rocket Propelled Grenade Launcher) and anti-personnel mine, exist but they are widely available in large quantities and are relatively cheap. The end of the Cold War freed up huge numbers of small arms and munitions from reserves in the former Warsaw Pact and put them at the disposal of a number of interests whose only concern appears to have been profiting from their sale.

Many of the factors discussed here are discussed at length in Singer, 2005 and Munkler, 2003. However some factors, such as the logistical advantage children provide, are a result of direct observation.
Weapons are of little use if the hands to carry them are not available. While it is often easy in many conflict zones today to find a sufficient number of adults or youths (18-25 years) willing to fight either for a cause or the prospect of material gain, only the former generally suffices to motivate mature soldiers to risk operations that might endanger their lives over long periods. Mobilizing and sustaining large numbers of adults under arms requires political organization that can be avoided if one is able to recruit by force. This in turn is much easier to do where there is no resistance to forced recruitment, where there is a void in the sense that the targets for recruitment have no formal identity and will not be missed except by their immediate families or local communities. Such is the case with children in most African countries. Where births are not formally registered, there exists no mechanism to identify formally who is missing. When this is added to the large numbers of orphans found in any war zone and the numbers of children orphaned by AIDS, it is easy to imagine that children living in the largely informal conditions constituted by emerging state contexts form a large pool of “child power” available for recruitment under certain conditions.

Survival imperatives under normal living conditions in most of Africa are so near the edge that the offer of regular food is in itself often enough to motivate soldiers to join fighting units. The huge and visible disparities between rich and poor generate resentment and alienation. Moreover, displacement occurs quickly and massively as a result of war and conflict. It is far too common to find large squalid displacement or refugee camps on the edges of conflict areas. Conditions within these camps generally constitute ideal recruiting ground for anyone with a small force at hand. It takes little imagination to consider how easily this creates special vulnerabilities for children raised even in the relative shelter of weakened family environments that do manage to survive displacement.

Lack of security is another contributing factor. It is hard to describe to citizens of first world nations how completely insecure are the living conditions in most of Africa. Police forces are generally completely inadequate, legal systems are largely ineffective, corruption is endemic and armies, where they exist, are generally considered a threat to their own people. With some exceptions, African armies tend to be instruments of political repression rather than instruments of defence. These conditions are exacerbated by conflict to the extent that conflict zones present levels of insecurity very conducive to recruitment. If no third party can provide security, the rational solution to individual insecurity may be to pick up a weapon in ones own defence.

Guerrilla movements find an easy opening where a civil population is alienated from their own government. Zaire under Mbutu Sese Seiko constituted an extreme case in which, predictably, neither his army nor his people showed any interest in resisting the advance of the Ugandan, Rwandan, Burundian armies operating under the banner of Laurent Kabila in 1996/97. Though, in the beginning, the rebel cause might have seemed overly ambitious, the combination of mineral wealth and military weakness along with an utter lack of governance created conditions in which a lightly armed and relatively small force with only meagre military resources at its disposal ate up and spat out a national

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136 See, for instance, the many newspaper accounts of forced expulsion from squatter communities in Zimbabwe during the second week of June 2005.
army several times its size. In the anarchy that filled the space behind the advancing troops, fertile conditions for the growth of local militias included a civil population with no allegiance to the new government, an economy based on looting led by the invading armies and a near complete lack of security from attacks either from the attacking forces or each other.

Rural conditions in most of the developing world offer ideal conditions for light forces that have no logistics capacity and must live off the land. Food is scarce but available to anyone with the force to take it and the knowledge of where to look for it. One might think that this condition changes as soon as areas are depopulated but the converse seems to be true. In our modern era, displaced populations tend to shift into makeshift camps where international aid soon follows. Long running wars in Uganda and Sudan illustrate the ease with which humanitarian aid in fact improves conditions for rebel forces by placing at their disposal medicines, vehicles and food that need only be diverted by relatively simple stratagems or that may be taken by brute force. Munkler argues that the likelihood of humanitarian response has now become a factor on which prospective warlords can count provided only that they are able to create a dramatic media event that will trigger it.\textsuperscript{137} Suffice to note that logistic conditions for guerrilla type forces could not be better than in most of sub-Saharan Africa.

There are also operational reasons why counter guerrilla wars are not easy to win. Indeed, there have been few cases of outright victory even by well equipped developed national armies.\textsuperscript{138} However, the challenge for guerrilla forces is made easier where the armies responsible for defending a civil population lack the communications equipment, transport, air and aviation support, fire power, manpower and morale necessary to counter guerrilla tactics. Any guerrilla force interested primarily in economic gain or wanting only to spoil the existing order rather than in achieving political goals through military victory has the natural relative advantage enjoyed by an attacker. The guerrilla faces a force that must disburse itself across the whole area to be defended while the guerrilla leader retains for himself the choice of where and when to attack and thus can choose where and when to concentrate his forces.

Good governance is seldom cited as a hallmark of developing states and certainly is extremely rare in parts of Africa. Even where the best of intentions exist, African governments seldom have the economic muscle needed to demonstrate their capacity to govern through the provision of services. Where progressive leaders, like Uganda’s Yoweri Museveni, have found the resources to institute popular social programmes, like Universal Public Education, conditions favourable to guerrilla warfare have been reduced; except for Acholiland and the Karamoja. But the point here is that the effect of government indifference towards deplorable conditions such as one finds in places like

\textsuperscript{137} Munkler, Op. Cit., p 149, describes the way this was carried out in Somalia. He could as easily have chosen to describe the ease with which humanitarian intentions were perverted to supply weapons and other logistics support to former government elements in refugee camps in Eastern Zaire following the Rwandan genocide.

\textsuperscript{138} The British success against Maoist rebels in Burma is one of the few generally accepted cases.
Sudan, Burundi or, more graphically perhaps, in Zaire//DRC since 1994, contributes to conditions in which guerrilla action can get an easy start. In Burundi, where the Tutsi dominated government had long been suspected of genocidal intent towards its Hutu brethren, the problem of government indifference was exacerbated by a history of government atrocities. Field research conducted in Tanzanian refugee camps in 2002 provided ample testimony of the depth of Hutu resentment towards their own government and of the conviction among some adolescent fighters that the only way to create a country in which they could have some hope of a decent life was to take it by force.

There are cases where legitimate political dissent is not tolerated and there is no redress except through violence. Adolescent and teenage children, as any parent or teacher knows, are likely to be far more passionate about perceived injustice than mature adults. Under certain conditions of perceived injustice, as the Intifada illustrates, children can be motivated to participate in violence even to the level of suicide bombing. However, good governance requires a blend of capacity and collective will operating in a mutually reinforcing dynamic. It is easy to identify and criticize cases of poor governance but doing something about it is another matter entirely.

Porous borders and available sponsors constitute an additional danger and complicate the problem of governance enormously. As the Sudanese and DRC wars illustrate clearly, neighbouring states may be quick to take advantage of the potential to disrupt another state by arming guerrilla groups. Thus, the capacity to correct political dysfunctions within a given state may sometimes be blocked by external forces.

In brief, in cases of extreme insecurity, such as those constituted by the chaotic violence in Eastern DRC, the entire area of southern Sudan through much of the last two decades, northern Uganda for the past 16 years, Burundi since 1993, Liberian and Sierra Leone and, of course, Rwanda during the genocide, extreme vulnerability is itself the greatest risk for child recruitment. Sadly, this list is far from complete. Where there exists no effective government there is no protection from armed bands and it is understandable that children, in the desperation of their vulnerability, can and do gravitate towards armed groups that offer some protection or some notion of belonging. From a potential victim’s point of view, seeking out a weapon offers a hope for survival or empowerment that may be the best available option. Once state control breaks down and violent disorder erupts, it can truly become a case in which every child must look after him or herself. International laws may distinguish between children and adults but AK 47 rounds do not.

Military Capacity of Children

Any visitor to sub-Saharan Africa is immediately struck but the sheer numbers of children. They seem to be everywhere. This is not difficult to understand in a context

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139 Liisa H. Malki, *Purity and Exile: Violence, Memory and National Cosmology Among Hutu Refugees in Tanzania* (Chicago, University of Chicago Press, 1995) gives a plausible explanation for the way in which belief in the malevolent intentions of the Tutsi dominated military and government in Burundi acted upon Hutu consciousness.

140 Field notes, Phil Lancaster, UNICEF sponsored investigation of child soldiers, 2002.
which provides poor access to schools, poor institutional support of any other kind and where family and social structures have been stressed by the combined effects of AIDS, environmental decline, unemployment and war. Many are orphaned and many others who are displaced from their home communities have a weak extended family support system. In short, from a very early age, many children in many parts of Africa are vulnerable to exploitation. More importantly, where exploitation begins with abduction, communities are often powerless. The LRA, for example, (a particularly good example as many of their practices have been copied so widely that one might suspect them of holding some sort of franchise rights for nasty techniques) has survived for over 16 years by following a brutally direct and virtually fool proof method. They surround a village or school complex, attack it with maximum shock effect, terrorize adults who are not immediately killed, round up all likely looking children, load them with captured supplies and loot and start a forced march to the nearest safe location. The national Army is generally too thinly spread to cover all potential targets and lacks the communications and transportation to respond quickly for pursuit. There simply is no effective defence.

The special vulnerability of children to psychological bullying and their vulnerability in the face of the sheer physical size of their captors make them relatively easy to coerce once captured. The LRA have perfected this technique and purportedly begin the process immediately after capture by forcing captive children to kill any child too weak to carry his or her assigned load; thus creating the belief among the survivors that they can never go home because they have killed a child of their own community. \(^{141}\) Techniques of intimidation and bullying are limited only by the low cunning and creative imagination of the perpetrators. Escape attempts and lack of enthusiasm in military operations are punished brutally \(^{142}\). However, it remains the case that many children escape as soon as they can; which suggests that intimidation and bullying are of limited success and ought to be considered when planning counter strategies. Again, a distinction should be made here between cases where the bulk of recruits are abducted, such as is the case with the LRA and many of the forces active in DRC, and cases where a large percentage of children have been motivated to fight out of survival imperatives or political beliefs, however immature these beliefs might be. The point I wish to make here relates only to the issue of the tactical opportunity that arises out of the special physical and psychological vulnerability of children.

A corollary to the psychological vulnerability of children is that it can also render them more terrible in battle than their adult comrades. Pushed to the front by commanders who stand behind them with guns, they are forced by their own terror to fight ferociously both to survive in battle against stronger adults and to seek to please their commanders. In addition to this the natural bravado of young males makes them easy prey to perverted ideals of machismo.

The military authors of this paper are intimately aware of the impact of combat on mature soldiers. We share some of the same nightmares ourselves. The psychological impact of combat has its roots in the fear, horror and extreme physical and mental vulnerability to

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141 Ibid (both sources)
142 One former captive who had spent nearly 9 months with the ADF reported witnessing punishments meted out to several children who had bungled their escape attempts. In his words, “they had their throats slit in front of all of us. They died like goats.” Lancaster, field interview, Uganda, December 1999.
which soldiers are exposed. In the horrific civil wars that we all witness on our TV screens today, all previous limits on brutality, including utter disrespect for non-combatants, rape and torture, seem to have been completely swept away. Considering the relatively higher psychological vulnerability of children to the effects of these phenomena, we find ourselves wondering why, or if, more children do not crumble under the burden than we know. Are there more casualties than any of us know about? While discovering the fact of this matter in a quantifiable way presents difficulties beyond our imagination to overcome, our instinctive response to the possibility it to assume it will be the case that children’s psychological vulnerability should present options for countering child-soldier-using forces that need to be explored. Children may make effective weapons of terror but the same factors that make them so effective also make them vulnerable to counter actions that make maximum use of shock action.

Children offer a special advantage to military commanders as few Africans will refuse to feed a child and children are generally allowed to run freely in most African societies making it easy for guerrilla child soldiers to move among the civilian population to discover food sources. Moreover, gathering firewood, cooking and washing are chores typically assigned to African children so they have many of the basic logistics skills needed for bush warfare even before being recruited.

As mentioned above, light weapons enable any youngster to become an effective fighter provided only that he or she gets a modicum of training and is willing to use it. Thus, given that weapons are readily available, military leaders need only consider ways and means that are used or might be used to collect sufficient numbers of children and how they might be made to pull triggers. Children are readily available for capture and use and so constitute a seemingly endless pool of reinforcement.

Children present several other advantages to commanders that deserve repetition here if only to summarize some of the discussion above before passing to an analysis of possible counter-actions. First, taking children and releasing adults, as is common practice in the LRA, effectively neutralizes victim communities by taking their children hostage. What parent would hasten to fetch the army to attack a guerrilla force that holds their children? Second, children make perfect mobile human shields to protect the commanders. What self respecting adult soldier, at least until he learns from bitter experience, will open fire on a child without at least hesitating? Third, since children can be easily collected, trained and intimidated, their loss presents no real problem. There are always more. Fourth, since children can be so easily bullied there is no need to share loot with them. Why give them more than a bare minimum for survival and obedience? Fifth, since many older girl children can be used as rewards to keep adult fighters motivated, female children constitute a commodity in addition to their use as actual fighters. Sixth, children can move freely in and out of villages, camps, schools and hospitals. They blend in easily and can be used as very effective spies to select targets for attack or looting expeditions. Seventh, children eat less, take up less space and recover more quickly than adults from minor bumps and bruises that are a normal consequence of life in the bush. Eighth, children who have been brutalized, drugged or otherwise reduced to a state of

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psychological mush make terrifying weapons when unleashed on civilian communities and encouraged to commit atrocities. Finally, children, particularly in Africa, are capable at finding firewood, scrounging food and doing all the other minor administrative and logistical chores that are essential to military effectiveness. And they need not be paid!

Finally, children have an immense military logistics value in the context of light infantry wars typical of insurgencies and civil wars in Africa. According to many sources not only do many commanders who find them easier to motivate, lead and control than adults but they also meet a full range of logistics needs in the context of sub-Saharan African states. We have discussed some of this in previous sections but to re-capitulate, with some expansion, African children are adept at finding food and fuel, make useful porters and can be trained quickly in support functions that include first aid and providing bush shelters. When one also considers that children do not generally have family responsibilities that drive them to insist on leave and that they can be abandoned where ever they are wounded, their instrumental value, from a logistics perspective, is higher than that of adults.

Leadership

If the fuel is handy and there is oxygen, the only thing needed to start a fire is a spark. In the case of child soldiers, a spark generally comes in the person of a ruthless leader. What is to stop a warlord appearing anywhere there are crowded social conditions with many vulnerable children and ready sources of arms? As long as the target state is weak and its population desperate, i.e., suffering from some or all of the conditions we have outlined above, the pre-conditions of child-recruitment would seem to exist. All that is needed is a leader. The background causes of individual motivation to violence are as varied and complex as the individual leaders involved. However, a list of the most common causes need not disappear into infinity and would generally fall into the same general range of conditions that lead to collective expressions of violence in other cases. Such differences as there are most probably reflect the degree of desperation felt by those involved. While our initial instinct is to condemn any leader who uses children in war, we find ourselves compelled to consider the conditions of specific contexts and to want to assure ourselves that any possible distinctions between motivations do not in fact lead to important differences in judgements about either the moral or legal validity of actions being considered.

In general terms, motivation can be either political/social or economic. The former cases are problematic to the degree that they test the legitimacy of the states they attack and impose here a requirement to discuss a distinction that is sometimes found uncomfortable by proponents of a strict interpretation of the CRC and that has sparked lively discussion within this research team. When a rebel movement has a legitimate cause, children may become willing participants in the belief that they have a responsibility to act to correct a grave injustice that cannot be corrected by any other means. Where the existence of a prevailing status quo results in some form of ‘structural injustice’ there would seem to be at least a class of cases that present a possible exception to a strict interpretation of the

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CRC with respect to the age of child combatants. We may wish to argue that children do not have the maturity to judge the justice of their cases but clearly there are cases where even outside observers might agree that there are serious injustices that need redress. The problem here is that there are many cases where there is injustice but no international will to correct it. One might consider here the cases of Burmese government recruitment of children, the ongoing child recruitment by various warlords in Somalia or the more general allegations of egregious human rights abuses inside present day Zimbabwe. The international community has agreed that childhood should be protected but where the capacity for protection has broken down and there is no visible other way to restore order, what right does anyone have to restrict the power of agency from the people most affected? As Robert Cooper says, “Where there is no possibility of following up words with deeds, words are often irresponsible”. However, the question under analysis here pertains to the instrumental use of children and it is sufficient to note that the appearance of a legitimate cause may encourage the emergence of a leader willing to enlist children to fight for it. While each case ought to be analysed in its own context, there is a moral requirement to consider the will of the children involved and the possibility that they are not being used unscrupulously as means to a given end but are instead making independent moral choices of their own. To deny them the right to make this choice would be morally questionable. More importantly for this debate, we think there are conditions under there is an important moral distinction to be made between a leader who allows children to fight in their own defence and one who merely manipulates children for his own ends. However, we worry that conditions of conflict lend themselves too easily to deception and distortion of fact and so, despite our moral reservations about particular cases, come down on the side of strict proscription of all child recruitment. The challenge is to make sure the conditions favourable to it do not arise.

Economic motivation usually nests within a set of political or social motivators. However, the most extreme cases of abusive use of child soldiers seem to emphasize economic factors. In Liberia, Sierra Leone and Eastern DRC, exploitation of diamonds, coltan, or other minerals have helped to criminalize the entire context. Typical of each case has been the possibility of plundering resources without regard to ownership or distribution of wealth. Rather, armed forces were used to extract mineral wealth in a manner analogous to a gang of bank robbers using weapons to make a withdrawal. Profit margins soared with the coerced use of children. In Sierra Leone particularly, children were used to generate terror induced chaos that allowed unimpeded diamond theft. Less often discussed is the way in which child soldiers are used in northern Uganda to supply wealth in cattle and brides that has provided Joseph Kony with a status and lifestyle that fit traditional notions of what it means to be a big chief. Of course, Kony has made himself useful to the Government of Sudan over the years and has found a ready source of logistics support for military operations that fuel his recruiting, cattle stealing and bride abduction activities.

145 Cooper, Op. Cit. p169
146 The precise age of moral competency is a matter of some debate and simply cannot be fixed with any agreed accuracy at this point in time.
Finally, the lack of credible deterrent to the use of children does little to discourage their commanders. The commander operating beyond the reach of national law and occupying a position of relative strength needs only to keep a conflict going to avoid even the faint possibility of prosecution under the Rome Statute. A cold eyed calculation of benefits and likely costs would surely do little to dissuade a military commander already willing to risk the hazards of battle. Only military defeat or capture carries a risk of consequences. The examples of Joseph Kony, Charles Taylor and others who have thrived on the use of child soldiers and escaped prosecution stand as proof of the lack of deterrent power of the present system. Indeed, President Museveni made prominent use of child fighters during his successful campaign to take control of Uganda and has been the darling of donors for nearly a decade. The credibility of existing international laws might be established more quickly by initiating prosecution against the current leaders of Sudan, Uganda, Rwanda as well as against international sponsors of forces that have used them and a few prominent commanders, such as Joseph Kony. However, political factors trump justice in the political arena and it is unlikely that it will be possible to create effective deterrence without successfully addressing the political factors that stand in the way of effective enforcement of international law.

Again, given the facts that child soldiers provide the means to acquire wealth or political prestige for leaders willing to use them, that they are relatively easy to recruit and manage and the lack of consistent and credible deterrent, there is much to gain and little likelihood of loss attaching to their use. The downside risk of using child soldiers is negligible under the circumstances that obtain in many of the situations that are of greatest present international concern. These are all cases where the most obvious common factor is the lack of effective governance manifesting in weak states and weak derivative state functions – like child protection.

Chapter 6– CHILDREN IN COMBAT

Children’s Military Qualities

The available literature on child soldiers generally concentrates on the damage done to them and most often focuses on a catalogue of rights abuses. While this is useful, more needs to be said about how children are actually engaged in combat operations if we are to get anywhere with the task we have chosen and if we are to address the most essential elements associated with child recruitment. This breaks down into four general categories: front line fighters, psychological weapons, logistics support and reconnaissance. We will discuss each category separately before trying, in the next chapters, to tease out a full analysis of the limitations and constraints they place, if any, on intervention.

Front Line Soldiers

Some non-state fighting forces in Africa have been heavily dependant on children to provide the bulk of their infantry (LRA, RUF). The most common method of organising child fighting elements is to put groups of them under command of small numbers of adults. Singer’s research suggests that this practice generally follows a traditional military structure in which approximately 30 children will be commanded by two or three adults in a manner similar to an infantry platoon. Sub-groups of up to ten may be led by older children or adults.\(^{149}\) He goes on to note that this structure permits grouping of platoons so much larger units are created for strategic battles against important targets. In the African context, particularly in areas such as eastern DRC, northern Uganda or Burundi, where few large cities exist, commanders have generally found it more expedient to use children in smaller groups and to increase the ratio of adults to children for more effective control and supervision. This probably reflects the operational difficulties of trying to exercise control over distances and therefore needing reliable and loyal junior leaders who have sufficient emotional authority to exercise control of others on their own.

It is useful here to look briefly at the way weapons and tactics are adapted to make best use of children. In most of the cases examined here, children began their military service without actual weapons in hand but were slowly introduced to them starting with being ‘allowed’ to carry weapons for an adult while on the march. Once considered reliable, they are usually taught how to use and maintain the ever present AK47.\(^{150}\) As operations continue, it is common for children to be given a ‘high status’ weapon in recognition of good performance in battle.\(^ {151}\) It is not uncommon to see relatively small children with RPGs though few children have been observed in charge of or carrying crew served weapons such as medium or heavy machine guns. Given the dearth of mortars in most

\(^{149}\) Singer Op.Cit., pp 85-87

\(^{150}\) Field research, Lancaster, Uganda/Sudan 1998 – 2001. Children as young as 10 could often explain accurately how to strip and assemble an AK47 and were reliably quick to state the approved combat setting for weapon sights.

\(^{151}\) The M16 was much prized in Sierra Leone and given in reward to ‘good’ fighters.
African conflicts, it would appear that children are able to use the most common weapons available and that there is virtually no limitation on the weapons assigned to them with the possible exception of medium and heavy machine guns.

When deployed in offensive combat operations against government forces or other militias, children typically can be driven to emotional extremes more easily than adults. This lends itself to the practice of human wave attacks, such as employed in Sri Lanka by the LTTE and in Iran by the government. In Africa, however, military operations tend to be more fluid and less dependent on solid defensive positions that must be overcome by physical assault. Non-state military organisations, such as Uganda’s LRA, push children to the front of offensive operations to give early warning, draw fire, clear mines and booby traps (with their bodies) and to lead assaults. Generally this is done in accordance to the counsel of Tsun Tsu that the wise general places his troops on dangerous ground so that they have no option but to fight or die. For child soldiers, this may mean being forced into attack by commanders who stand behind them ready to shoot those who fail to show sufficient enthusiasm. Their capacity in the attack seems at least equal to that of adult fighters with the difference that they exhibit less fear and more aggression when properly motivated. Unfortunately, this motivation is often achieved through psychological terror aimed at reducing child fighters to a level of desperation that the only survival option they can perceive is to attack ferociously in hopes of victory.

Defensive operations pose a different problem for child soldiers. There is nothing on record describing their capacity to withstand heavy shelling or to hold a defensive position for a long period of inactivity. Singer suggests that they may be more affected by artillery than adults but does not cite cases where this is alleged to have happened. However, there is ample testimony to their capacity to execute ambushes and to act as guards; activities vital to good defence.

Children as Psychological Weapons

Lacking the sophisticated technical capacity to break the will to fight by generating massive explosions that shatter men and materiel alike, weak forces rely instead on human ingenuity using materials at hand. Child warriors are a particularly effective resource in this regard. The main reason for this is that, in most cases, they lack the fully developed rational capacity needed to make it possible to reason with them when they have passed into emotional extremes or are forcibly drugged with stimulants that make them impervious to fear or pain. In settled societies, we use a whole array of stratagems to keep children in order until they reach a level of maturity that allows them to take full responsibility for their acts. In traditional African societies, age is greatly respected and children simply do not disobey or cause trouble without risking instant discipline. Part of the shock value presented by child soldiers is simply that they upset long established norms. An unruly child with an AK47 in his hands is a terrifying sight if for no other

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152 LRA children were routinely assigned ‘normal’ duties in camp such as tending cattle or crops. However, there is little credible research on this subject available.
153 Singer, Op Cit, p174, FN33 speaks of air cover but does not go into detail.
reason than it represents an awful combination of unpredictable wilfulness and naked power along with a complete reversal of the traditional role of children. Knowing that there exist a large number of children that might be turned into soldiers and that one can do nothing to prevent it poses an added dimension to the terror in that one may live among and love the same children who will come back and kill or maim.

Used against other fighting forces, children pose an extra moral weight on those they attack. Soldiers fighting against children must constantly question the legitimacy of their actions at the same time that they struggle to overcome their natural tendency to hesitate to pull the trigger. Though there are important differences between operational theatres, there seems little possibility for adult soldiers, particularly those from professional armies faced with child soldiers while on UN Peace Keeping missions, to find any sense of honour or pride in killing a child or defeating a unit of child fighters. For soldiers with any sense of honour at all, fighting children offers a no win situation. To be defeated by children would almost certainly bring death, derision and disgrace while to win would carry the taint of having killed mere children. When faced with children excited or drugged to a suicidal level, the choice between effective slaughter and dishonourable defeat would make most armies highly reluctant to engage in direct combat with children. In cases where children are pushed ahead of an attack, the psychological effect is often increased by the fact that many may be unarmed and, in one case cited by Singer, naked. Sensible commanders would do everything in their power to avoid battle against this kind of foe; particularly if they had grounds for believing that the children involved are forced by their own leaders and are being deliberately sacrificed in an effort to undermine the morale of the defending troops. The mere fact that children are involved makes impossible any notion of a ‘clean’ fight in which the honour of the soldiers involved can emerge unsullied. Psychologically, the use of children creates conditions for ‘dirty’ war in the direst sense of the term.

This is a particular problem for first world armies from nations with strong media interest in child soldiers or for nations where international media attention is drawn to domestic conflict; such as Uganda. A ruthless commander, like Joseph Kony, could use children deliberately to tie the hands of his opponents by consistently placing child soldiers in the front of every battle in hopes that media outrage at child deaths will hamper government military action against him. This might be even more effective where media efforts and international humanitarian agencies collaborate in taking a critical moral position that restrains government troops and renders them very unwilling to engage rebel forces for fear of being trapped into a Hobson’s choice between killing children or being defeated by forces using children. Though never an easy decision to make, it seems clear that, if the interests of third parties affected by child soldier atrocities are taken into consideration, it is morally permissible for commanders facing child soldiers to take all legitimate measures needed to achieve victory. Unless some other means is found to extract children from the midst of this kind of conflict, victory seems the surest path to ending atrocities and further child recruitment.

The most effective use of the terror potential of child soldiers seems to be against civilian targets. Child soldiers of the RUF held most of Sierra Leone in a state of terror for nearly a decade through a combination of drug assisted atrocities and whimsically savage attacks that seemed to have no other objective than terror for its own sake. Of course, the
resulting political and military chaos lent itself perfectly to the massive diamond smuggling operation undertaken by RUF leaders. The LRA applied the same general principles, without the same focus on indiscriminate amputations, to destabilise Gulu and Kitgum districts of northern Uganda using child soldiers in a campaign that has lasted over 16 years.

**Logistics**

The logistics requirements in bush warfare are met through a combination of scavenging and looting that is greatly facilitated by the use of children who may be used as a cheap form of transport, firewood gatherers, cooks and clothes washers. For example, many children were ‘collected’ for logistics support by both government and rebel forces during the drought of 2000/01 in the Burundian civil war. Here children were driven by insecurity and hunger to attach themselves to fighting forces. Though seldom used in actual combat, they acted as porters, cooks and laundry service. For adult fighters forced to move on foot, children offered an easy solution to the grinding agony of moving heavy loads through mountainous terrain. In some cases the children so employed would only work for a particular move from one post to another but in others they remained attached to the troops for long periods. Access to good and reasonably abundant food seemed to be the most compelling reason for self recruitment whereas the need for transport and other logistics support seemed to drive most forced recruitment.

Where combat occurs in conditions of relative food scarcity, children may be used to gather wild foods or in clandestine harvesting of farmers’ crops. This occurred in both Burundi and Uganda. Here children were given specific quotas of food to be collected and sent off to collect it with threats of consequences if they failed. Additionally, where there is at least some level of popular support for a particular fighting force using children, they may be sent into villages to beg for food under the noses of government troops. This might be particularly effective where children are sent into their own villages as their own parents find it hard to refuse help and are not willing to raise an alarm for fear of endangering their own children.

**Spies and Scouts (reconnaissance)**

The particular advantage of children here is that they can generally move without drawing attention. This is particularly so in populous countries where children are found in large numbers and spend much of their day unsupervised. Humanitarian agencies share with African communities a tendency to ascribe a certain level of natural innocence to children that makes them objects of love rather than fear and suspicion. This makes it relatively easy for children to infiltrate any military position containing a civilian

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155 Actually, they did use amputation of legs as a way to discourage people from riding bicycles. More recently, they seem to have developed a penchant for disfigurement but it has not yet reached the dreadful levels seen in Sierra Leone.
156 The Burundi Government’s “Enfant soldats, un defi a lever au Burund” 2001 describes many of the logistics activities reported by escaped and captured child fighters.
158 Field notes, UNICEF missions in western Uganda, 2000/1, Lancaster.
A more problematic type of child soldier involvement is the engagement of children as guards or messengers to protect their own villages or communities against attack, possibly from child soldiers. Ironically, the world Scouting movement began when Lord Baden Powell noticed how bravely and effectively boys took part in the defence of Mafeking during the Boer War and launched a programme grounded on the idea of character building activities that awarded merit badges for such things as stalking, tracking, signalling and field survival. Indeed, as long as the intention truly is to enlist children in the effort to protect themselves from forced recruitment and as long as the resulting activities are not simply a case of a national army abdicating its responsibilities, the moral argument defending their involvement is potentially quite strong. The Government of Uganda, who are now drawing intense criticism for their attempted military solution of the LRA issue, incorporated children into a militia defence force to bring about a successful end to Allied Democratic Front attacks on communities in the Rwenzori region of western Uganda. In this case, their use was restricted to local guard duties and the children involved were seldom armed. However, reports from the operational areas in northern Uganda, though somewhat unclear, suggest that UPDF is not restricting its use of children in quite the same way in the case of counter LRA operations but may in fact be using them in military roles that put the children at further risk. Again, the moral ambiguity of war exerts a requirement for careful judgement of harm to the children most directly affected, the civilian community that is vulnerable to ongoing atrocities from the LRA and the overall military effectiveness of the strategy of using children. One can quickly lose oneself in the complexities required of such utilitarian calculations. After considerable debate, we again come down on the side of a more Kantian approach and suggest that government use of children in combat is morally self-contradicting as it makes it impossible to argue consistently against their use by non-state parties. We also think it is not good military tactics.

Sex Slaves and Forced Marriage

Girls face a particularly difficult set of problems if abducted into child soldier forces. They may be forced into bush marriages to commanders or to fighters whose actions have earned them consideration for reward. They may simply be forced into support roles with the constant threat of rape hanging over them should they fail to perform adequately. While their treatment and the specific roles they are given varies a great deal across different forces, the specific reason for mentioning girl fighters separately is that they suggest an added dimension to the psychological factors mentioned above. Moreover, they can, in some cases, constitute part of a reward system that is central to unit morale.

159 Unfortunately for ALIR, the RPA let the children through and sprung a massive ambush when the adults came into the killing zone. Field interview Lancaster/Col Mubarak (RPA Commander) Spring 2002.
Any inference drawn that this practice reduces female child soldiers to the level of chattels is probably correct. While a great deal more can be said about the effects of systematic rape or the deliberate dehumanisation of girl soldiers, this subject warrants separate treatment beyond the scope of this study. Suffice to say that there is a wealth of research and a long anecdotal history suggesting that sexual abuse has been an integral part of the anarchy of war – to our collective shame as a species.

Summary

In summary, children have military qualities that give them an allure beyond measure to commanders unscrupulous or confident enough to use them. They can handle virtually all the weapons most commonly in use in African guerrilla wars, they are highly effective weapons of terror in the African context, can provide effective logistics support and have been used effectively as spies and scouts. Given their easy availability and the tactics used to recruit them, there appears to be no quick or easy solution to the problem, no magic bullet. However, there are things that could be done that are not yet being done and we will try in the next chapters to make some progress towards figuring out how best to face the many challenges enumerated above.

160 See www.amnesty.org/actforwomen/conflict.
CHAPTER 7 – DEDUCTIONS

This section examines the nature of the world we live in and the small possibilities it presents for the achievement of something like a Kantian state of Perpetual Peace in the proximate future. If it is agreed that we are indeed a long way from conditions necessary for world peace and if it is also agreed that the likelihood that it could ever be achieved through the spontaneous triumph of reason is indeed small then it follows that the idea of justice that we appeal to when we make rights claims may be beyond our reach from this particular point in human history. From this we might agree further that no extant state today could be considered a perfect guarantor of human rights for its citizens but that states might be considered along a continuum of excellence according to their performance relative to each other as agents of rights protection. Further, even a cursory glance at the distribution of natural, historic, social, political and economic advantages of any particular state should be part of any reasonably fair evaluation of their excellence. Thus, we should also agree that the evaluation of steps to improve the prospects for children should be guided by the relativities entailed by the natural, historic, social, political and economic conditions of particular extant states. Our final goal might be a world in which children would never be recruited into wars but our immediate goals should be more realistic and focussed on what might actually be achieved given the complex arrangements of the world we live in. All states are not well formed and law does not function as it should everywhere. Some states exist in poverty and have yet to find the political resources necessary to organise themselves to husband effectively what material resources they have in the common interests of their citizens. Indeed, political development is as uneven as economic development and each affects the other in ways that must be well understood if we are to make any significant progress in protecting children from the scourge of war.

Possible Counter Measures

If, as has been argued above, the reach of international legal instruments, conventions and accords is limited in its capacity to protect children from the full array of rights abuses inherent in their recruitment into fighting forces, then we should consider what else might be done to establish the will and capacity for effective Agency needed to complete a globally effective child protection system. Unless political will can be generated in such a way as to harness the self-interests of political leaders to something resembling a notion of the common good, the finest texts produced by the world’s leading bureaucrats will have no effect. Instances in which child soldiers are turned into effective military strength in particular cases all arise out of the strategic exploitation of weaknesses in the child protection capacity of particular states; either as a result of civil conflict, external sponsorship or open warfare. Specific counter measures to the military instrumentality of children will be considered in conjunction with more general measures needed to reduce the temptation children present to those unscrupulous enough to consider recruiting them.

161 One is tempted here to appeal to the popular children’s story by Lemony Snicket, *A Series of Unfortunate Events.*
It should be clear that different contexts in which child soldiers are involved will require careful analysis of the instrumentality of their use to determine what counter measures might actually work in specific cases. For instance, conditions contributing to voluntary recruitment require a range of interventions aimed at improving background conditions, such as access to education or vocational training opportunities, or addressing security concerns linked to a prevailing condition of anarchy. Even so, achieving lasting progress in this regard might require changes to the distribution of the world’s wealth to end conditions of abject poverty that are behind the desperation that drives some children to war. More problematic perhaps is the case of forced recruitment where it would appear that sweeping changes to existing pastoral or peasant agronomic methods might be required to reduce the pool of potential child power in conditions favouring guerrilla warfare. However, there do seem to be at least some general categories that might help us to develop a general theoretical outline of counter measures that could be adapted to specific cases. These correspond roughly to the question of whether or not the will or capacity for effective Agency exists in a given situation and how the Agency might be influenced or strengthened to take effective steps to end the use of child soldiers. This leads to further distinctions according to types of conflict and to issues of legitimacy that may seem to wander far from the central question at times, but will help us to consider the most important factors that seem to have been overlooked so far. At the very least, to be able to tease out a set of suggestions that might help point the way ahead.

**Neutralizing Recruitment**

**Forced Recruitment**

In cases where children are typically recruited by force and subsequently brutalized until they can be pushed into fighting, they should be considered as hostages – *even when carrying weapons*. Here, the focus of counter measures should be on improving background security conditions in strategies that combine aggressive action against child recruiting forces with effective political support. This requires military forces defending against recruitment to set up area security that combines defensive positions with well organized surveillance and rapid reaction forces capable of pursuing any attacker who breaks through the first line of defence. All and every engagement should concentrate on capturing or killing adult leaders and creating opportunities for child fighters to surrender or escape. The overall strategy should be to defeat the child recruiting forces. (These tactics were used effectively by the Ugandan People’s Defence Force against the Allied Democratic Front in Rwenzori region of Uganda between 1997 and the defeat of the rebel group in 2001).

Any child captured or who surrenders voluntarily should be guaranteed protection from both the receiving force and from further abduction. With heavy heart, we argue that the aim of every engagement must be rapid and decisive victory which includes the death or capture of adult leaders. Protection forces must be aggressive in their attempts to overwhelm child soldier forces as quickly as possible through the use of all available military means. This means that some children will undoubtedly be killed or injured in
the attempt to save others. However, the ultimate objective is to minimize child casualties by using overwhelming force to end battle quickly and decisively. The longer children are forced to live in extreme vulnerability, the more likely they are to be crippled by the scars or war. Under no circumstances should protection forces use civil populations to screen their positions though the tactical use of civil home guards might be considered provided their use does not contravene humanitarian laws or expose them to unusual risks.

In cases where children are forced to act in supporting roles such as porters or cooks, they should be considered ‘unarmed hostages’. Rules of engagement for protecting forces should then include strict instructions to fire only at those carrying weapons and to avoid using heavy weapons whenever possible. Protective measures should focus on overwhelming the child-using forces militarily. Aggressive defence including relentless pursuit and targeting of adult leaders involved in raids or attacks should be mandatory. Where it is the case that the national government forcibly recruits children, the only counter measures currently available are through international diplomacy and advocacy (including the use of embargo and other punitive measures). These should be used vigorously and consistently. The use of military diplomacy in which the honour of the profession is invoked, could be used. Here, senior officers can speak frankly as brother officers in the same profession.

The deterrent effect of present international legal instruments should be increased by more effective and targeted advocacy including steps to ensure that senior diplomats and military leaders responsible for peace negotiations understand the importance of giving prominent attention to child soldier issues during the peace process. Though the moral dimensions of child soldier use are sometime acknowledged, the essential security dimensions seldom receive the focus they deserve. Their efforts may include quid pro quo arrangements in which commanders are offered immunity from prosecution on condition that they cease all child recruitment and facilitate early child soldier demobilisation. However, consideration should be given to the likelihood that this may encourage other military leaders to use child soldiers to improve future bargaining positions.

**Voluntary Recruitment**

In cases where the reasons for volunteering can be understood as a logical response to the survival imperatives entailed by conditions of general insecurity, international diplomacy to end hostilities may be required as a prerequisite to effective child protection. Where there is no effective national government force to protect children and where the Security Council agrees on the need for a Chapter 7 Peace Keeping mission, the deployed force should be strong enough to overwhelm child-soldier-using forces quickly. The mandate should include a requirement to demobilise any child soldiers immediately. Should follow up negotiation fail, the Peace Keeping force’s military capacity should be such as

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162 Undoubtedly the Utilitarian calculus will sit badly with those who hold to more absolute views. However, faced with a real problem in which either some children are saved or the danger to all children persists, the choice would seem to be forced upon us. To decide not to act is also a choice; one with dire consequences.
to allow aggressive security measures described above and the mandate should include an obligation to capture or kill the commanders of any child soldier unit. The use of helicopters for rapid pursuit, high tech surveillance devices, communications monitoring and jamming equipment and snipers capable of deliberately targeting adult child soldier unit commanders in the field should be used.

Instances in which economic and social factors, such as lack of school access or lack of employment, are the principle causes of voluntary recruitment, military interventions should be supported by generous humanitarian programmes. However, in complex situations where economic and social factors are entangled in general insecurity, it is necessary to improve security in lock step with humanitarian assistance. In cases where children volunteer for legitimate political reasons, the political conditions should be addressed with all possible vigour through the Security Council. The reasons motivating recruitment must be seriously considered. Though fault and blame may be attributed to the leaders of any military force or movement that allow children to join in hostilities, the possibility that the children in question are making a rational choice relative to the conditions they face should be considered. Here it is essential to keep in mind that many child soldiers opt for participation because they are not in a “condition of justice”\textsuperscript{163}. Where there exists no third party with the effective agency to look after their interests, children should be considered to have a right to look to their own interests.

In some very limited cases, insistence on an arbitrarily selected age of adulthood, no matter how solidly entrenched in international instruments, would seem to do a disservice to both the child and the commander who allows him or her to fight in his or her own defence. For instance, a healthy boy of 16 who knows he is liable to forced recruitment by a rebel faction ought to be allowed to join a government militia to defend him self. Where that same child has a sister vulnerable to forced recruitment and rape, both he and the girl ought to be considered to have a right to take active roles in their own defence – unless the intervening agency can provide effective security to protect them from both threats. This is by no means meant to condone the practice of child recruitment but rather aims to recognise that there exists a small set of worst case scenarios in which there is no effective Agency possible and where considerations of context argue against insistence on universal norms. It is important here that judgement be tied to a full examination of facts and alternatives available and it is suggested that this particular category be approached always with scepticism.

In cases where instability and insecurity are chronic problems, interventions aimed at social and economic condition causes of recruitment must be long term, well funded and well executed. When the lack of secondary education opportunities is cited as a major cause of voluntary recruitment, international assistance may be required to bolster government capacity to meet the need. UNICEF currently does not support education beyond primary level. This policy may need to be reconsidered for child soldier affected areas.

Where we find that children enlist with the support of their parents and/or communities, community mobilisation incorporating community dialogue is required. However,

\textsuperscript{163} Oaken, Op. Cit.
distinctions should be made between governments who incorporate children into active protective measures as described above and governments who use child soldiers cynically. The distinction is important. In certain cases where children might be engaged in their own defence as unarmed sentries or scouts without endangering themselves unduly, the tactic could be considered as a means of empowering children in their own best interest. However, this practice is conducted on a slope that is extremely slippery and should be considered only under the direst circumstances and where reasonably effective control measures exist. The dangers to both the children and their communities of such service will normally outweigh the benefits of their use.

Improved advocacy and education is helpful in most cases and should always be included in every intervention on behalf of children.

Deterrence and Enforcement

The most immediately obvious strategy to discourage the use of child soldiers is the introduction of strong deterrent measures. Indeed, deterrence is what the already large number of international legal instruments, agreements and conventions are intended to accomplish. However, in many cases examined, the instrumental value of child soldiers to those who recruit them offsets the prospect of punishment for the crime of doing so. For some commanders who already use children, the threat of punishment may act as nothing more than a goad to keep using them in the hope of putting off defeat that might lead to arrest and punishment. The argument of deterrence presents weak logical compulsion for those already guilty though it must be said that a credible international justice system might indeed alter the cost benefit analysis for those thinking about recruiting children in future. The challenge then would be to create a credible deterrence given the lack of consensus on the status of the International Criminal Court and the incapacity to arrest commanders with large forces to protect them. A criminal court without either the unanimous support of all the players over whom it is meant to preside and without effective powers of arrest has a capacity restricted to enforcement agreements ranging over specific operational theatres. Given that the first step in setting in place a peace agreement in most conflicts is some sort of amnesty provision for the major players, it is very unlikely that the deterrent value of existing instruments and structures, though useful in some cases, will ever be strong enough to deter the use of child soldiers by itself. The fate of RUF leaders tried by the International Criminal Tribunal for Sierra Leone will not be lost on Joseph Kony and other leaders of the LRA. It remains to be seen, however, whether the prospect of punishment in any way persuades them to surrender or take any measures that might weaken their fighting capacity – such as stopping child recruitment.

One area of effective deterrence seldom discussed in the context of humanitarian interventions on behalf of children is to address the relative weakness of the armies they

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164 Joseph Kony was indicted by the ICC shortly after this research was completed. This indictment seems to have led to new problems. Museveni, who requested the indictment, is now promising amnesty in order to move the peace process forward.
are pitted against. That is to say that one of the more effective practical deterrents against using child soldiers is the prospect of failure on the battlefield. Child soldiers have been highly effective against weak or disorganized armies but have not fared so well against well organized professional forces. The problem here is that few donors would be willing to even consider investing in measures to improve state armies where the reliability of those armies in respect of human rights violations is at issue. Certainly, the invective directed at the UPDF over their alleged conduct in northern Uganda does not hold much promise. However, when one considers what has been achieved in western Uganda by that same army in the campaign described above against the ADF, this would seem to be an avenue of deterrence that holds considerable potential provided that assurances of reliability can be provided.

Other cases suggest that there are conditions in which children choose to volunteer for political motives that deserve careful consideration and which pose a number of conceptual problems in trying to develop strategies that will work to keep them out of battle. Suffice to say that there are a wide variety of cases and that developing a universal model that could be used effectively to stop all involvement of children in war presents a huge challenge.

Criminal Cases

There are several cases in recent history that suggest a set of motives that exclude political objectives – where war is a form of robbery. Though the most notorious case maybe diamond smuggling operations enabled by child armies in Sierra Leone, the link between coltan extraction in DRC and child using militias sponsored by Rwandan and Ugandan military forces also fall into this category. This category presents criminal characteristics that imply a range of counter measures aimed at controlling markets, controlling international borders, arresting ringleaders and direct military action in ways analogous to police action to stop crimes in progress.

It should also be noted that legal deterrents against crime in highly developed countries with a full array of enforcement capacities are seldom completely effective even with effective police powers to arrest accused perpetrators. However, it is generally agreed that a credible justice system requires police as well as judicial functions, leaving aside for now discussion of the social and political support needed to ensure broad acceptance of the existing order across the general population. Nowhere are national courts and their accompanying judicial structure found without a supporting police structure capable of arresting law breakers. The United Nations, including UNICEF, has no international policing capacity. Interpol has a coordinating role that is effective only in cases where domestic police forces agree to cooperate. While it may be the case that the ICC has international jurisdiction to hear cases brought against war criminals from any member state, it has no police forces capable of arrest or detention except where national security forces or designated peacekeeping forces cooperate. In simple terms, this means that there will inevitably be cases where there is no existing entity with the power to stop the crime of child recruitment in the act.

While we doubt that we have here a strong enough basis from which to argue for the establishment of an international police force or gendarmerie, we do think our argument
leads in that direction. Consideration of the precise form that such a force would take and of the control measures needed to ensure effective use and oversight is well beyond the scope of this paper but it seems obvious that where we have a strong international consensus on a particular issue such as the use of child soldiers, it ought to be possible to reach consensus on associated practical steps to deal with it. This paper points out gaps in capacity that would seem to need new international resources capable of affecting international arrests.

Positive Approaches

There is some experience to suggest that child soldier use can be controlled to some extent by engaging with military leaders in positive ways. This was successful to some degree in Sudan, Rwanda and Burundi and was based in each case on the idea of offering a degree of legitimacy to military leaders who cooperated in the demobilisation and protection of children. This has limited possibilities in cases where military leaders see more advantage in having child fighters than in what is being offered, but it is suggested that appeals to traditional notions of military honour, to community norms and to the role of soldiers as protectors of their own people are ideas that have some effective potential, particularly if they include some tangible advantage for the leaders in question. In Sri Lanka, the SLA leadership were quick to see the military advantage to be drawn from high profile child protection activities that made their opponents look very bad in comparison. In the UPDF/ADF campaign already described, the UPDF were easily persuaded to cooperate with child protection agencies because they could see for themselves an opportunity to use them to help win hearts and minds in the area of operations. There would appear to be potential to explore this approach further and to consider the value of military to military dialogue where professional military assistance might be offered as an inducement to leave children out of conflict. Again, issues of justice, sovereignty and political development must be carefully weighed.

State Actors

Counter measures against child recruitment in the case of well formed states present different challenges from the context that has formed the focus of this paper for the simple reason that so few of the affected states where child recruitment occurs are well formed. If the argument that states are, if only by default, the only political entities with the capacity to protect the rights of their citizens then we may also be able to agree that states are ultimately answerable to themselves for any decision to abrogate laws protecting certain rights. The court of decision in these cases should be the court of public opinion with the judgements of the people reflected in elections. We can see then that only certain kinds of states lend themselves to this sort of dynamic interaction between peoples and their governments and that those states with dysfunctional accountability systems will not necessarily have to answer for their bad behaviour to their

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165 One of the authors of this paper was invited to conduct a workshop on children’s rights for the SLA. The first session was opened by the Chief of the Defence Staff and included national TV and news coverage in an attempt to underscore their own virtue against the backdrop of continued Tamil Tiger child soldier recruitment.
own people. However, state leaders are also accountable under international law and may be persuaded by international pressure to conduct themselves in accordance with the CRC. The effectiveness of this pressure has been discussed above in the context of an account of the way in which the Ugandan government was helped to see its own best interest in a certain light over an issue of child recruitment inside DRC.

In cases of international conflict, the degree of conformity with international instruments, like the CRC, is likely to be mediated by the level of desperation of the protagonists. Where conflict is symmetric, it is quite probable that the state parties involved will influence each others’ behaviour as each tries to win wider international support for their cause. This may offer opportunities for diplomatic influence and for appeals to national pride, military honour or religious values to be used by international monitors.

However, as the bitter fighting between the protagonists in former Yugoslavia illustrated, concern for international norms takes second place to other factors when conditions are desperate enough. With nothing to lose, commanders will see little value in restraint. Again, if conflict occurs between two large and roughly equal powers, it is unlikely that third parties will be willing to risk their own troops to try to enforce respect for children’s rights while conflict is ongoing. Few states are yet willing to take on a responsibility to protect third parties unless it is in their own perceived interest.\(^{166}\) It is suggested that protecting children against recruitment in this type of conflict is an unlikely prospect dependant on establishing a strong domestic accountability dynamic during periods of peace. If all else fails, we may be reduced to monitoring carefully what happens in an attempt to hold child recruiters accountable after the conflict in hopes of deterring future violations.

Civil conflict challenges government authority and thus may destroy government capacity to protect its children. However, where the state is still viable and has not collapsed completely into chaos, it may be possible to develop a positive form of competition between opponents struggling both for public support. Here, it may be possible to begin by inducing one protagonist, most probably the state, to cooperate in protecting children as a way of putting the other at a disadvantage.\(^ {167}\) Where there are political issues at stake and where protagonists are interested in legitimacy, it may be possible to use diplomatic, social, community and media influence to get across the idea that victory will go to the side who wins over the people rather than to the side that kills more opponents. The example of the UPDF in western Uganda is powerful in this context and might be used as a case study to demonstrate that there are tactical and strategic advantages to be gained from winning popular support through military action.

In post conflict or peace building environments, the task of winning public confidence through well planned and disciplined military action may fall on the shoulders of international forces. Ideally, these will be disinterested in meddling in internal politics. Peace keepers can make an effective contribution to peace if they act decisively to protect children from recruitment, demonstrate the protective role of military forces and assist

\(^ {166}\) Debates around this issue (R2P) suffer more from unwillingness to stump up the cash necessary to act than from unwillingness to launch into flights of high flown rhetoric.

\(^ {167}\) The Sri Lankan Army has used this approach very effectively and has helped play a role in having the Tamil Tigers labeled a terrorist organization internationally.
national forces to emulate it, support humanitarian work by integrated planning and operations and, most importantly, stand up against violations of civilian rights in ways that mitigate the terrible cynicism that destroys the trust needed for national armies to be effective.

Non State Actors

Areas under control of NSA are areas in which affected states are incapable of effective Agency on behalf of children\(^{168}\). Either the NSA agrees to recognize the rights of children against recruitment of its own accord or must be influenced through force or persuasion. If the NSA persists in recruiting children then, we must agree that both force and persuasion are legitimate options. Where there is no strong international consensus to launch armed international intervention, the possibility of using force directly against child soldier forces remains in the hands of the affected national army. Given that security is a precondition of effective protection against recruitment, it may be necessary for international humanitarian and diplomatic actors to support national armed action against NSA. Where issues of government legitimacy arise and an NSA has legitimate goals, it may be necessary to engage with them to help develop a child protection system. While some experience exists in the area of field level advocacy to ensure that a given NSA is aware of the CRC, much more might be accomplished if the intervening agency is willing to offer material aid in exchange for collaboration in protecting children from recruitment. It might also be possible to negotiate with NSA leadership ways of collaborating with humanitarian agencies to set up schools and clinics protected by NSA troops but the political implications of this would have to be weighed carefully.

Criminal or uncooperative NSA’s, like the RUF or the LRA, present a different set of challenges. Here, the two viable strategies would seem to be to work at isolating the NSA from all forms of support and cooperating with government forces to reduce the effectiveness of child soldier use or to focus on broad scale diplomatic and humanitarian action to try to persuade NSA leaders to change their ways. The latter may be more effective if NSA options are limited by intelligent military and diplomatic action. The fundamental idea is to change the cost benefit equation of the use of children so that commanders stop using them.

Much depends on the relative capacity of the forces deployed. Many children could be protected from recruitment and many families spared the agony of displacement if strong government military forces had the capacity to simply defeat rebel forces in the first engagement. Indeed, the Rwandan Army has had some success doing this since the Genocide of 1994. However, few armies in Africa are strong enough to defeat rebel forces easily and very few indeed have the combination of effective military intelligence, tight discipline, strong leadership and sufficient weapons and logistics to do this. Civil wars erupt when a rebel element finds a weakness to exploit. The vicious cycle of child recruitment accelerates quickly where government forces are too weak to cope.

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\(^{168}\) Control in this sense includes the ability to move freely to the extent that civil populations are significantly affected by NSA presence. In Africa, this is usually indicated by massive displacement of civil population.
CHAPTER 8 – RECOMMENDATIONS FOR ACTION

We have discussed already at great length a number of background conditions that make the child soldier problem difficult to deal with and have repeatedly emphasised the problems of weak Agency and weak states. While we argued above that the process of state formation and development in Africa is difficult to understand with any optimism, we have not addressed the question of the impact of a strong international influence that has the potential to assist developing states to circumvent some of the less savoury parts of the European experience. The existence of the UN and all its related machinery is itself an important background factor that needs to be understood in the context of this discussion; as are the effects of IMF and WTO policies on African economies. However, a full exploration of this part of a very complicated equation is well beyond the scope of this paper as it would entail an evaluation of global economics and thus lead us away from our main objective. Let us then close this part of the argument with the general observation that the UN and its partners have powers that fall short of replacing the functions of state but that could be used much more effectively to assist states to develop their capacities if oriented by a fully developed concept of Agency in relation to rights. This paper is a small contribution to the process of developing a more workable approach through consideration of a very small part of the overall problem. In the end, we think it is impossible to extract the problem of child soldiers from the larger problems of human rights, weak states and international security.

Structures and Dynamics of Effective Agency

Much of the foregoing exploration has focused on what must be done and much less on who should do it. In a perfect world, nation states would have both the capacity and the will to protect all children from recruitment into conflict. But the variety of causes that can lead to conditions conducive to the recruitment and use of child soldiers are seemingly infinite and we must assume that there will continue to be a number of states unable or unwilling to meet the high standard of child protection required by the CRC in future. Given the wide general concern for children manifest in the CRC and its Protocols, dangers to international security that could result from states destabilized by child soldier-fuelled conflict and the possibility of cross border use of child soldier forces, it would seem eminently reasonable to consider what sorts of structures would need to be in place to assist weak nation states afflicted by cases of child fuelled-conflict to protect children from recruitment or to force those states that use child soldiers, or sponsor their use in other countries, to cease doing so.

The Special Representative to the Secretary General for Children Affected by Armed Conflict is developing a monitoring and evaluation policy that integrates calls for action within a well designed international architecture for monitoring and reporting that explains clearly the various levels of responsibility needed to achieve an “era of application”. However, establishing effective monitoring and reporting mechanisms is only part of the solution. As we have been at pains to explain, this approach will not, by itself, end the use of child soldiers because it sits outside the gates of Agency, so to speak.
We began this paper with a declaration of intent to search for ways to stop the use of child soldiers by “eradicating the doctrine”. Our discussion may appear to lead to the rather discouraging conclusion that our aim was unrealistic. However, closer examination of the problem of Agency and its corollaries suggests that there may be ways to adapt parts of the machinery of governance and international diplomacy to integrate their activities more effectively within a process tied to our common concern for children. If we are aware of the parameters of Agency and the conditions that twist or block it under conditions of conflict, then we need to look carefully at ways in which the levers of Agency might be manipulated. It may indeed be possible to design a machine within the existing machine or to siphon off wasted energy to redirect existing capacities more effectively on a case by case basis. Initially, this might give us at least an ad hoc capacity to bind all interested parties into a coherent strategy for particular cases of child recruitment. If this works in particular cases, it might well lead us to something more directly useable in the battle to eradicate the doctrine of child soldiers. Schematically, the structure of more effective Agency would include:

1. An ad hoc structure to blend international legal instruments and diplomacy to create space for application of international laws and covenants protecting against the use of child soldiers in specific cases.

2. Structure to facilitate dialogue between military and humanitarian communities to develop capacity to respond effectively together to child soldier crises

3. An interlocking structure based on the idea of ‘well formed’ states: capacity building to achieve structural elements of Agency
   - assisted by UNDP, WB and other international agencies
   - subject to diplomatic influence
   - assisted by INGOs

4. Implementing structure to assist incapacitated states or to arbitrate between states
   - Security Council assisted by DPKO
   - Ad hoc coalitions as needed
   - diplomacy

Such a structure would assuredly need a good deal of refinement for each specific case and would need to be adapted intelligently within the prevailing political and security context of the day. Most of the capacity already exists within current structures and could be put to use, given the right leadership and if complemented by dynamic processes needed to accomplish a range of activities centered on the disciplined use of force as a complement to deterrence measures presently reliant on international law.

The task of monitoring child soldier recruitment is currently diffuse though efforts to consolidate it under the auspices of the Coalition to Stop the Use of Child Soldiers has

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169 This is an intentionally vague concept entailing the idea of systemic capacities to meet the set of obligations entailed by Human Rights.
made some initial progress. We think this process should be extended to make better use of UN military assets. The tasking of UN Military Observers with specific monitoring and reporting functions would help feed the data base at the same time that it engages UN military elements in the task of finding a solution. Finally, we think the attached statistical tool could be useful as a way of assessing vulnerability to recruitment.

The task of protecting children from military recruitment should involve a far larger community than it presently does. Needless to say, this will need to be coordinated properly to avoid waste and confusion. Given the wide array of ownership, mandates and vested interests, achieving cooperation on this issue is a difficult task. One useful tactical step to achieve the overall strategic objective would be a series of conferences, workshops and simulations leading to some practical experiments. Ideally, these would seek to extend the dialogue, bring in viewpoints and inputs from across the spectrum of interest and would specifically target military participation along with strong NGO and UN Humanitarian presence. We find it incredible that current Peacekeeping and child protection activities do not, as a matter of standard practice, include physical protection measures for schools and clinics in areas where forced child recruitment is common. Correcting this is but one objective that could be accomplished with better coordination of effort and greater use of all the assets at hand.

One more tactical step would be to make DPKO an integral part of the child protection network and should be invited to consider the possible inclusion of powers of arrest within the mandate of Peacekeeping missions deployed to operational areas where child recruitment is ongoing. Ideally, ROE for such missions would include a positive obligation to arrest known recruiters of children.

Though we did not go into any depth in discussing child soldier DDR, our research suggested that theories and concepts in use now need far more development. The political importance of DDR and its place in helping post conflict states to regain their capacity for Agency is completely left out of most of the project documents we read. We mentioned briefly the problem of short term donor interest against reintegration needs that usually required a long term approach. This reflects a fundamental misunderstanding of the objectives of DDR. Indeed, we think DDR strategies for children should start with figuring out a solution to the overall objective of reintegration and then plan in reverse through the early steps of the DDR process so it actually has a chance of achieving the goal of long term protection. We also think there is a place for Peacekeepers in DDR; a place defined by security needs. Ultimately, the problems of weak governance and loss of the capacity for Agency that make DDR necessary have their roots in poverty. Thus, DDR should nest within a long term poverty reduction strategy that makes a serious and credible attempt to create the capacity for Agency within affected states.

We think there is a special role to be played in developing DDR strategies that recognize the special capacity of child soldier leaders. The fact that some children develop command and leadership capacity at a very young age suggests an opportunity to assist these particular children to develop into civilian leaders.

We studiously avoided discussion of international law and the use of the ICC. However, it is clear to us that while we may have a nascent legal apparatus in place, we have no
complementary police capacity that allows us to enforce international law. Non State
Actors remain largely beyond the reach of the law. This needs study and the possibility
of bringing DPKO into play as a kind of ad hoc police force working in support of child
and human rights objectives should be considered.

We have discussed a number of measures to counter child recruitment and suggested a
few military tactics that might be brought to use against forces using children. These
need development and could be made the object of specific combat development studies
undertaken by the military as well as being taken up more directly by conflict resolution
research in multi-discipline academic environments. Given the potential security risks
posed by child soldiers, we think this could be taken up seriously by one or more of the
permanent members of the Security Council as a contribution to child protection. We
would also encourage all nations that contribute troops to UN missions to task their
senior officers with the obligation to use their good offices to persuade individual child
recruiting commanders of the error of their ways. This could be enhanced by a system of
military exchanges that engage developing nation armies in the task of child protection.

Though we examined and dismissed the idea of developing arguments to convince child
soldier recruiters that there are better ways to accomplish their goals, we think further
enquiry is needed on this subject. If it worked in the case of land mines, it may have
application here.

Finally, many of the issues affecting child soldier recruitment and use are complex and
difficult to the extent that simplistic appeals to rights just don’t offer much hope of
getting anywhere soon. There are too many cases in which children are faced with awful
conditions that are stubbornly beyond our reach in the world as it is currently structured if
only because the responsibility for Agency rests with states that can’t or won’t use it well.
Rather than construing the issue as occurring in an arena of absolutes, we think there are
times and places where relativities play a role and where the “lesser evil” may be the
surest path to the greatest good; such as the need for aggressive military action against
child-soldier-using forces.

In the end, if we are serious about resolving the problem of child soldiers, we must find a
way to deal with the many complicated and troubling issues that stick to it without losing
either our humanity or our confidence that something can be done. Clearly, more needs
to be done and this report is but a small contribution. Ultimately, it is hoped that some of
our recommendations could be used to help begin a process that will lead to the
eradication of the doctrine of child soldiers.
Annex A to Eradicating The Child Soldiers Doctrine

Child Recruitment Vulnerability Analysis Tool

Developed by Jacqui O’Neil

Objective
One objective of this initiative was to perform a series of statistical analyses to determine the strength of relationships between a variety of factors which might be related to the recruitment of children into armed conflict and the prevalence of the use of children as a doctrine of war. Motivation stemmed from a scarcity of non-qualitative documentation and analysis on the subject. Our interest was in using available data to more rigorously examine a series of questions such as, ‘are there significant differences between practices related to child soldiers between government and non-state actors?’, ‘do groups’ motivations influence the extent to which children are used as a doctrine of war?’, ‘how great is the possible impact of cultural and other context-specific factors such as the average age of first marriage, the community’s history of involving in conflict?’, and more.

To our knowledge, comprehensive analysis of this type has not been undertaken. Many of the likely reasons for this reluctance are understandable. It is extremely challenging, for example, to obtain reliable figures to be used in analyses as well as a time and resource-intensive endeavour to collect and interpret data. It is also difficult – and possibly misleading – to attempt to isolate a subset of factors from a larger context, and even if isolated, only very rarely correlation be interpreted to imply causality. Also, it simply seems obvious to many working in conflict-affected areas what factors contribute most significantly to children’s’ participation in conflict, while others might interpret each conflict as being so unique that drawing parallels is not a worthwhile endeavor.

Nonetheless, such analysis may play an important role. While it is true, for example, that every conflict is unique, there is a possibility that some significant factors are consistent. It might make sense, therefore, for scarce resources to be dedicated to these areas in a more coordinated and effective manner. What’s more, there may exist specific factors or combinations of factors related to cultural and other practices, which might not normally be considered, or, which might help to predict the vulnerability of not yet affected groups. Finally, while results of statistical analyses can at times seem obvious, they are often the most compelling tools of influence among decision-makers.

Approach
The method deemed most suitable for analysis involved:

- identifying potential factors that could influence the use prevalence of children in armed conflict,
- collecting data and other metrics related to persons affected by conflict,
- performing a series of regression analyses for each conflict to identify the strength of association between a range of factors, and
- interpreting results.

While the methodology for performing and assessing regressions is established, a number of challenges arose in the design of this analysis:

**Challenge:**

What is the best way to quantify the ‘prevalence of child soldiers’ in a conflict?

**Response:**

The most appropriate measure seemed to be the proportion of a fighting force made up of individuals under-18. This measure was chosen instead of the proportion of the population under-18 that participates in conflict because the latter would not allow sufficient dis-aggregation of information by armed group.

**Challenge:**

What numbers can and should be used? Accurate numbers are difficult to obtain and those that do exist are not necessarily reliable, particularly given our determination to examine both government militaries and non-state actors. It is difficult to obtain reliable estimates of the overall force size of former, and even more challenging to obtain them for the latter. Even if these numbers are obtained, estimates regarding proportions of child soldiers remain scarce and/or unreliable as most groups deny using child soldiers altogether, or have incentives to either inflate or deflate numbers estimated.

**Response:**

Efforts were made to collect data from the most reliable, consistent sources possible. Much stems from that contained in the ‘2004 Coalition to Stop the Use of Child Soldiers Report’, as this report had broad input and was edited by an organization specifically sensitive to concerns related to children. When figures were not available in this report, they were drawn from other recognized sources such as UNICEF, ………we must fill in the rest….. All sources are documented.

**Challenge:**

What period of the conflict should be examined? Should the prevalence of child soldiers be measured at the peak of the conflict? At the end? The reality that conflicts in Sub-
Saharan African tend to ‘ebb and flow’, with troops at times being amassed then formally or informally demobilized several times within a conflict, presents the unique challenge of choosing at point at which to measure rates of participation of child soldiers.

Response:

Because estimates of the numbers of children associated with fighting forces were often most only available around periods of demobilization, figures released at that period were chosen. Data corresponding with that corresponding year was matched for the analysis.

Challenge:

What can be done when adequate measures of factors are not available? Some of the measures to be considered simply don’t lend themselves to measurement, (such as assessments of the extent to which non-recruited children are exposed to combatants within communities), while others are simply not consistently documented (such as the average age of first marriage for both boys and girls).

Response:

Where there was a close proxy available, this measure was included in the statistical analysis. Where such a comparable measure was not available, the factor was identified, but not obviously included.

Factors Identified

The following groupings of factors potentially influencing the availability and/or ‘attractiveness’ of children to be used as a doctrine of war were identified for analysis.

<table>
<thead>
<tr>
<th><strong>ECONOMIC DEPRAVITY</strong></th>
<th><strong>GENERAL INDICATORS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>GDP per capita (PPP US$)</td>
<td></td>
</tr>
<tr>
<td>GDP per capita annual growth rate (%)</td>
<td></td>
</tr>
<tr>
<td>Human poverty index (HPI-1) Rank</td>
<td></td>
</tr>
<tr>
<td>Human Poverty Index (HPI-1) Value (%)</td>
<td></td>
</tr>
<tr>
<td>Probability at birth of not surviving to age 40 (% of cohort)</td>
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<tr>
<td>Adult illiteracy rate (% ages 15 and above)</td>
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<tr>
<td>Population without sustainable access to an improved water source (%)</td>
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<tr>
<td>Children underweight for age (% under age 5)</td>
<td></td>
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<tr>
<td>Population living below $1 a day (%)</td>
<td></td>
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<tr>
<td>Population living below $2 a day (%)</td>
<td></td>
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<tr>
<td>Population living below the national poverty line (%)</td>
<td></td>
</tr>
<tr>
<td>HPI-1 rank minus income poverty rank</td>
<td></td>
</tr>
<tr>
<td>Average annual change in consumer price index (%)</td>
<td></td>
</tr>
</tbody>
</table>
### Inequality
- Share of income or consumption (%) - Poorest 10%
- Share of income or consumption (%) - Poorest 20%
- Share of income or consumption (%) - Richest 20%
- Share of income or consumption (%) - Richest 10%
- Inequality measures - Ratio of richest 10% to poorest 10%
- Inequality measures - Ratio of richest 20% to poorest 20%
- Inequality measures - Gini index

### Access to Health Services
- Public health expenditure (% of GDP)
- Private health expenditure (% of GDP)
- Health expenditure per capita (PPP US$)
- One-year-olds fully immunized against tuberculosis (%)
- One-year-olds fully immunized against measles (%)
- Oral re-hydration therapy use rate (%)
- Contraceptive prevalence rate (%)
- Births attended by skilled health personnel (%)
- Physicians (per 100,000 people)
- Population with sustainable access to affordable essential drugs (%)

### Water, Sanitation and Nutritional Status
- Population with sustainable access to improved sanitation (%)
- Population with sustainable access to an improved water source (%)
- Undernourished people (% of total population)
- Children underweight for age (% under age 5)
- Children under height for age (% under age 5)
- Infants with low birth weight (%)

### Global Health Crises and Risks
- HIV prevalence (% ages 15-49)
- Condom use at last high-risk sex (% ages 15-24), women
- Condom use at last high-risk sex (% ages 15-24), men
- Malaria cases (per 100,000 people)
- Children under age 5 with insecticide-treated bed nets (%)
- Children under age 5 with fever treated with anti-malarial drugs (%)
- Tuberculosis cases (per 100,000 people)

### Prospects for Survival
- Life expectancy at birth (years)
- Infant mortality rate (per 1,000 live births)
- Under-five mortality rate (per 1,000 live births)
- Probability at birth of surviving to age 65, female (% of cohort)
- Probability at birth of surviving to age 65, male (% of cohort)
- Maternal mortality ratio reported (per 100,000 live births)
- Maternal mortality ratio adjusted (per 100,000 live births)

### Lack of Educational Opportunities

### Public Commitment to Education
- Public expenditure on education (as % of GDP)
| Public expenditure on education (as % of total government expenditure) |
| Public expenditure on education, pre-primary and primary (as % of all levels) |
| Public expenditure on education, secondary (% of all levels) |
| Public expenditure on education, tertiary (% of all levels) |

**LITERACY AND ENROLMENT**

- Adult literacy rate (% ages 15 and above)
- Youth literacy rate (% ages 15-24)
- Net primary enrolment ratio (%)
- Net secondary enrolment ratio (%)
- Children reaching grade 5 (%)
- Tertiary students in science, math and engineering (% of all tertiary students)

**TECHNOLOGY DIFFUSION**

- Telephone mainlines (per 1,000 people)
- Cellular subscribers (per 1,000 people)
- Internet users (per 1,000 people)

**IMPACT ON FAMILY OF FUNDING EDUCATION**

- Education Costs Relative to Family Income

**LACK OF ALTERNATIVES/OPPORTUNITIES**

**UNEMPLOYMENT**

- Unemployed people (thousands)
- Unemployment rate Total (% of labour force)
- Unemployment rate Average annual (% of labour force)
- Unemployment rate Female (% of male rate)
- Youth unemployment rate Total (% of labour force ages 15-24)
- Youth unemployment rate Female (% of male rate)
- Long-term unemployment (% of total unemployment): Women
- Long-term unemployment (% of total unemployment): Men

**LACK OF PERSONAL SECURITY**

**REFUGEES AND ARMAMENTS**

- Internally displaced people (thousands)
- Refugees by country of asylum (thousands)
- Refugees by country of origin (thousands)
- Conventional arms transfers (1990 prices) - Imports (US$ millions)
- Conventional arms transfers (1990 prices) - Exports (US$ millions)
- Conventional arms transfers (1990 prices) - Exports (share %)
- Total armed forces Thousands
- Total armed forces Index (1985=100)

**GENDER INEQUALITIES**

**GENDER-RELATED DEVELOPMENT INDEX**

- Gender-related development index (GDI) rank
- Gender-related development index (GDI) value
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Life expectancy at birth</strong></td>
<td>Life expectancy at birth, female (years)</td>
</tr>
<tr>
<td></td>
<td>Life expectancy at birth, male (years)</td>
</tr>
<tr>
<td><strong>Adult literacy rate</strong></td>
<td>Adult literacy rate, female (% ages 15 and above)</td>
</tr>
<tr>
<td></td>
<td>Adult literacy rate, male (% ages 15 and above)</td>
</tr>
<tr>
<td><strong>Combined gross enrolment ratio</strong></td>
<td>Combined gross enrolment ratio for primary, secondary and tertiary level</td>
</tr>
<tr>
<td></td>
<td>schools, female (%)</td>
</tr>
<tr>
<td></td>
<td>Combined gross enrolment ratio for primary, secondary and tertiary level</td>
</tr>
<tr>
<td></td>
<td>schools, male (%)</td>
</tr>
<tr>
<td><strong>Estimated earned income</strong></td>
<td>Estimated earned income, female (PPP US$)</td>
</tr>
<tr>
<td></td>
<td>Estimated earned income, male (PPP US$)</td>
</tr>
<tr>
<td><strong>HDI rank minus GDI rank</strong></td>
<td>HDI rank minus GDI rank</td>
</tr>
</tbody>
</table>

**Gender Empowerment Measure**

- Gender empowerment measure (GEM) rank
- Gender empowerment measure (GEM) value
- Seats in parliament held by women (% of total)
- Female legislators, senior officials and managers (% of total)
- Female professional and technical workers (% of total)
- Ratio of estimated female to male earned income

**Gender Inequality in Education**

- Adult literacy rate (female rate % ages 15 and above)
- Adult literacy rate (female rate as % of male rate)
- Youth literacy rate (female rate % ages 15-24)
- Youth literacy rate (female rate as % of male rate)
- Female primary net enrolment ratio (%)
- Primary net enrolment ratio (female as % of male)
- Female secondary net enrolment ratio (%)
- Secondary net enrolment ratio (female rate as % of male rate)
- Female tertiary gross enrolment ratio (%)
- Tertiary gross enrolment ratio (female rate as % of male rate)

**Gender Inequality in Economic Activity**

- Female economic activity rate (% ages 15 and above)
- Female economic activity rate (index, 1990=100, ages 15 and above)
- Female economic activity rate (% of male rate, ages 15 and above)
- Female employment in agriculture (as % of female labour force)
- Female employment in agriculture (as % of male)
- Female employment in industry (as % of female labour force)
- Female employment in industry (as % of male)
- Female employment in services (as % of female labour force)
- Female employment in services (as % of male)
- Women contributing family workers (% of total)
- Men contributing family workers (% of total)

**Cultural Considerations & Concepts of Youth**

- Average age of marriage
- Existence of spiritual/tribal beliefs related to magic & females’ abilities to
render one invincible
Presence/extent/nature of rituals marking adulthood
Average age children leave school

**FAMILY LIFE**

- Levels of physical violence in the home
- Levels of sexual abuse in the home
- Parental participation in armed conflict
- Presence of adult caregivers in the home

**SOCIAL PRESSURES**

- Level of children’s exposure to combatants
- Driver of conflict (self-determination, religion, etc.)
- Extent of options available to children known to have rejected participation in conflict
- Legal age of conscription
- Proportion of youth associated with armed conflict
- Awareness of illegality of use of child combatants
- Perception of military service as a profession
- Nature of ‘moral leaders’
- Participation of youth in previous conflicts / phases of conflict

**STILL TO BE CATEGORIZED…**

- Employment in agriculture (% of total employment)
- Employment in industry (% of total employment)
- Employment in services (% of total employment)
- Natural Resources as a % of GDP
- Education Costs Relative to Family Income
- Level of Protection in camps
- Impact of level of protection of camps
- Arms imports and exports
- Military expenditure as a percentage of GDP
- Inter-personal violence in community
- Perception of increased security though joining counterforces
- Rate of GBV
- Total displaced during conflict
- IDPs
- IDPs, as % of pop
- Refugees (hosted)
- Refugees (Produced)
- Refugees as % of pop
- Prevalence of street children
- Social pressure on families
- Value placed on conflict by community
- Religion is a conflict-driver
- Glorification of service by community
- Rates of prostitution
- # of ethnic groups above 5% of pop
- Presence of outlets for participation in political processes??
   [http://web.amnesty.org/library/Index/ENGAFR340062004](http://web.amnesty.org/library/Index/ENGAFR340062004)


**Unpublished Works**


94. UNICEF Discussion Note on the LRA, Juba 1998

95. UNICEF Consultancy Report “Child Soldier DDRR in Burundi” Bujumbura, 2002


**Field Interviews**

1. Interview with Samuel T. Kamanda, International Rescue Committee, Child Protection, Monrovia, January 6, 2005

2. Focus groups with 36 men, 3 women, 7 boys and 5 girls formerly associated with LURD, Voinjama, Blongoidu and Sorkonadu, January 12 and 14.


5. Interview with former General Nelson Paye, MODEL, Monrovia, January 8
