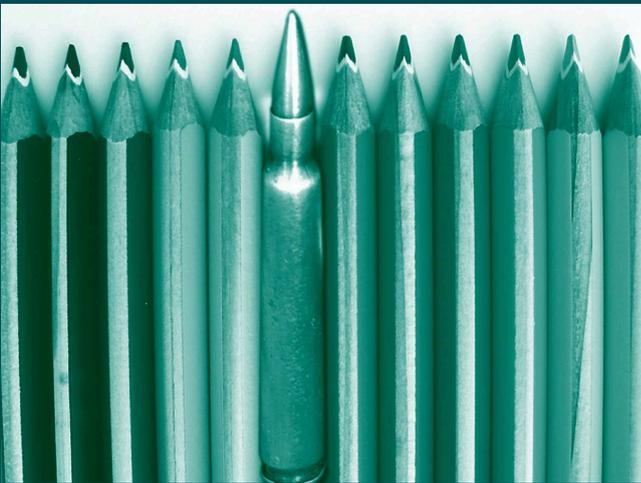




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The use of children in conflicts is abhorrent.

And although it is easy to demand that children have no place in the world's violent conflicts, the reality is very much different. The litany of tasks undertaken by children in conflict zones is well known—as are the physical, mental and sexual scars that result. While much children's participation in conflicts is forced at the barrel of a gun, other involvement is forced by cruel circumstances and lack of alternatives. Furthermore, it is difficult to extract children from these conditions. Disarmament and demobilization is made all the more problematic when the armed group feeds and clothes you, and when the commanders you fight under and the soldiers you support are the closest semblance of community that remains.

Under-Secretary-General Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, introduces this issue of *Disarmament Forum* with a message from her office. The issue continues with an overview of the legal frameworks currently in place to protect children in conflict and how the many different international agencies working to protect children could be better coordinated. Authors examine ways in which the particular needs of schoolchildren, girls and young mothers should be addressed and explain which programmes have succeeded and why. The issue concludes by challenging traditional concepts of childhood and warns of the danger of disarmament, demobilization and reintegration programmes that fail to take into account the circumstances which lead children to participate in armed groups and forces.

Our next issue will focus on the environmental impact of conflicts. The destruction of ecosystems and wildlife disrupts food chains and ultimately aggravates poverty and hunger—and can exacerbate conflicts over critical resources such as food and water. This issue of *Disarmament Forum* will examine which mechanisms are in place to minimize environmental damage in times of war and how can the harm be accurately assessed. It will consider which kinds of post-conflict environmental projects are the most effective and how a collapse in environmental infrastructure and policy can be best avoided.

UNIDIR held four events during this year's session of the General Assembly First Committee. The concluding seminar of UNIDIR's three-year project on multilateral approaches to the nuclear fuel cycle highlighted the economic and non-proliferation benefits of multilateral approaches. As part of UNIDIR's ongoing series of regional seminars promoting discussions on the Arms Trade Treaty (ATT), a second event reported progress in understanding regional security perspectives, which remain a critical component as the international community moves towards the ATT negotiations in 2012. Events on building trust and confidence-building measures in outer space activities as well as on legal perspectives on cyber conflict demonstrated UNIDIR's expertise in these emerging issues.

The Seventh Review Conference of the Biological Weapons Convention takes place from 5 to 22 December 2011 in Geneva. The first issue of *Disarmament Forum* this year, "Beyond the BTWC RevCon", examined what states parties could achieve and how the convention could be strengthened. In preparation for this year's Review Conference, UNIDIR has produced, in cooperation with the Office for Disarmament Affairs, *Improving Implementation of the Biological Weapons Convention*. The book highlights ideas for moving the convention forward, covering key themes which emerged through the intersessional process. Full details of the publication can be found in the *UNIDIR focus* of this issue and on our website.

We have come a long way since Graça Machel first brought to the General Assembly her report highlighting the horrors being visited upon children in the context of war.¹ In response to that ground-breaking report, governments, the United Nations system, non-governmental organizations (NGOs) and other representatives of civil society have moved into action. Collectively, we have helped strengthen international standards and norms. We have advocated for the plight of war-affected children to be placed higher on the agendas of the General Assembly and the Security Council, and we have raised global awareness of the most effective strategies and programmes to assist and protect children caught up in war.

Nevertheless, despite the considerable achievements since the 1996 report by Graça Machel, challenges remain, and the situation of children caught in armed conflict remains dire. More than 1 billion children under the age of 18 are living in areas of conflict or emerging from war, and over 18 million children are refugees or have been internally displaced.² Children living in war-affected areas are less likely to have access to school, less likely to receive adequate health care, and less likely to have adequate access to clean water and sanitation. Children continue to be recruited by armed parties, killed as combatants or caught in the cross-fire. Boys and girls continue to be sexually violated, denied the right to go to school or to receive basic humanitarian assistance.

The changing nature of warfare and the further blurring of the lines between civilian and military targets has brought with it new areas of concern for the protection of children in conflict situations. Children are now also recruited as suicide bombers, their schools are increasingly objects of attack, and they are detained for alleged association with armed groups—frequently with disregard to juvenile justice standards.

While challenges remain, there has been progress. There is a solid legal framework of norms and standards, which include the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. In addition, the Rome Statute of the International Criminal Court recognizes “conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities” as a war crime.

The international community is now moving ahead with efforts to monitor compliance and end impunity, especially of the perpetrators of those crimes determined to be grave violations against children. In 2008, for example, the International Criminal Court (ICC) indicted Thomas Lubanga Dyilo of the Democratic Republic of the Congo on the charges of enlisting and conscripting children under the age of 15.

Under-Secretary-General Radhika Coomaraswamy is the Special Representative of the Secretary-General for Children and Armed Conflict.

In 1999 the Security Council determined that the protection of children in armed conflict is a peace and security issue, and in 2005 called upon the Secretary-General to establish a monitoring and reporting mechanism to gather information on grave violations against children during armed conflict. The Security Council simultaneously established a Working Group on Children and Armed Conflict, which reviews reports from this monitoring and reporting mechanism, and it called upon parties listed in the Secretary-General's reports to enter into action plans with the United Nations for ending violations against children. In 2009 the Security Council requested the Secretary-General to list in his reports on children and armed conflict not only those armed forces and armed groups that recruit or use children but also those killing, maiming or committing patterns of sexual violence against children. In 2011 the Security Council further requested the listing of those armed forces and armed groups that participate in recurrent attacks on schools and hospitals or recurrent attacks or threats of attacks against protected persons in relation to schools and hospitals in situations of armed conflict.

The Security Council has moved more decisively towards targeted measures against those parties listed in the annexes of the Secretary-General's annual report on children and armed conflict. Security Council resolution 1998, for example, expresses the intention to consider including provisions in the mandate of relevant Sanctions regimes "pertaining to parties to armed conflict that engage in activities in violation of applicable international law relating to the rights and protection of children in armed conflict". I have also been invited to brief pertinent Sanctions Committees.

These efforts at the international level are beginning to have a deterrent effect. The threat of Security Council sanctions has, for example, moved various groups to enter into action plans with the UN system to release children. The indictment by the ICC of Thomas Lubanga Dyilo has also sent a clear message that commanders will be held criminally accountable for the recruitment and use of children. To be truly effective, however, the fight against impunity requires action at the national level. National legislation, national prosecutions and national systems to prevent recruitment and other grave violations against children in situations of armed conflict must be established, and efforts to support national capacity to do this must also be supported.

Another area of progress has been the longer term reintegration of former child soldiers. The standards for reintegration of children formerly associated with armed groups and forces have been strengthened and best practices identified. The Paris Principles, for example, highlight these and lay out good practices based on lessons learned. At the same time, however, national governments, UN system partners and NGOs are still grappling with the challenge that community based reintegration strategies are long term in nature and require sustained support from the donor community—which is not always guaranteed or forthcoming.

One of the challenges of reintegration programmes relates to the frequently overlooked needs of girls recruited or abducted by armed groups. Like boys, girls take an active part in fighting. They also take on other military duties, such as portering, cleaning and gathering information and may also be required to serve as sex slave, wife and food provider. The specific reintegration needs of girls formerly associated with armed groups thus poses additional challenges arising from their experience. Stigma, community rejection and challenges of life as a mother of children born of rape pose further barriers to the successful reintegration of girl child soldiers. Livelihood opportunities for these young women are critical, as are efforts to achieve community acceptance. Protection mechanisms for their children, including access to education and health care, are perceived needs of many of these mothers.

Peacebuilding strategies are further entry points where strategic interventions that address or redress the impact of armed conflict on children need further review. The needs of children who have been gravely impacted must and should be addressed for the longer-term security of post-conflict societies. In this regard, my Office continues to advocate that where children have been engaged in conflict, education, training and youth employment are areas that need to be further prioritized in reconstruction and peacebuilding strategies.

The topics addressed in this issue of *Disarmament Forum* all have bearing on the children and armed conflict agenda. As noted by the Security Council, the protection of children in armed conflict is a peace and security issue. At the same time, deterrence, protection and prevention all require a multifaceted approach and the continued engagement of us all.

The impact of armed conflict on children must be everyone's concern and is everyone's responsibility.³

Notes

1. General Assembly, *Impact of armed conflict on children: Report of the expert of the Secretary-General, Ms. Graça Machel, submitted pursuant to General Assembly resolution 48/157*, UN document A/51/306, 26 August 1996.
2. United Nations Children's Fund, *Machel Study 10-Year Strategic Review: Children and Conflict in a Changing World*, 2009.
3. General Assembly, op. cit., p. 73.

The international legal framework for the protection of children in armed conflict

Jaap Doek

The protection of children in armed conflict has always been high on the international political agenda. The Security Council has a special working group which pays specific attention each year to the most serious violations of children's rights in armed conflict: the recruitment and use of children by armed forces or armed groups, the killing and maiming of children, rape and sexual violence, abduction, attacks on schools and hospitals, and the denial of humanitarian access by parties to armed conflict.¹

To present and discuss all the relevant documents is beyond the scope of this introduction to the international legal framework for the protection of children in armed conflict. Instead, I limit this to the international instruments which in my opinion are the most important:

- Geneva Convention relative to the Protection of Civilian Persons in Time of War (Geneva Convention IV), adopted in 1949
- Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I), adopted in 1977
- Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (Protocol II), adopted in 1977
- Convention on the Rights of the Child (CRC), adopted in 1989
- African Charter on the Rights and Welfare of the Child (ACRWC), adopted in 1990
- Rome Statute of the International Criminal Court (Rome Statute), adopted in 1998
- Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention 182), adopted in 1999
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC), adopted in 2000
- Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles), adopted in 2007

In international public law regarding war and armed conflict, a traditional distinction is made between international humanitarian law and international human rights law. There are substantive reasons for this distinction: international humanitarian law is only applicable during war or armed conflict, while international human rights law is applicable prior to, during and after a war or armed conflict.

Jaap Doek has been Professor Emeritus of Law (Family and Juvenile Law) at VU University Amsterdam since July 2004, where he was also Dean of the Law Faculty. He was a member of the Committee on the Rights of the Child (CRC) from 1999 through 2007 and was chairperson from 2001 through 2007. He has worked as a juvenile court judge at the District Court of Alkmaar and at The Hague, and is currently a deputy justice at the Court of Appeal of Amsterdam. The opinions expressed in this article are the author's own and do not necessarily represent the views of VU University Amsterdam, the CRC, any legal courts or the United Nations.

The distinction is also useful for practical reasons but should not lead to the idea that international humanitarian law does not include human rights. On the contrary, much of international humanitarian law contains fundamental human rights, and the specific international humanitarian law treaties underscore the fact that these human rights are applicable during war or armed conflict. We may consider a distinction between two groups of human rights: one applicable in general, that is, during war and peace, and one with provisions specifically applicable during war or armed conflict.

However, in presenting the international legal framework for the protection of children in armed conflict, I will follow the traditional distinction. I begin with international humanitarian law followed by international human rights law, where I discuss the role and importance of the CRC and the OPAC, together with some references to the ACRWC and ILO Convention 182.

Everyone—including every child—whose rights have been violated has the right to an effective remedy, including compensation, from those responsible for the violation. In a separate section I discuss the existing and future provisions relevant for the right to an effective remedy.

In dealing with these issues I do not only refer to the instruments mentioned above but also, when appropriate, to other relevant instruments, such as other conventions (for example, on landmines² and on small arms and light weapons³), Security Council resolutions and the Paris Principles.

Despite many international human rights and humanitarian provisions for the protection of children in armed conflict, the sobering and often shocking reality is that these children are still too often the victim of grave violations of their rights. A report of the Secretary-General in 2011 contains a very disturbing overview of ongoing and new violations of the rights of children. In 15 of the 22 areas of armed conflict covered in the report, schools were the target of armed forces and armed groups, including forced recruitment and forced closure. Afghan warlords use so-called “baccha baazi” (dancing boys), who are forced to dance at parties and are sexually abused. Al-Qaida in Iraq use “birds of paradise”—children who carry out suicide attacks.⁴ Other reports show that children often face disproportionately high levels of victimization by armed forces and armed groups.⁵ The shocking reality is that atrocities committed against children during armed conflict go far beyond our imagination.

International humanitarian law

Geneva Convention IV

After the Second World War, Geneva Convention IV was the first international instrument which explicitly provided for the protection of children during armed conflict. Under Article 24 states parties to a conflict should “take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of war, are not left to their

own resources” and should “facilitate the reception of such children in a neutral country for the duration of the conflict”. Furthermore, children younger than 12 should “be identified by the wearing of identity discs”. A similar provision can be found in Article 50 regarding children in occupied territories, with the explicit prohibition of changing the child’s personal status or enlisting them in organizations of the occupying power. During internment, families—in particular parents and children—shall stay in the same place (Article 82), and “expectant and nursing mothers and children under fifteen years of age, shall be given additional food” (Article 89). However, there are not any child-specific provisions in the articles on the implementation of penal laws in occupied territories or in Chapter IX, on penal and disciplinary sanctions (Articles 117–126).

It should be noted that the provisions for the protection of children in Geneva Convention IV are only applicable in international armed conflict. Article 2 states that “the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties”. Although Article 3 contains some basic provisions for armed conflict not of an international character, it does not have any child-specific protection provisions.

Protocols I and II

Protocols I and II further specify the protection of children, and Protocol II extends it to non-international armed conflicts. The most important provision is found in Article 77 of Protocol I, which prohibits the recruitment of children under the age of 15 into the armed forces and the obligation to take all “feasible measures” to prevent such children taking a direct part in hostilities. With regards to children older than 15: “In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years the parties to the conflict shall endeavour to give priority to those who are oldest”. This text is repeated in Article 38 of the CRC.

The Paris Principles

The Paris Principles is an important document for the protection of children in armed conflict.⁶ Chapter 1, the introduction, can be considered as an elaboration on international humanitarian law. Chapter 6 is on the prevention of unlawful recruitment or use of children, and Chapter 7 is on the release and reintegration of child soldiers and children who have been otherwise involved in armed conflict.

The document was adopted at a conference in Paris in 2007,⁷ and as of September 2010 it had been endorsed by 95 states. I still wonder why the energy and time invested in this document has not been used to have the Paris Principles adopted by the UN General Assembly. The result would have greater status and be morally more binding than a document adopted at a conference and endorsed by just under half of UN member states.

International humanitarian law and the CRC

According to Article 38(1) of the CRC, “States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child”. However, provisions of humanitarian treaties are binding only between states involved in the armed conflict which are states parties to these treaties.⁸ This raises the question what exactly is the meaning of Article 38(1) of the CRC. The wording of the provision seems to suggest that it goes further than respect and implementation only if both parties to the conflict are bound by, for example, Geneva Convention IV or the OPAC. This seems to be confirmed by the text of Article 38(4): “In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict”. I assume that the obligation to ensure this protection applies to all states bound by international humanitarian law—regardless whether other states involved in the armed conflict are bound by the same treaties of international humanitarian law.

International human rights law

Human rights as enshrined in various international covenants and conventions are applicable to all. Some of them contain rather general provisions on the right of the child to protection—for example, Article 24 of the International Covenant on Civil and Political Rights and Article 10 of the International Covenant on Economic, Social and Cultural Rights. But the meaning of these articles in different circumstances was given very little attention—if any—in the discussions about the implementation of these human rights provisions.

This practice of overlooking children as holders of human rights changed fundamentally with the adoption by the UN General Assembly of the CRC in 1989.⁹ As of July 2011, 193 states had ratified the convention, and its content can thus be considered as international customary law.

The Convention on the Rights of the Child

The CRC can be considered as the core foundation of the international framework for the protection of all children affected by armed conflicts. A direct link with this protection can be found in Article 38 of the CRC, on the recruitment and use of children in armed conflicts. The standards in this provision have been upgraded in the OPAC. Article 2 states that “States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind”. A similar provision can be found in Article 3 of the ACRWC.

In countries and regions affected by war much attention is understandably given to children who are or were actively involved as child soldiers or participated in disarmament, demobilization and reintegration programmes. But the CRC is much more than a human rights

convention for the protection of children. The recognition of the child as a human rights holder is reflected in, for example, the provision that children are entitled to exercise their rights in accordance with their “evolving capacities” (Article 5). Furthermore, according to Article 12:

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

The Committee on the Rights of the Child has issued detailed guidance for the implementation of these rights. All children, including those affected by armed conflict, should be provided with “meaningful” opportunities—which need to be understood as a process and not a one-off event—to exercise their right to freedom of expression, which “relates to the right to hold and express opinions, and to seek and receive information through any media”,¹⁰ and their right to freedom of association and peaceful assembly—for example, forming student organizations. Children should be considered not only as objects of protection but also as individuals who can be agents of change by exercising their human rights. Examples of this can be found in their participation in truth and reconciliation commissions in Liberia, Sierra Leone and South Africa.¹¹

Other rights are also important for the protection of children affected by armed conflicts—such as the right to have a birth registered and have a name, and the right to acquire a nationality and to know and be cared for by the parents (Article 7). Birth registration may be perceived as a minor administrative matter but is critical for the protection of children. Children without birth certificates are particularly vulnerable to under-age recruitment by armed forces or armed groups, which apparently understand the importance of birth registration given the fact that they sometimes attack or paralyse the civil registration system and destroy birth records.¹²

The first human rights imperative for the protection of children in armed conflict is the full and effective prohibition of their recruitment or use in armed forces or armed groups. An important part of the provisions for the protection of children affected by armed conflict is their recovery and reintegration. It should be noted, however, that international humanitarian law does not contain specific provisions for the recovery and reintegration of children. This reflects its applicability during the armed conflict, although even during such conflicts attention should and could also be given to recovery and reintegration.

The CRC does not contain specific provisions regarding the recovery and reintegration of children affected by armed conflicts, with Article 38 only requiring states parties to “respect and to ensure respect for the rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child”, and “take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities”.

Nevertheless, recovery and reintegration is a human rights imperative as one of the consequences of the obligation of states parties to “ensure to the maximum extent possible the survival and development of the child” (Article 6). It is quite clear what states parties are required to do: ensure that all children in all circumstances—including armed conflict—are effectively protected against all forms of physical, sexual or other forms of violence, abuse or exploitation (Articles 19, 32–38)¹³ and implement the rights which are critical for the survival and development of children—such as the right to the highest attainable standard of health (Article 24), the right to benefit from social security (Article 26), the right to an adequate standard of living (Article 27), the right to education (Article 28), and the right to rest and leisure and to engage in play and in recreational and cultural activities (Article 31). The obligations may be clear, but meeting them is far from easy. This is even more so in states suffering or recovering from armed conflict.

The Committee on the Rights of the Child has systematically recommended states parties to develop and implement a comprehensive national policy or plan for the implementation of the CRC.¹⁴ The implementation of this recommendation may be a mission impossible in states involved in armed conflict. But as part of the process of recovering from armed conflict, it is very important to design and implement a national plan with the best possible involvement of the children themselves and with a children rights based approach to address the many problems of children affected by armed conflict. Elements of this national recovery and reintegration plan should include:

- restoration of access to quality education
- restoration of health-care services and access to them
- measures to support family reunification
- programmes for recovery and reintegration of not only children associated with armed forces or armed groups but for all children affected by armed conflict, with special attention to girls, children with disabilities and displaced children
- an effective process of (transitional) justice to ensure that the perpetrators of crimes against humanity and war crimes are held accountable and are brought to justice

The Optional Protocol to the CRC

Although the CRC provides a solid foundation for the recovery and reintegration of children affected by armed conflicts, I would like to draw attention to some provisions in the OPAC on the involvement of children in armed conflict.

Article 6 requires states parties to provide, when necessary, children who have been recruited or used in hostilities in violation of the OPAC with “all appropriate assistance for their physical and psychological recovery and their social reintegration”. I note that this obligation does not extend to all children affected by armed conflict, but, as argued in the previous section, this is covered by the obligations contained in the CRC.

Article 7 of the OPAC contains important provisions for international cooperation and solidarity. First, it expects states parties to cooperate in the recovery and reintegration of children referred to in Article 6:

... including through technical cooperation and financial assistance. Such assistance and cooperation will be undertaken in consultation with the States Parties concerned and the relevant international organizations.

States Parties in a position to do so shall provide such assistance through existing multilateral, bilateral or other programmes or, inter alia, through a voluntary fund established in accordance with the rules of the General Assembly.

Whatever these rules are, I am not aware of any attempt to establish such a voluntary fund. But such fund could provide additional resources—for example, supporting communities to create conditions for recovery and social reintegration of all children affected by armed conflict and for individual support particularly for children mentally or physically disabled as a result of armed conflict.

As evidence of the importance of the OPAC, the United Nations initiated a global campaign in 2010 for the universal ratification of the OPAC by 2012, supported by, among others, the Special Representative of the Secretary-General for Children and Armed Conflict, and the United Nations Children's Fund.¹⁵

The recruitment and use of children

Preventing the recruitment and use of children in armed conflict is the most important challenge in international efforts to protect children. There is a large body of reports, books and articles with information on the practices of recruiting children, on the trauma suffered by children involved in armed conflict—as child soldiers or in other ways—and on efforts to demobilize and reintegrate these children.

The international legal framework contains different standards on the recruitment and use of children in armed conflicts:

1. The prohibition of recruiting children under the age of 15 and their direct participation in hostilities, applicable in all states parties to Protocols I and II and the CRC.
2. The prohibition and elimination of forced or compulsory recruitment of children (all persons under the age of 18) for use in armed conflict, applicable in all states parties to ILO Convention 182.
3. The prohibition of direct participation of children in hostilities and of their compulsory recruitment either in armed forces or armed groups, applicable in all states parties to the OPAC.

4. The prohibition of voluntary recruitment of children by armed groups and of children under the age of 16 for armed forces, applicable in all states parties to the OPAC.
5. The prohibition of direct participation in hostilities of children and their recruitment, applicable in states parties to the ACRWC.

Standard 1

Standard 1 was introduced in 1977 with Article 77 of Protocol I and Article 4 of Protocol II and incorporated in Article 38 of the CRC in 1989. Efforts undertaken during the drafting of the CRC to strengthen Standard 1 failed.¹⁶ However, as soon as the CRC entered into force and the Committee on the Rights of the Child became operational, it devoted its first day of general discussion to children in armed conflict. The impact of this discussion was far reaching. Following the recommendation of the Committee on the Rights of the Child, the United Nations undertook a global study which resulted in the Graça Machel report, in 1996,¹⁷ and the appointment of the Special Representative of the Secretary-General for Children and Armed Conflict. Furthermore, in 1994 the United Nations Commission on Human Rights¹⁸ established an open-ended working group to draft an optional protocol to the CRC on the involvement of children in armed conflict (resolution 1994/91).¹⁹ The Committee on the Rights of the Child submitted a draft text for this protocol to this group.²⁰ The final text of the OPAC was adopted by the General Assembly on 25 May 2000 and entered into force on 12 February 2002.

Standard 2

Standard 2 can be considered as the first international step to strengthen Standard 1. Almost all states parties to ILO Convention 182 are also states parties to the CRC. They have committed themselves to the prohibition and elimination of the forced and compulsory recruitment of all persons under the age of 18, without a distinction between armed forces and armed groups.

Standards 3 and 4

Standards 3 and 4 are key elements of the international legal framework applicable in 132 states parties to the OPAC. The Committee on the Rights of the Child monitors the implementation of the OPAC on the basis of states parties' reports and information from other sources. It has issued guidelines indicating the information states parties should submit to the Committee on the Rights of the Child.²¹

The interpretation of the phrase "direct part in hostilities", which is to be found in Article 1 of the OPAC, should not be limited to active participation in combat but should also encompass other military activities and functions, such as spying, sabotage, acting as decoys, couriers and porters, and assisting military checkpoints.

For recruitment there are two different standards: one for armed groups and one for armed forces. All forms of child recruitment by armed groups are prohibited (Article 4 OPAC). Compulsory recruitment into the armed forces is prohibited as well, but voluntary recruitment is allowed under certain conditions—the minimum age for this recruitment has to be set at 16, with the expectation that states parties will further increase this minimum age (Article 3 OPAC).

In reviewing the implementation of the OPAC, the Committee on the Rights of the Child noted with concern that recruitment or use of children contrary to the provisions of the OPAC was often limited to a provision in military laws, without explicit criminalization of these violations.²² Therefore, and using the provisions in the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC),²³ the Committee recommended states parties to:

- include in the law that violations of the rules of recruitment and use of children in armed conflicts are crimes, together with appropriate severe penalties
- establish extraterritorial jurisdiction for these crimes—at least in cases when they are committed by or against citizens of that state
- arrange for effective rules of extradition similar to the ones set in Article 5 of the OPSC

Standard 5

Standard 5 is only applicable to African states, but it is the most radical standard because it prohibits—without exception—the recruitment (voluntary or compulsory) or use of children in armed conflict. It should be noted that Article 2 of the ACRWC defines a child as “every human being below the age of 18 years” and without the exception which can be found in Article 1 of the CRC—“unless under the law applicable to the child, majority is attained earlier”. In short, it is the highest standard and is also known as the “straight-18 standard”. It is remarkable and encouraging that this standard is applicable on a continent that has suffered and continues to suffer from armed conflicts.

Implementation

The Committee on the Rights of the Child

It is fair to say that the international legal framework and its key international standards so far described provide adequate tools for the protection of children in armed conflict—at least on paper. But paper does not change the world for children affected by armed conflict. Full implementation of these international standards is what children need.

In that regard, it must be emphasized that implementation is first and foremost the responsibility of the states parties to international humanitarian and international human rights

conventions. In implementing children's rights, the role of the Committee on the Rights of the Child is to provide states parties with guidance and direction through recommendations in the country-specific Concluding Observations and through General Comments. State party implementation of these recommendations varies and often depends not only on political will and priorities but also on the actions of non-governmental organizations (NGOs) and other civil society organizations. Improvement of this follow-up to the Concluding Observations is an ongoing topic of discussion in the human rights system, with a leading role for the Office of the United Nations High Commissioner for Human Rights.

The Special Representative

The Special Representative of the Secretary-General for Children and Armed Conflict is another important actor for the promotion and implementation of international standards for the protection of children in armed conflict. The annual reports of the Special Representative show an impressive range of ongoing activities, which includes country visits, presentations at conferences, the campaign on universal ratification of the OPAC, an amicus brief to the International Criminal Court (ICC) in the Lubanga case, and many others—all of which with the goal to prevent the recruitment and use of children in armed conflict and to promote and support demobilization, recovery and reintegration of children associated with armed forces or armed groups.

The Security Council

Since 2000 the Security Council has played an active role in addressing various aspects of the protection of children affected by armed conflict. It has repeatedly condemned the deliberate targeting of children in armed conflict, emphasizing the responsibility of all states to put an end to impunity and prosecute those responsible for crimes against humanity and war crimes. It has urged states to respect fully the international law applicable to the rights and protection of children in armed conflicts, such as the Geneva Conventions of 1949, Protocols I and II, the CRC and the OPAC.²⁴ The Security Council has established a working group to monitor the implementation of international law focusing on the most serious violations of children's rights, the killing and maiming of children, rape and sexual violence, abduction and forced displacement, denial of humanitarian access to children, attacks on schools and hospitals, trafficking, forced labour and all forms of slavery in countries with current or recent armed conflict, listed in an annex to the report of the Special Representative.²⁵ The Security Council may, when necessary, impose sanctions on states which continually fail to take effective actions to address these serious violations of children's rights.

Remedies

Specific provisions regarding remedies in the case of violations of children's rights can be found in neither the CRC nor the OPAC. However, Article 44 of the ACRWC provides the African Committee of Experts on the Rights and Welfare of the Child with the power to "receive communication from any person, group or non-governmental organization recognized by the Organization of African Unity, by a Member State, or the United Nations relating to any matter covered by this Charter". This makes it possible to file complaints about the violation of Article 22 of the ACRWC, on the prohibition of recruitment or use of children in armed conflicts.

As early as 1948 the right of everyone "to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted" was recognized in Article 8 of the Universal Declaration of Human Rights.²⁶ This right has been elaborated in Article 2 of the International Covenant on Civil and Political Rights, which specifies "that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities" and "that the competent authorities shall enforce such remedies when granted". It can be said that within the world of human rights conventions, the right to an effective remedy is a matter of international customary law.

Similar to implementation, the provision of effective remedies is firstly a responsibility of states. They should have in place, or should develop, adequate and effective procedures for claiming remedies, and implement and enforce them. These procedures should be accessible for children or their legal representatives and conducted in a child sensitive manner. In a number of countries special truth and reconciliation commissions have been established as part of the transitional justice addressing atrocities committed against children.

Crimes

It should be noted that war crimes committed by children are excluded from the jurisdiction of the ICC (Article 26 Rome Statute). This makes the question how to deal with (former) child soldiers who have committed serious (war) crimes a matter for national authorities. They can and should be first considered as victims (see the Paris Principles). However, this does not mean that they should not be held accountable for the crimes they have committed. This must be addressed as part of the process of transitional justice, which can be done via proceedings under the national criminal codes but must be in full compliance with the CRC and the relevant international standards. Such proceedings do not necessarily result in sentencing the child soldier to, for example, long imprisonment. Article 40 of the CRC requests states parties:

to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

...

Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.²⁷

Truth and reconciliation commissions are also used to address the accountability of child soldiers for the crimes they have committed.

In addition to and complementing the national procedures, special procedures have been established at the international level for dealing with crimes against humanity and war crimes committed against children—such as the ICC, the International Criminal Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda and the Special Court for Sierra Leone.

The statutes for the country-specific courts do not mention recruitment or use of children as a crime. This can be found in the Rome Statute, in which “conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities” is defined as a war crime in Article 8.²⁸ This is an unfortunately low standard for the protection of children and their right to effective remedies. Leaders of armed groups can avoid prosecution at the ICC if they limit the recruitment and use of children to those 16 years or older. This makes it even more important that at the national level prosecution is made possible for all recruitment and use of those under the age of 18.

Child witnesses

Children who are victims of war crimes may be heard and may have to appear in court as witnesses. The Rome Statute contains special rules for the protection of victims and witnesses who participate to the proceedings. For instance, hearings can be conducted in camera if a child is a victim or witness. A special Victims and Witnesses Unit has been established by the ICC to advise the prosecutor and the court on appropriate protective measures and assistance.

Article 8 of the OPSC contains specific rules for the protection of child victims and witnesses in proceedings on sexual exploitation. The ICC should take these rules into account in its approach to child victims or witnesses of war crimes.²⁹ It is likely that charges against perpetrators of war crimes may involve many children as victims and witnesses—by the time charges are brought many of them have already turned 18. It is impossible to interview them all and bring them to the court at The Hague. This does raise the question of how children who testify at the ICC are selected by the prosecutor and what factors play a role in this selection.

The Third Optional Protocol

An important new development relative to the right to an effective remedy is the drafting of the new Third Optional Protocol to the CRC to provide a communications procedure or, in language more comprehensible for the average child, a protocol for submitting complaints of

violations to the Committee on the Rights of the Child. The final text of this draft was adopted by the Human Rights Council, in June 2011, hopefully followed by the UN General Assembly by the end of the 2011—ready to be ratified.³⁰

The Third Optional Protocol will allow war affected children to file complaints about their right to recovery and reintegration. Furthermore, complaints can be filed about the recruitment and use of children age 15 or older, contrary to the provisions of the OPAC—thus filling, although in a very limited way, the gap in the Rome Statute. The Third Optional Protocol is an important additional tool for remedies because it allows the Committee on the Rights of the Child to consider a complaint even if all available domestic remedies have not been exhausted and the application of remedies (at the national level) is unreasonably prolonged or unlikely to provide effective reparation.

Conclusion

The core elements of the international legal framework are strong tools for the protection of children affected by armed conflict. However, there are other tools which have not been discussed in this introduction, such as the Ottawa Convention and the European Union Guidelines on Children and Armed Conflict, which can contribute to protection.

Implementation of this framework needs continued investment in terms of national legislation and allocation of sufficient resources with the involvement of the many agencies such as NGOs, the Special Representative, the Security Council and other UN agencies. This investment should not be limited to children associated with armed forces or armed groups, but instead should include the protection, recovery and reintegration of all children affected by armed conflict, as required under the ACRWC and the CRC.

Special attention is given to remedies for children's rights violations—for example, through truth and reconciliation commissions at the national and international level, and the prosecution of perpetrators of crimes against children via special courts and tribunals, and the ICC. The Third Optional Protocol to the CRC providing communications procedure can become an extra tool for remedies.

The following four actions should be considered to further strengthen the international framework for the protection of children affected by armed conflict:

- universal ratification of the OPAC
- upgrading of the Paris Principles
- amendment of the Rome Statute in order to extend the jurisdiction of the ICC to the recruitment and use of all children in armed conflict
- establishment of a UN fund for the recovery and reintegration of all children affected by armed conflict as recommended in the OPAC

Notes

1. Security Council, *Resolution 1988 (2011)*, UN document S/RES/1988 (2011), 12 July 2011.
2. The Ottawa Convention, known fully as the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, opened for signature on 3 December 1997 and entered into force on 1 March 1999.
3. The Economic Community of West African States (ECOWAS) Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials was adopted on 14 June 2006.
4. General Assembly/Security Council, *Children and armed conflict: Report of the Secretary-General*, UN document A/65/820-S/2011/250, 23 April 2011.
5. See Human Rights Council, *Human rights in Palestine and other occupied Arab territories: Report of the United Nations Fact-Finding Mission on the Gaza Conflict*, UN document A/HRC/12/48, 25 September 2009.
6. The Paris Principles can be considered as an update of the Cape Town Principles on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa, which was adopted in 1997.
7. Government of France and UNICEF, "Conférence internationale consacrée aux enfants associés aux groupes et forces armés: Libérons les enfants de la guerre", Paris, 5–6 February 2007.
8. C. Greenwood, "Historical Development and Legal Basis", in D. Fleck (ed.), *The Handbook of Humanitarian Law in Armed Conflicts*, 1995, p. 9.
9. General Assembly, *Resolution 44/25: Convention on the Rights of the Child*, UN document A/RES/44/25, 20 November 1989.
10. Committee on the Rights of the Child, *General Comment no. 12 (2009): The right of the child to be heard*, UN document CRC/C/GC/12, 20 July 2009, p. 19.
11. For further information see S. Parmar et al. (eds), *Children and Transnational Justice: Truth-Telling, Accountability and Reconciliation*, UNICEF, 2010.
12. For further information see UNICEF Innocenti Research Centre, *Birth Registration and Armed Conflict*, 2007.
13. Specific attention to violence against children in armed conflict was not given in UN report on violence against children. See: P. Pinheiro, *World Report on Violence Against Children*, United Nations, 2006; and General Assembly, *Rights of the child*, UN document A/61/299, 29 August 2006.
14. Committee on the Rights of the Child, *General Comment no. 5 (2003): General measures of implementation of the Convention on the Rights of the Child (Arts. 4, 42 and 44, para. 6)*, UN document CRC/GC/2003/5, 27 November 2003.
15. For further information see Radhika Coomaraswamy, "The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Towards Universal Ratification", *International Journal of Children's Rights*, vol. 18, 2010, pp. 535–49.
16. For an account of the negotiations see: S. Detrick (ed.), *The United Nations Convention on the Rights of the Child: A Guide to the "Travaux Préparatoires"*, 1992, pp. 502–17; and Office of the United Nations High Commissioner for Human Rights, *Legislative History of the Convention on the Rights of the Child: Volume II*, 2007, pp. 775–99.
17. General Assembly, *Impact of armed conflict on children: Report of the expert of the Secretary-General, Ms. Graça Machel, submitted pursuant to General Assembly resolution 48/157*, UN document A/51/306, 26 August 1996.
18. On 15 March 2006 the General Assembly voted to replace the Commission on Human Rights with the Human Rights Council.
19. General Assembly, *Report of the Committee on the Rights of the Child*, UN document A/55/41, 8 May 2000, p. 5.
20. United Nations Commission on Human Rights, *Rights of the child*, UN document E/CN.4/1994/91, 20 December 1993.

21. Committee on the Rights of the Child, *Guidelines regarding initial reports of States Parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*, UN document CRC/OP/AC/1, 12 October 2001. See also UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, 2003.
22. See <www2.ohchr.org/english/bodies/crc/crcs42.htm> for full reports and Concluding Observation.
23. This is also known as the Second Optional Protocol to the CRC.
24. See the following Security Council resolutions: *Resolution 1314 (2000)*, UN document S/RES/1314 (2000), 11 August 2000; *Resolution 1460 (2003)*, UN document S/RES/1460 (2003), 30 January 2003; *Resolution 1539 (2004)*, UN document S/RES/1539 (2004), 22 April 2004; *Resolution 1612 (2005)*, UN document S/RES/1612 (2005), 26 July 2005; *Resolution 1882 (2009)*, UN document S/RES/1882 (2009), 4 August 2009.
25. Human Rights Council, *Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy*, UN document A/HRC/15/58, 3 September 2010.
26. General Assembly, *Resolution 217 A (III)*, UN document A/810, 10 December 1948, pp. 71–77.
27. For further information see: Committee on the Rights of the Child, *General Comment no. 10 (2007): Children's rights in juvenile justice*, UN document CRC/C/GC/10, 25 April 2007; and Economic and Social Council, *Resolutions and decisions adopted by the Economic and Social Council at its Substantive Session of 2000*, UN document E/2000/INF/2/Add.2, 15 August 2000.
28. Rome Statute, Article 8, paragraph 2b(xxvi).
29. See also Economic and Social Council, *Guidelines on justice in matters involving child victims and witnesses of crime*, UN document E/RES/2005/20, 22 July 2005.
30. See Human Rights Council, *Optional Protocol to the Convention on the Rights of the Child on a communications procedure*, UN document A/HRC/17/L.8, 9 June 2011.

Disarming schools: strategies for ending the military use of schools during armed conflict

Bede Sheppard
Kyle Knight

The past two decades have seen increased awareness, attention and action in response to the plight of children affected by armed conflict. However, one issue that has not received much attention, despite the regularity with which it occurs, is the phenomenon of military forces and other armed groups using school buildings. Of particular concern is when armed groups occupy and convert schools into military bases on a medium- or long-term basis.

This article discusses the military use of schools by armed forces, non-state armed groups and paramilitaries, and the implications such occupations have on children's safety and access to education. It begins with a discussion on the scope of the problem around the world and the negative consequences on children. The article concludes with four distinct and effective examples of strategies that local actors have used for ending the military use of schools during armed conflict.

Scope of the problem

Attracted by schools' locations, solid structures, and electrical and sanitation facilities, armed groups can take over schools to use as storage, barracks, depots and bases. In some instances security forces entirely displace students from the school, while in other cases military forces occupy only parts of a school, with classes continuing to be held in the unoccupied areas. Although some use of schools is brief and coincides with when schools are already closed for security reasons, concerns about the risk to children and their education increase when such occupations last weeks, months or even years.

Government forces and non-state armed groups used schools in most major conflicts between December 2008 and June 2011, including in Afghanistan,¹ the Central African Republic,² Colombia,³ Côte d'Ivoire,⁴ the Democratic Republic of the Congo,⁵ the Gaza Strip,⁶ India,⁷ Libya,⁸ the Philippines,⁹ Somalia,¹⁰ Sri Lanka,¹¹ Thailand¹² and Yemen.¹³

Negative consequences

Military use of schools causes two serious problems: it endangers students and teachers, and it interferes with a child's right to education.

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Endangers students and teachers

When security forces use a school, they convert it from a protected civilian building into a legal target under international humanitarian law.¹⁴ Under international humanitarian law, schools and education institutions are civilian objects that are protected from deliberate attack unless—and only for such time—they are being used by belligerent forces for a military purpose. Thus a school that serves as a military base or an ammunition depot becomes a military objective subject to attack. However, Article 58 of Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) states that parties to a conflict must “endeavour to remove the civilian population, individual civilians and civilian objects under their control from the vicinity of military objectives”. Furthermore, they should “take the other necessary precautions to protect the civilian population”. Since it places children, teachers, education personnel and other civilians at unnecessary risk, it is therefore unlawful to use a school simultaneously as an armed stronghold and an education centre.

When security forces occupy a school, it is common to militarize and fortify the building—regardless whether they displace the entire school population or only partly occupy the school, with teachers and students trying to continue classes. In India, for example, this has included placing sandbags and barbed wire around the school perimeter, constructing sentry towers for armed personnel, and digging trenches around the school property. Frequently, the forces occupying the school add the name of their unit to signs or added graffiti onto school buildings.¹⁵ During the civil war in Nepal, Maoists coerced students and teachers to participate in the digging of trenches inside many schools they were using to facilitate retaliation against security forces in the case of attack.¹⁶ Upon vacating a school premises, militarized fortifications and markers are often left behind—creating the risk of the school being mistakenly identified as a military target.

Endangers the right to education

When a school cannot be used for its intended purpose, the state has an obligation to ensure that those who are affected are educated by some other means. When the extended military use of a school inhibits a child’s ability to receive an education, this constitutes a violation of the right to an education guaranteed in the Convention of the Rights of the Child (CRC).¹⁷ Under Article 28 states parties are to:

- (a) Make primary education compulsory and available free to all;
 - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child,
- [..]

- (e) Take measures to encourage regular attendance at schools and the reduction in the drop-out rates.

If complete occupation prevents a building being used as a school, teachers and students must be relocated to a place where education can continue. In Yemen in 2010, for example, when rebels occupied dozens of schools in the north of the country, at least 30,000 children were reported to be unable to go to primary and secondary school.¹⁸ Should the buildings be only partially used, then the presence of heavily armed police and paramilitaries where children study has a detrimental effect on a child's education and prevents authorities ensuring children their right to education.

If a school is completely occupied by armed forces, classes may take place out of doors or in makeshift classrooms. For students this can mean attending classes in inferior and inadequate alternative sites such as under trees, in disused buildings, outside on the verandas of occupied school buildings and halls, and community health centres. When classes take place outside, increased distractions for students can lead to more truancy and higher rates of dropouts. Due to a lack of shelter, students are subject to any harsh weather conditions, leading them to attend irregularly if, in the end, at all. In makeshift classrooms, teachers often lack basic tools such as chalkboards. There may be an absence of proper toilets—a contributory factor of lower school attendance by girls.¹⁹ In India, where a midday meal at schools is required, moving to a temporary schooling building can mean this service is terminated for lack of cooking facilities.

For some students, displacement either due to complete occupation, or because parents have withdrawn children out of safety concerns, means attending another school altogether. In such cases these students sometimes attend schools further away from their home towns, placing them in further danger as they travel long distances, and putting an increased financial burden on families who have to pay for extra transportation for their children to attend another school. High rates of student withdrawals and school transfers following an occupation can result in overcrowding at the schools receiving transferred students—broadening the sphere of the damage caused by the occupation.

Of course, partial occupation of schools can also result in space constraints and increased overcrowding of classrooms. Unpleasant and overcrowded school conditions make learning extremely difficult and can cause students to drop out as a result of their frustration.

Exposure to abuse

Attending a school being used by armed forces can expose children to sexual harassment and cause them to witness drinking, drug-taking and acts of violence. There is often an almost immediate exodus of some students in response to an occupation by armed forces. The fear of harassment or actually cases of it mean that girls are the most likely to drop out. Even before any specific harassment takes place, parents are hesitant in sending their girls to a school

under occupation for fear of attack or sexual harassment from male police officers or troops stationed there. At a school partially occupied in the Central African Republic, several families withdrew their girls because they feared sexual violence or abuse by the rebels. Children were also routinely taken out of classes to run errands for the rebels, such as buying cigarettes, food and drink.²⁰

Using a school as a base for armed forces or police means students may be exposed to all of the operations of a normal base or police station. This may include witnessing acts of violence and living in close proximity to weapons and munitions. According to a report of the Secretary-General,²¹ nine schools in Sri Lanka in 2009 were being used by the Sri Lankan Armed Forces (SLAF) to detain “surrendees” (adults identified by the government of Sri Lanka as formerly associated with the Liberation Tigers of Tamil Eelam). The report stated that: “Despite the separation by barbed wire between the school and the ‘surrendee’ site, adult ‘surrendees’ are seen walking around the schools”. The SLAF had also established barracks within school compounds and classrooms, and other school facilities were “being used by the forces, causing high levels of disruption to the schools’ normal routine”. Over 5,700 children had their schooling disrupted as a result.

Getting troops out: Nepal

The Schools as Zones of Peace (SZOP) programme in Nepal demonstrates a programmatic response to attacks on education which developed community-based infrastructures to prevent the military use of schools by armed forces.

From 1996 through 2006 a civil war between Maoist rebels and government forces wracked Nepal. Both the Maoist People’s Liberation Army (PLA) and the government Royal Nepal Army (RNA) attacked schools, used them for political purposes, and held rallies and political meetings on school grounds. The PLA also threatened teachers, forced the closure of schools and recruited children into their forces from school grounds. Both the PLA and the RNA occupied schools and used them as barracks.²²

The concept of children as zones of peace (CZOP) emerged at an international level in 1983, following the recommendation of a United Nations Children’s Fund (UNICEF) Executive Board member, Nils Thedin. The concept is based on three principles²³:

- children do not instigate armed conflicts
- children suffer disproportionately from the consequences of armed conflicts
- children need protection

The SZOP programme in Nepal built on this CZOP concept. It was introduced by Save the Children Norway in 2001 and launched by Save the Children, UNICEF, numerous Nepali non-governmental organizations and other international groups. The SZOP programme came to life at a time when the right to education for children in Nepal was being severely thwarted

by the use of schools in the conflict. The groups brought their different perspectives and priorities to the table, but agreed on the programme's philosophy that children should have access to education in school without any disturbances and that the use of school premises and schoolchildren for political and armed related activities should stop.²⁴

The programme instituted a negotiation model for:

- engaging armed forces on both sides of the conflict as well as local stakeholders to cease the targeting of schools and develop a code of conduct for school property
- mobilizing civil society and media to monitor threats
- ensuring provision of psychological and other support services for students and teachers affected by the conflict
- raising awareness of landmines

The objectives of the SZOP programme also included reducing the presence of armed forces in and around schools. However, perhaps the most influential item of the programme was the development of a model for negotiating and developing codes of conduct to safeguard schools, together with the UNICEF Quality Education Resource Package (QERP)—“a ‘toolkit’ of materials and activities designed to empower parents, teachers and students to address various issues in their schools related to improving the quality of education.”²⁵ For a school to be designated an official zone of peace, it has to develop a school code of conduct. The negotiation of these codes involves local governments and civil society stakeholders, police, education officials and representatives from the PLA and the RNA. According to a United Nations Educational, Scientific and Cultural Organization (UNESCO) report,²⁶ community facilitators trained by SZOP staff encouraged all parties to take part in the negotiations, which gave the groups an opportunity to be seen in a positive light in the communities. The approach was based on the premise that the manner in which opposing groups treat children ought to be used as an important indicator of their credibility. The report also contains a sample school code of conduct developed for the SZOP module that can be used as a starting point for negotiations. The sample code contained eight provisions, including no weapons in the perimeter, no interference with the normal development of education activities and no use of school as an armed base.

SZOP programmes succeeded in negotiating codes of conduct in nearly 450 schools. An evaluation of SZOP schools conducted by Save the Children found that there was a reduction of political interference and school closures and an increase in learning time and sense of security. The attendance of both students and teachers in such schools has also improved.²⁷

Getting troops out: India

The courts have played an important role in trying to return schools to students in India, where government security forces have frequently converted schools into military bases—particularly

in states affected by the conflict with Maoist forces, but also in the north-east of the country. Two Supreme Court cases, still ongoing, have passed important rulings on ending the use of schools by security forces.

The first case is related to the conflict in Chhattisgarh state between government forces, the government-backed militia, known as the Salwa Judum, and the Maoists. In May 2007 three individuals led by a professor of sociology at Delhi University, Nandini Sundar, filed a petition to the Supreme Court based on four fact-finding reports conducted in Chhattisgarh, one of which Mr. Sundar had co-authored.²⁸ A second petition was filed in August 2007 by three residents of one of the most violence-affected districts in the state who had been victims of arson, beatings and looting by the Salwa Judum.²⁹ The Supreme Court reviewed the two cases together.

The petitioners asked the court to order the state government to stop supporting the Salwa Judum movement and requested an independent inquiry into the abuses committed by government security forces and the Salwa Judum and into killings by the Maoists. The Chhattisgarh government denied any violation by the Salwa Judum or the state.

In April 2008 the court ordered the National Human Rights Commission (NHRC) to investigate allegations of human rights abuses by both sides. The NHRC report, among other many findings, noted that: "Instead of providing alternate accommodation, the State Government has in many instances allowed the security forces to occupy school and ashram [government rural residential school] buildings which were being utilized for imparting education".³⁰ The court ordered the Chhattisgarh government to implement the NHRC recommendations and file a progress report by January 2009. The parties have since disputed the government's compliance with this order. In a hearing on 18 January 2011 the court gave a clear deadline on the issue of the schools: "There shall be a direction to the Union of India and the State of Chhattisgarh to ensure that the security forces vacate all the educational institutions, school buildings and hostels within a period of four months from today".³¹ The Chhattisgarh government failed to meet this deadline and requested an extension of time to comply with the court's order. At the time of writing, the Supreme Court continued to monitor the state's efforts to vacate all schools.³²

The other Supreme Court case, which also began in 2007, alleged that a large number of children had been illegally transported from India's north-east states to the southern state of Tamil Nadu. The Supreme Court ordered an inquiry by the National Commission for Protection of Child Rights (NCPCR), which conducted a 13-day visit to Assam, Manipur and Tamil Nadu. The NCPCR recommended that the Supreme Court call on the Home Ministry to vacate all schools occupied by government security forces, a recommendation that the court embraced, adding that "the school buildings are not allowed to be occupied by the armed or security forces in future for whatsoever purpose".³³

It should be noted that both Supreme Court cases had been filed prior to the Right of Children to Free and Compulsory Education Act (2009), which came into effect in April 2010—a development likely only to strengthen legal arguments to remove troops from schools.³⁴

However, it is not only the Indian Supreme Court that has addressed this issue. An early case was brought in Bihar state during the 1990s, when security forces' use of schools as part of their counter-insurgency efforts against the Maoist forces was common. A ruling in the high court of Patna, the capital of Bihar, in 1999 has been credited by local activists for removing troops out of the schools.³⁵ In 2008 Shashi Bhushan Pathak, General Secretary of the Jharkhand state office of the People's Union for Civil Liberties, an Indian human rights organization, brought a case against the state to oppose the presence of troops in schools in that state, and won an order for the vacation of all schools (although troops have yet to withdraw fully).³⁶ A case brought in 2009 in West Bengal alleging the use of 22 schools by government security forces resulted in an order from the Calcutta High Court for the security forces to withdraw from the schools, which later complied with this directive.³⁷

Getting troops out: the Philippines

In the years following the ousting of authoritarian President Ferdinand Marcos in 1986, the effect on children of the civil conflicts between the Philippine government, the communist New People's Army and the separatist Moro Islamic Liberation Front became an issue of considerable concern across political parties and civil society groups.

One element of concern was that government armed forces were establishing bases in schools. Often these occupations of schools were driven by the school's strategic location or were a response to certain sectors in the communities, including school principals, who would request police or military presence for protection. Nonetheless, parents often worried about the risk to their children following the occupation of a school building.

Civil society organizations working on disaster and emergency management were also concerned that a military presence could hamper the use of schools for shelters for evacuated civilians. They were also concerned that an occupied school was not a safe place to house displaced individuals because of the potential for the troops and the school to become a target for attack.

In 1992 Congress passed the Special Protection of Children Against Abuse, Exploitation and Discrimination Act (1992).³⁸ Section 22 declares that children are "Zones of Peace" and prohibits the use of schools "for military purposes such as command posts, barracks, detachments, and supply depots".

The act is a broad-ranging child protection law. The concepts underlying the law were developed through a series of meetings of intergovernment committees organized by the government and funded by UNICEF to attend to a variety of concerns of children in especially

difficult circumstances. These committees were focused on different children's issues and proposed policies through legislation, programmes and other executive issuances.

Subsequent to the banning of the use of school for military purposes in the national legislation, a number of provincial and municipal entities issued local ordinances that reiterated the absolute ban.³⁹ Unfortunately, instances of school occupations by the Armed Forces of the Philippines continue to be reported.⁴⁰ In July 2011 the House of Representatives passed a bill that provided more expansive protections for children in armed conflict—including criminal penalties for the military occupation of schools.⁴¹

Getting troops out: New Zealand

The New Zealand Defence Forces (NZDF) consist of around 10,000 regular force personnel who, as of May 2011, were deployed on 16 peacekeeping operations, UN missions and defence exercises in 10 countries. New Zealand is due to release the updated *Manual of Armed Force Law*. The new manual takes a considered approach to the issue of using schools that does three important things:

- affirms the NZDF obligation to respect children's rights to education, and how this could be imperiled by the use of school buildings
- emphasizes the importance of appropriate logistics planning before operations in order to minimize the necessity of using schools
- provides concrete directions on how to minimize and mitigate the possible negative impact of the use of schools

The manual states that "all feasible steps" are to be taken to ensure that:

Civilians and, in particular, children are protected from the effects of attack upon the [education] institutions by opposing forces—including where necessary the removal of such persons from the vicinity.

Such use is for the minimum time possible.

The adverse effects upon children, in particular in respect to their right to education, are minimized to the maximum extent possible.⁴²

The commentary to these provisions in the draft manual states that "schools and other educational institutions are entitled to particular protection from the effects of war as the destruction or endangerment of such facilities is unequivocally an attack upon the learning and development of future generations, who bear no responsibility for the armed conflict from which the damage arises".

The commentary also acknowledges that although in many cases the fact that a building is an educational institution will be easily apparent to troops, it cannot be taken for granted that it will always be self-evident. The manual therefore puts a particular responsibility on

commanders and other members of the NZDF responsible for the planning and execution of operations to identify such places and ensure that this information is passed to those involved in operations.

Importantly, the commentary to the new manual explicitly states that New Zealand recognizes that children have a right to education, and that the use and occupation of schools and other educational institutions clearly inhibits the exercise of this right.

Where for military reasons it is necessary for a force to use such an institution all feasible steps must be taken, in consultation with local authorities, to ensure that the disruption to the education of children is reduced to as low as reasonably practicable. This may include the need to identify and facilitate the use of other suitable facilities for such purposes.

Conclusion

The issue of the scope and consequences of the use and occupation of schools by armed groups needs further research as it has so far received little attention. Nonetheless, this article attempts to demonstrate that in a few instances there have already been some small efforts to find strategies by local actors to end this practice. Learning from these lessons and sharing their positive examples would be to the benefit of children eager to make their way each day to school—no matter the wars raging on around them.

Notes

1. In Afghanistan pro-government forces, including international armed forces, occupied schools during 2010. For further information on the states listed here see General Assembly and Security Council, *Children and armed conflict: Report of the Secretary-General*, UN document A/65/820–S/2011/250, 23 April 2011.
2. In the Central African Republic government armed forces and the two rebel groups—the Convention des patriotes pour la justice et la paix (CPJP) and the Armée populaire pour la restauration de la République et la démocratie (APRD)—used schools in 2009 and 2010. See Watchlist on Children and Armed Conflict, *An Uncertain Future? Children and Armed Conflict in the Central African Republic*, 2011.
3. Both national security forces and armed groups occupied schools in various departments of Colombia, including Antioquia, Arauca, Cauca, Córdoba and Norte de Santander.
4. During the fighting in Côte d'Ivoire, young men received military training from the Ivorian security forces in schools and university housing units in Abidjan, Duékoué and Yamoussoukro. At least 25 schools were occupied by armed groups in Abidjan, Guiglo, San Pédro and Zouan Hounien. For further information see: HRW, "Côte d'Ivoire: AU should press Gbagbo to halt abuses", press release, 23 February 2011; and United Nations Office for the Coordination of Humanitarian Affairs, *Côte d'Ivoire Situation Report #8*, 2011, and *Côte d'Ivoire Situation Report #9*, 2011.
5. Some schools in the Democratic Republic of the Congo were occupied by armed forces during 2010.
6. During Operation Cast Lead in Gaza in December 2008 and January 2009, Israel Defense Forces "forcibly entered school compounds and used schools as interrogation centres". See General Assembly and Security Council, *Children and armed conflict: Report of the Secretary-General*, UN document A/64/742–S/2010/181, 13 April 2010, p. 27.

7. Approximately 100 schools were occupied by government paramilitary police for many months, and sometimes even years, across India, particularly in the states most affected by the Maoist insurgency—Bihar, Chhattisgarh and Jharkhand—but also in the north-east, in Assam and Tripura. HRW site visits in December 2010 to two occupied schools in Bihar not included on that list were Kasma Middle School, in the Aurangabad district, and Tankuppa High School, in the Gaya district. For further information see: the affidavit of Chhattisgarh government to the Supreme Court of India on 6 January 2011, cited by J. Venkatesan, “Chhattisgarh government pulled up for misleading court”, *The Hindu*, 8 January 2011; and “SC asks Jharkhand, Tripura to free schools from security forces”, *The Times of India*, 7 March 2011.
8. In Libya rebels used a school courtyard for renovating weapons and weapons training. See T. Birtley, “Libya rebels use discards to make own weapons”, *Al-Jazeera*, 14 June 2011.
9. In the Philippines in 2010 there was an increase in the Armed Forces of the Philippines and the Citizen’s Armed Force Geographical Unit using functioning state schools as barracks and command centres and for storing weapons and ammunition.
10. In Somalia in 2009 more than 10 schools in Mogadishu were “temporarily occupied by armed forces”. See General Assembly and Security Council, *Children and armed conflict: Report of the Secretary-General*, UN document A/64/742–S/2010/181, 13 April 2010, p. 29.
11. Schools in Sri Lanka were used in 2009 and 2010 for a variety of purposes, such as barracks for the Sri Lankan security forces, as transit sites for displaced persons, or to detain adults identified by the Sri Lankan security forces as having been associated with the Liberation Tigers of Tamil Eelam but not formally charged.
12. As part of its counter-insurgency operations in southern Thailand, the government has increased the number of military and paramilitary forces deployed in the provinces of Narathiwat, Pattani and Yala. To accommodate these troops the government has frequently established camps inside school buildings and school compounds—security forces occupied at least 79 schools in 2010. Such occupations, which often are not in response to a direct threat on a specific school, may last for several years. For further information see: HRW, *Thailand—“Targets of Both Sides”: Violence Against Students, Teachers, and Schools in Thailand’s Southern Border Provinces*, 2010; and Z. Coursen-Neff and B. Sheppard, “Schools as Battlegrounds: Protecting Students, Teachers, and Schools from Attack”, in *World Report: 2011*, HRW, 2011, pp. 37–50.
13. Both government security forces and Houthi-led Shia rebels took over at least 16 schools during fighting in the Saada governorate in the north of Yemen in 2009. Even following a ceasefire agreement between the warring parties in February 2010, forces continued to occupy dozens of schools. See Integrated Regional Information Network, “Yemen: Children hit hardest by northern conflict”, 23 February 2010; and Seyaj Organization for Childhood Protection, *Situation of Children in Armed Conflict: Sa’dah War and Harf Sofian North Yemen, 2009, 2009*.
14. A fundamental principle of international humanitarian law is the distinction between civilian and military objectives, and the clear stipulation that attacks may only be directed at military objectives. International humanitarian law forbids attacks directed at civilian objects, such as schools. See the following for further information: the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Geneva Convention IV); and the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I).
15. For further information see HRW, *India—Sabotaged Schooling: Naxalite Attacks and Police Occupation of Schools in India’s Bihar and Jharkhand States*, 2009.
16. Watchlist on Children and Armed Conflict, *Caught in the Middle: Mounting Violations Against Children in Nepal’s Armed Conflict*, 2005.
17. General Assembly, *Resolution 44/25: Convention on the Rights of the Child*, UN document A/RES/44/25, 20 November 1989.
18. Integrated Regional Information Networks, “Yemen: Rebel occupation of schools threatens northern ceasefire”, 10 May 2010.

19. For further information see: B. Herz and G. Sperling, "What Works in Girls' Education: Evidence and Policies from the Developing World", *Council on Foreign Relations*, 2004, pp. 63–64; and Inter-Agency Network for Education in Emergencies, *Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction*, 2004, pp. 47–48.
20. For further information see Watchlist on Children and Armed Conflict, *An Uncertain Future? Children and Armed Conflict in the Central African Republic*, 2011.
21. General Assembly and Security Council, *Children and armed conflict: Report of the Secretary-General*, UN document A/64/742–S/2010/181, 13 April 2010, pp. 37–38.
22. Watchlist on Children and Armed Conflict, *Caught in the Middle: Mounting Violations Against Children in Nepal's Armed Conflict*, 2005.
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25. For more information on QERP see <www.worlded.org>.
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28. Nandini Sundar, Ramachandra Guha and E.A.S. Sarma versus State of Chhattisgarh, Writ Petition (Civil) No. 250 of 2007. See also: N. Sundar, *Pleading for Justice*, 2010; and Independent Citizens' Initiative, *War in the Heart of India: An Enquiry into the Ground Situation in Dantewara District, Chhattisgarh*, 2006.
29. Kartam Joga and others versus State of Chhattisgarh and Union of India, Writ Petition (Criminal) No. 119 of 2007.
30. NHRC (Investigation Division), *Chhattisgarh Enquiry Report*, no date, p. 38.
31. Nandini Sundar and others versus State of Chhattisgarh, Writ Petition (Civil) No. 250 of 2007, Supreme Court Order of 18 January 2011.
32. Nandini Sundar and others versus State of Chhattisgarh, Writ Petition (Civil) No. 250 of 2007, Supreme Court Order of 5 July 2011.
33. *Exploitation of Children in Orphanages in the State of Tamil Nadu versus Union of India and ORS*, Writ Petition (Criminal) No. 102 of 2007, Supreme Court Order of 1 September 2010.
34. This act followed the Eighty-sixth Amendment to the Constitution of India on 12 December 2002.
35. *Inqalabi Nauzwan Sabha and another versus State of Bihar and others*, Case No. CWJC–4787/1999, High Court of Judicature at Patna.
36. *Shashi Bhusan Pathak versus State of Jharkhand and others*, W.P.(PIL) No. 4652 of 2008, High Court of Jharkhand at Ranchi.
37. *Paschim Medinipur Bhumij Kalyan Samiti v. State of West Bengal*, W.P. No. 16442(W) of 2009, High Court of Calcutta.
38. The Philippines, *An act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, and for other purposes*, Republic Act No. 7610, 17 June 1992.
39. For further information on the ordinances see Save the Children, *Philippine Laws Related to the Discipline and Punishment of Children*, 2006.
40. General Assembly and Security Council, *Children and armed conflict: Report of the Secretary-General*, UN document A/65/820–S/2011/250, 23 April 2011.
41. Senate of the Philippines, *An act providing for the special protection of children in situations of armed conflict and providing penalties for violations thereof*, House Bill No. 4480, 7 June 2011.
42. *Draft Manual of Armed Force Law (2nd Ed)*, vol. 4, draft para. 14.35.8, as cited in a letter to HRW from Brigadier Kevin Riordan, Director General of Defence Legal Services, NZDF, 21 April 2011.

Gender-based insecurity and opportunities for peace: supporting the reintegration of young war-affected mothers

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In conflicts throughout the world, armed forces and groups recruit children to fight, maintain their camps, perform labor and be used for sexual purposes. The experiences of children associated with armed forces and groups (CAAFAG) are not uniform, nor can there be a uniform approach to helping them when the conflict is over. This article examines the gendered experiences of girls prior to recruitment, during their time with the fighting forces, through disarmament, demobilization and reintegration (DDR) processes, and in their communities after formal DDR has ended. We also present some of the experiences of the Participatory Action Research (PAR) Study with Young Mothers in Liberia, Sierra Leone and Northern Uganda—a study conducted predominantly with former CAAFAG which used a highly participatory methodology to help participants attain community-based reintegration. In the PAR study young mother participants took a central role in the design and implementation of their reintegration process. A mixture of self-help style psychosocial support and livelihood support were critical to their success. As this population had exceptionally low social status, lacked confidence and self-respect, and did not have rudimentary economic skills at the start, social support and community mobilization were critical in laying the groundwork for livelihood activities and facilitating the sustainability of these activities.

The DDR process

According to the United Nations *Integrated Disarmament, Demobilization and Reintegration Standards* (IDDRS), the “objective of the DDR process is to contribute to security and stability in post-conflict environments so that recovery and development can begin”.¹ The emphasis of this process has largely been on the immediate security threat posed by armed ex-combatants—typically adult and male. The priority is removing weapons and providing the individuals with meaningful alternative livelihoods so that they do not return to fighting. Yet the opportunity remains for DDR processes to positively contribute to the creation of environments conducive to development and stability. Indeed, while security narrowly construed means an end to military hostilities, more broadly understood, security is about creating safe, strong communities resistant to renewed fighting.

The earliest efforts to include children in DDR began in the mid-1990s. While governments and the international community recognized that boys with military training returning to communities where there was no work posed a significant threat to peace, this has only just

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recently extended to girls associated with armed forces and groups, who earlier had been viewed simply as wives of combatants or camp followers. Indeed, it took several reports examining their situation for policymakers to recognize that girls play multiple roles in conflict, including combat.² While the current standards recognize that “young women former combatants are equally capable of returning to violence if other ways of getting ahead after conflict fail”,³ they do not note the potential positive role that girls and young women play in creating environments conducive to development and peace in their communities.

Despite this growing awareness of the presence of children and young women in armed forces and groups and the development of strong policy recommendations about supporting them through DDR, the processes themselves lack gender awareness. These DDR processes are designed without respect to the girls’ perspectives and thus have so far failed to meet their needs. In order for DDR processes to support successful reintegration of girls who were former CAAFAG, we need to learn how girls themselves define and experience reintegration. As noted in the IDDRS, girls face greater stigma when they return to their communities than boys.

Girls in armed forces and groups

Within the term CAAFAG there is a hidden diversity. Indeed, the Paris Principles recognize that:

While there are commonalities between the circumstances and experiences of girls and boys, the situation for girls can be very different in relation to the reasons and manner in which they join the armed forces or armed groups; the potential for their release; the effects that the experience of being in the armed force or armed group has on their physical, social and emotional well being; and the consequences this may have for their ability to successfully adapt to civilian life or reintegrate into family and community life after their release.⁴

Girls, like boys, enter armed forces and groups in a variety of ways. While many girls are abducted, some join voluntarily, often in order to leave abusive situations at home or to follow family members into military service.⁵ Girls are in some cases more vulnerable to abduction than boys because their work takes them further away from the centre of a community—such as fetching water or collecting firewood. In the security vacuum caused by war, girls may choose to join an armed force or armed group for protection. Many girls joined the rebels in Liberia in 1999, when war broke out again, after having lived in the community during the first phase of the war. Having seen fighters receive benefits during peace while they were subjected to violence in the community, many thought they might be safer as part of an armed group.

While there has been much attention focused on girls as “sex slaves” in armed forces and groups, girls typically play multiple roles—as fighters, porters, domestic labourers, spies, looters and even abductors of other children. In the study of young mothers in Liberia, Sierra Leone and Uganda who had been former CAAFAG, most participants said that they had been used for sex, but also indicated at least one additional role, most often fighting. They played

a central role in food gathering and community management, and some had leadership positions. A published study of three reports on girls associated with armed forces and groups argues that their operational contributions are critical to the overall functioning of armed groups and that it is “no accident that girls tend to be the last members of armed groups to be released by commanders and leaders”.⁶

Reintegration of girls

Girls are much less likely than boys to leave armed forces or groups through formal DDR processes. Historically, these processes required participants to turn in weapons, which clearly discriminated against girls without access to weapons. In addition, girls who carried weapons reported having these weapons confiscated and given to male fighters. When DDR processes do not require weapons, girls report being unaware of DDR or choose not to participate in this highly public process. In many cases girls prefer to return to their home communities or settle in new communities without going through DDR.⁷

According to the IDDRS,

DDR planners have been unaware of the presence and roles of girls associated with fighting forces, are ill informed about appropriate responses to their needs, and therefore often design programmes that unintentionally prevent girls’ entrance to these programmes and damage their chances of long-term recovery.⁸

Girls in DDR programmes face continued insecurity in military camps. In Uganda, for example, girls leaving the Lord’s Resistance Army who were taken in by the Ugandan military reported being sexually harassed in the barracks. Girls with children are particularly vulnerable as conflicts can break out between them, their families and their bush husbands over the children. This security threat continues even after girl mothers return to their communities. Among other barriers to rejoining their families, there is the fear that rebel fathers will come to claim the girl and children. While one of the key elements of DDR for CAAFAG is family reunification, this may not be desired by the girl mothers, who may prefer to settle with their children away from their family. Indeed, evidence from the PAR study shows that many girls decide to settle in new communities after leaving armed forces or groups. Thus, “reintegration” refers to reintegrating into civil society, and not necessarily returning to their communities of origin.⁹

For girl mothers there may be a tension between non-governmental organizations (NGOs) that take a child rights based approach—focusing on family reunification—and the perspectives of the girls themselves, who may no longer see themselves as children now that they have children of their own. Girls’ relationships with their children born during association with armed forces and groups are complex. While some of their children are thought to be killed

deliberately or through neglect and others are left behind when fleeing, most children are well cared for, even when born of sexual violence.

The few NGO-supported reintegration programmes available for girls who were former CAAFAG tend to reinforce gendered lack of opportunities for girls. Training programmes are predominantly offered in gender-specific domains such as tailoring, which is not necessarily a marketable skill in the immediate post-conflict period. Girl mothers experience severe barriers to their participation in NGO- or government-supported vocational training programmes, which typically do not offer childcare.

Gender-based discrimination prior to involvement with armed forces and groups, such as unequal access to primary education, creates a continued lack of opportunity in the post-conflict reintegration period. For example, girls are less likely to return to formal schooling either because they lack the funds or because of rules that prohibit the enrollment of girls with children of their own. Therefore, pre-war gaps in literacy continue in the post-war period.

Girl mothers settling in their home or new communities face stigmatization and marginalization. Some communities see these girls as spiritually polluted because of sexual relations outside traditional norms.¹⁰ Community members also report a feeling of helplessness when supporting girl mothers or their children because of their own precarious economic positions. Even those parents willing to accept their daughters back may reject their daughter's children born during the war, claiming that they cannot support "rebel babies" or children whose paternity is unknown.

The lack of social and economic infrastructure in communities where girls return harms them as well as their children. While entire communities may be economically devastated, girls' particular marginalization means that many end up living dangerously close to starvation. A survey with girls who were former CAAFAG in Uganda found that most only work two days a week and earn approximately 75 cents per day.¹¹ Girl mothers in Sierra Leone reported going door-to-door begging for food.¹²

Despite this knowledge about girls and young mothers' position when returning from armed forces and armed groups, few models of effective programming have been developed to support them. The IDDRS recommends that work be community-based, with an open time frame, recognizing that reintegration is a long-term social and economic process, and does not occur, for example, through one-off training programmes. The following presents the process and findings of a PAR project with young mothers aimed at learning what reintegration meant to them and helping them develop interventions aimed at achieving this.

The PAR Study of Young Mothers

The PAR study—a three-year, multi-country, community-based project—was developed after two international conferences on the subject of girl mothers formerly associated with armed

forces and groups demonstrated a lack of effective programming aimed at their reintegration.¹³ Its purpose was to learn what reintegration meant to this population and to help them develop interventions aimed at achieving reintegration. The study took place between October 2006 and June 2009 in Liberia, Sierra Leone and northern Uganda and was a partnership between the authors of this article, who served as organizers, three African academics and ten child protection agencies.¹⁴ Each agency conducted field operations in two sites for a total of 20 communities, ranging from rural villages and peri-urban communities to urban slums.

Project initiation

The PAR study involved over 650 young mothers and 1,200 of their children. Two-thirds of the participants had been associated with armed forces and groups and had become pregnant or had had children during their association. The other participants were young mothers who were deemed vulnerable by their communities but had not been associated. Most of these participants had been displaced due to the conflict, many had been orphaned and some had physical disabilities. While participants were under the age of 18 when they had children, their average age when included in the study was 18 in Uganda, 20 in Liberia and 22 in Sierra Leone. For this reason they are referred as “young mothers” and not “girl mothers”.

The Paris Principles recommend that:

Programmes to prevent recruitment of children and to protect, release and reintegrate them should be jointly and constantly monitored and evaluated with communities. Children, particularly girls, who have been associated with armed forces or armed groups, should be involved in the monitoring and evaluation of initiatives aimed at supporting them.¹⁵

The methodology of PAR was used to maximize young mothers’ participation, recognizing that the young mothers know best about their own needs and, with proper support, can develop appropriate programmes to address them. PAR enables high levels of participation, fully engages community members, builds local capacities and is explicitly aimed at empowerment.¹⁶

Agency staff members selected communities that had been heavily impacted by the conflict and were likely to be home to a large number of potential participants. Agency representatives met with male and female community leaders and district level officials to assess the community’s interest in PAR. Multiple engagements with the community were held before participant recruitment began. Once community leaders had agreed, agency staff members worked with traditional birth attendants and elder women to identify potential participants, who were then informed about PAR. Agency staff members met the young mothers multiple times—often in the presence of family or boyfriend—to answer questions and help the participant decide whether to participate. Once participants had agreed to join the PAR study,

they went through an informed consent process approved by the University of Wyoming Institutional Review Board.

In many communities participants were invited to recruit other young mothers until a full cohort of approximately 30 girls was reached. Young mothers began to meet with one another in groups, with an agency staff member or research assistant acting as a facilitator. In the initial meetings group participants identified community members whom they wanted to serve as advisors to the group. These trusted men and women would sometimes attend meetings or help members work through conflicts that emerged within the group or between them and their families. In these early meetings participants provided peer support and became friends, learning that they were not alone in their suffering. Fostering these relationships among participants and between them and agency staff and the community was critical, as these relationships formed the bedrock upon which all other actions took place.

Project management

Young mothers were then trained by the facilitator in interviewing, role-playing and leading group discussions. Using these methods they began to examine systematically their own life and identify common problems. In every community young mothers identified stigmatization by their families and communities, a lack of access to education and medical care, and poor livelihood opportunities as the major challenges. Participants wanted to be accepted and respected, have their children treated like other children in the community, and have fulfilling roles in their community.

Based on discussions among themselves, with the community advisors and agency support staff, participants identified social actions to address their problems. Each group had a lump sum of money, which they could decide how to use. The funds were small and so participants engaged in lengthy discussions about how best to spend it, recognizing that they shared responsibility for whether the projects succeeded or failed. In some communities young mothers first decided to work on community relations. One participant described the impact of performing a drama about her experience returning from the bush:

We did a drama about what it was like when we came back from the bush and people shied away from us. The drama also reflected the alienation that we felt when we came back. ... We did our play to the community and they said that they wanted to join us and join in our activities. Before, others were shy of us, and now, they talk upright to us. We used the drama to bring those who were shy of us closer again.¹⁷

Some groups decided to do community service activities such as cleaning the village well or sweeping the streets. These activities were aimed at demonstrating to community members that the participants were serious and committed to improving not only their own lives but also the lives of those in the community.

In other sites young mothers focused on livelihood issues first, believing that if they proved to the community that they were able to support themselves, the community would stop ostracizing them. Some participants engaged in group livelihood activities, such as tending a communal garden (often on land donated by community members), food vending, soap making, goat rearing, or weaving and dyeing cloth. Other participants opted for individual businesses such as petty trading, hairdressing and jewellery making. When businesses faltered, participants and community advisors often helped them recover. In one urban site in Liberia several participants had their goods confiscated by the police for marketing in an area of town designated free from trading. Their group held an emergency meeting and unaffected group members shared their goods with those who had lost theirs so that they could begin building their businesses again. In Uganda, when poor management nearly forced the closure of a group food vending operation, community advisors offered to run the business for the mothers while they resolved the difficulties in their group and learned bookkeeping skills.

Project conclusion

As the project approached its official end, when financial support ceased, participants and agency staff worked together on sustainability plans. Some groups registered as community-based organizations, making them eligible for government or agency grants. Other participants joined other local groups and women's organizations. Encouragingly, many community advisors pledged their continued support.

Ethnographic evaluation and results from the survey we conducted at the close of the project indicated that young mothers substantially improved their lives and the lives of their children. Young mothers felt like full, respected community members and felt better equipped to care for their children. As participants grew closer with project staff, many confided that they were engaged in sex work. Such work had seemed like the only way to earn money and support their families. As they developed new economic capacities, some proudly told how they were able to reduce or end their involvement in transactional sex. Reflecting on the impact of PAR, community members pronounced this a key accomplishment and that they were more eager to support the young mothers now that they were no longer involved in sex work.

Young mothers were also proud to share that they were now comfortable attending and speaking at community meetings. Prior to participation in the PAR study, the young mothers had isolated themselves because of hostility from community members. Over 80% of young mothers reported that they were now able to speak in public more easily. Acceptance by family was also a critical area of growth for young mothers in the PAR study and their children—with 87% of young mothers reporting that their involvement in PAR had made them and their children more liked or loved by their family.¹⁸

Implications for practice

While DDR is often thought of as a process that individuals go through, one of the key findings of the study is how critical the group dynamic was in supporting young mothers' reintegration. PAR emphasized a "self-help" approach, with participants responsible for research, programme design, implementation and evaluation, yet the participants' peer support for one another was the backbone of the project. The supportive relationships that the participants developed through the group with community members—including male and female leaders—were also critical. Thus, in some contexts reintegration should not just be considered a process where an individual is given skill training and reinserted into a community, but rather as a process that involves an entire community learning to live peacefully.

Across the three African states the priorities for participants reflected core, common aspirations: an end to their stigmatization; improvements in their livelihoods; and access to education and medical care. Most participants identified suitable livelihood opportunities and often chose to work together, in addition to establishing their own small businesses. While traditional DDR programmes for girls emphasize a narrow range of vocational opportunities, participants identified a wide variety of context-specific livelihood initiatives. Contrary to DDR programmes which often provide one form of vocational training or a single one-off payment, our participants found that they often needed a "second chance", as early businesses failed or health crises meant business capital was used for medical care. In addition, young mothers who did the best often combined school or training with livelihood activities. Importantly, participants decided independently to use their incomes for their children's education, suggesting that programmes like conditional cash transfers that predicate development support on donor-determined conditions may be unnecessary to meet desired goals. Similarly, cash transfers without support in achieving community acceptance, business skills and confidence would not have worked, as young mothers needed these softer inputs before financial assistance could be sustainable.

Young mothers' improved economic conditions opened the way for improved social relations with family and the community. One participant reported that her mother had abused her and blamed her for her children, but now that she made soap the community buys, her mother regarded her better. A community member in Liberia said:

There's been a big change in the young mothers' acceptance. Initially, the community saw them as fighters' wives, and even their families rejected them. Now they earn money and support their families, and communities respect them.¹⁹

Participants had been perceived as drains on their families and communities. As they demonstrated that they could support themselves, family and community members grew to perceive the young mothers as productive, serious contributors. Thus, while community-based DDR programmes should be multifaceted, addressing social as well as economic problems,

improvements young mothers are able to make to their economic well-being are likely to translate into improvements in social well-being.

While girls who were former CAAFAG used to be viewed as a threat to the security of the family and community, they can contribute positively to the social fabric of their society when they are able to attain successful economic reintegration. Indeed, young mothers themselves define successful reintegration as being able to fulfil their roles as productive family members, including being able to support their children.

The PAR study provided an opportunity to learn about reintegration across three states whose conflicts had different dynamics and which were at three different stages of post-conflict transition. In Sierra Leone—at a much later post-conflict stage—community members seemed more willing to support participants from early in the PAR study. In Liberia, however, it took participants longer to establish good relations with the communities. Whilst chiefs in Sierra Leone donated land to the groups early in the project, the community advisor in Liberia said that community members would stomp on the seeds to ensure that a garden would not succeed. It took many months of outreach to the community before land was given and relations had improved sufficiently so that gardens were protected. Thus, programmes to support reintegration should be developed for the particular transition context of the state, and variability during implementation should be expected.

Among the distinct attributes of PAR was a focus on inter-agency partnerships. Agencies that often compete for funding collaborated with one another, exchanging lessons learned throughout the process, and worked with local academics to increase the opportunities for participants to share information with one another and with organizers. The local academics also facilitated systematic evaluation of PAR. Perhaps most importantly, the partnership fostered with our donors was critical to the study's success. Our donors were highly engaged, receiving process updates regularly and asking questions as the study progressed. Donors attended annual meetings of all partners, including representatives of the young mothers from each country and visited several field sites to learn directly about the impact of PAR. This process of continued engagement emerged as a way of managing expectations given that anticipated outcomes of PAR could not be declared up front because of the participatory nature of the project. Indeed, as participants themselves were responsible for determining the critical indicators for the study, donors had to be open to funding a project knowing it was a work in progress. This openness is in sharp contrast to how child protection programmes are typically funded. In traditional programming, agencies describe and budget for all inputs and state their output measures in the initial programme proposal. This makes flexibility and responsiveness to participants' needs more difficult.

A unique aspect of PAR when compared to other reintegration programmes is the potential it has to be scaled up. Whilst PAR methods are transferable to other contexts and communities, there is a significant initial effort required to train and support agency staff and work with

participants and communities. Unlike traditional programming, which offers beneficiaries a package which may include some psychosocial support and vocational training, PAR encourages participants to develop peer support groups and work within the group to identify needs and ways of meeting those needs. This process is fundamentally slower than traditional programming, but it creates more durable reintegration and is comparatively inexpensive.

Conclusion

The experiences of girls and young women before, during and after war differ sharply from the experiences of boys and men. Girls who become mothers during their time with the armed forces and armed groups face an even greater challenge to their reintegration than young women without children. Evidence from the PAR study indicates that for reintegration to be successful with young mothers, it must be based upon an understanding of the gendered experiences of this group. Reintegration with young mothers should be community-based, and it requires longer-term support than most programmes typically provide. Supporting the development of social cohesion among young mothers and between young mothers and their communities is critical to this process.

The IDDRS and Paris Principles offer excellent policy guidelines for how programming with young mothers can better be accomplished. Donors must demand that agency programmes do more than pay lip service to these guidelines by providing long-term, flexible and inclusive funding for the reintegration of girl CAAFAG. In turn, agencies must do more to enable meaningful participation of young people and build reintegration supports around young mothers' own understandings.

The lessons of this project suggest that girls and young women are eager and active participants with the potential to move from highly marginalized positions within their communities and families to becoming respected community members and valuable contributors to their families.

Notes

1. United Nations, "1.10: Introduction to the IDDRS", *Integrated Disarmament Demobilization and Reintegration Standards*, 2006, p. 1.
2. For further information see: S. McKay and D. Mazurana, *Where are the Girls? Girls in Fighting Forces in Northern Uganda, Sierra Leone and Mozambique: Their Lives During and After War*, 2004; B. Verhey, *Reaching the Girls: Study on Girls Associated with Armed Forces and Groups in the Democratic Republic of Congo*, Save the Children, 2004; V. Stavrou, *Breaking the Silence: Girls Forcibly Involved in the Armed Struggle in Angola*, Canadian International Development Agency (CIDA), 2006; and M. Denov, *Girls in Fighting Forces: Moving Beyond Victimhood*, CIDA, 2007.
3. United Nations, "5.20: Youth and DDR", *Integrated Disarmament Demobilization and Reintegration Standards*, 2006, p. 19.
4. See Section 4.0 of the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, known as the Paris Principles, adopted in 2007.

5. R. Brett and I. Specht, *Young Soldiers: Why They Choose to Fight*, 2004.
6. M. Denov, "Girl Soldiers and Human Rights: Lessons from Angola, Mozambique, Sierra Leone and Northern Uganda", *The International Journal of Human Rights*, vol. 12, no. 5, 2008, pp. 813–36.
7. For further information see: M. Robinson and S. McKay, *Conference Report*, "A Conference on Girl Mothers in Fighting Forces and Their Post-War Reintegration in Southern and Western Africa", Bellagio, 12–18 April 2005; and S. McKay et al., "Known But Invisible: Girl Mothers Returning From Fighting Forces", *Child Soldiers Newsletter*, no. 11, 2004, pp. 10–11. A full list of the *Child Soldiers Newsletter* can be found at <www.child-soldiers.org>.
8. United Nations, "5.30: Children and DDR", *Integrated Disarmament Demobilization and Reintegration Standards*, 2006, p. 10.
9. In the PAR study 35% of young mothers in Liberia, 44% in Sierra Leone and 21% in Uganda were in communities where they had not previously lived.
10. For further information see: T. Betancourt, "High Hopes, Grim Reality: Reintegration and the Education of Former Child Soldiers in Sierra Leone", *Comparative Education Review*, vol. 52, no. 4, 2008, pp. 565–87; and M. Worthen et al., "'I Stand Like A Woman': Empowerment and Human Rights in the Context of Community-Based Reintegration of Girl Mothers Formerly Associated with Fighting Forces and Armed Groups", *Journal of Human Rights Practice*, vol. 2, no. 1, 2010, pp. 49–70.
11. Details of the survey and data can be found at <<http://chrisblattman.com/projects/sway/>>.
12. S. McKay et al., "Known But Invisible: Girl Mothers Returning From Fighting Forces", *Child Soldiers Newsletter*, no. 11, 2004, pp. 10–11.
13. For further information see S. McKay et al., "Building Meaningful Participation in Reintegration Among War-Affected Young Mothers in Liberia, Sierra Leone and Northern Uganda", *Intervention*, vol. 9, no. 2, pp. 108–24.
14. See <www.uwyo.edu/girlmotherspar/> for more information on the PAR study and details of partner organizations.
15. See Section 10.0 of the Paris Principles.
16. A full description of PAR can be found in M. Minkler and N. Wallerstein (eds), *Community-Based Participatory Research for Health: From Process to Outcomes*, 2008.
17. S. McKay et al., *Community-based Reintegration of War-Affected Young Mothers: Participatory Action Research (PAR) in Liberia, Sierra Leone and Northern Uganda*, Women's United Nations Report Network, 2010, p. 13.
18. *Ibid.*, p. 43.
19. *Ibid.*, p. 25.

Universalism versus cultural relativism: improving DDR programming

Lysanne Rivard

As the notion of child soldiering is in direct contradiction to how the West currently understands childhood, the international community has declared child soldiering a grave abuse of children's rights.¹ The issue of child soldiers and their reintegration is part of an on-going debate between the universalism of children's rights and a culturally sensitive understanding of them.² The universalist perspective believes that "childhood constitutes a coherent group or a state defined by identical needs and desires, regardless of class, ethnic, or racial differences".³ Since children across the world are deemed to have the same needs, universalists believe that the same support and protection mechanisms should be applied. Therefore, the universalists favour strictly prohibiting and punishing the use of child soldiers.

Cultural relativists, however, argue that childhood is a social construction: "its meaning is negotiated between different individuals and groups, often with conflicting interests. Thus, childhood is relative".⁴ Cultural relativists' criticism of the universalist approach is that it fails to take into account social, cultural and political diversity in what childhood means in different cultures. What is required is a better understanding of the local conditions and dynamics that define and shape the experiences of child soldiers as well as their perception of these experiences.

These contrasting perspectives influence the development and implementation of the disarmament, demobilization and reintegration (DDR) programmes that are intended to meet the needs of child soldiers. The following presents an overview of what the universalists and cultural relativists argue are the main problems and difficulties of current DDR programmes for child soldiers.

Definition of a child soldier

Post-modern, Western conceptions of childhood regard children as vulnerable and innocent, so from this perspective children should not engage in armed conflict. What distinguishes a child from an adult pertains to responsibility and accountability for one's actions, with children not being held morally responsible for their thoughts and actions and "usually considered as holders of rights, rather than as bearers of responsibilities".⁵ This conception of childhood as a time of innocence, inexperience and vulnerability is transposed to the issue of child soldiers through the development and implementation of international tools that define and regulate the use of child soldiers.

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There are two protocols additional to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which specifically address the issue of child soldiers⁶:

- Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)
- Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)

Protocol I, which applies to international armed conflicts, prohibits the recruitment of children younger than 15. However, there is no explicit prohibition of states parties accepting the voluntary enrolment of children under the age of 15. With regard to non-international armed conflict, Article 4 of Protocol II is a comprehensive ban on the use of children under 15, who “shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities”. This contrasts to Article 77 of Protocol I, which stipulates that states parties “shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities”. In other words, children under the age of 15 can voluntarily participate in international conflicts and national liberation wars. However, Article 8 of the Rome Statute of the International Criminal Court defines “conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities” as a war crime.

The phrasing of Article 77 of Protocol I is also to be found in Article 38 of the Convention on the Rights of the Child (CRC), with “persons” instead of “children”. Furthermore, the CRC defines what a child is—something which Protocols I and II deliberately avoid. Article 1 of the CRC states that “a child means every human being below the age of eighteen years”. This definition of a child can also be found in the following legal frameworks, which also set the minimum age of participation in armed conflict at 18 and do not recognize any voluntary recruitment under this age:

- Cape Town Principles on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa
- African Charter on the Rights and Welfare of the Child
- Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

DDR programmes for child soldiers

The objective of DDR is to enable a peaceful transition from military to civilian life by disarming ex-combatants, demobilizing them and helping them reintegrate into their communities in order to pursue a civilian life, or to integrate them into a new national army or police force.

According to the United Nations *Integrated Disarmament, Demobilization and Reintegration Standards* (IDDRS), the DDR process for child soldiers differs from the adult process because:

Unlike adults, children cannot legally be recruited; therefore, measures that aim to prevent their recruitment, or that attempt to reintegrate them into their communities, should not be viewed as a routine component of peacemaking, but as an attempt to prevent or redress a violation of children's human rights.⁷

A World Bank report concluded that in order to protect child soldiers and meet their special needs, they “must be separated from military authority and protected during demobilization”.⁸ The report also stressed “the wisdom of establishing special reception centers for child soldiers during demobilization” and that the stay should be as short as possible. Furthermore, reintegration of child soldiers “should emphasize three components: family reunification, psychosocial support and education, and economic opportunity”.

Universalist perspective

A variety of studies have concluded that the key to a successful DDR process is family and community acceptance and reconciliation and that successful practices are community sensitization, traditional cleansing rituals, and psychosocial support that is grounded in local social and cultural practices.⁹ Sensitization and awareness campaigns are also important in helping local communities better understand the conditions under which child soldiers have lived and are therefore a necessary first step towards reconciliation. Although more educational opportunities and vocational training programmes can yield success, these programmes must be based on local market analysis that determines whether the local post-conflict economy can absorb and sustain these new economic activities.

The majority of DDR services are dispensed through interim care centres (ICCs)—generally considered to be successful in their approach. However, ICCs have come into criticism because they can lead to dependence on the services offered if there is not enough funding to properly support longer-term reintegration efforts. Furthermore, by identifying children as ex-soldiers and by offering much needed services to only one fragment of the local population, ICCs can inadvertently create social tensions. Indeed, one of the main problems identified in the literature is the overwhelming amount of attention and support given to child soldiers to the detriment of other children who have also suffered throughout the conflict. Labelling child soldiers and supporting them in isolation can lead to stigmatization and envy—which are counterproductive to reintegration—and to an increase in the recruitment of child soldiers as more children seek access to the services offered by DDR programmes.

A critical issue is the lack of research on the DDR process for girls. In some contexts being identified as a girl soldier can lead to social stigmatization, exclusion and physical threats. Therefore, some girls purposely avoid a formalized DDR process that would identify them as former soldiers.¹⁰ As a result, many girls spontaneously demobilize and anonymously

reintegrate into their communities. Although the anonymity might protect them in some ways, it also makes it much more difficult to identify their needs and to provide them with support. Girls with children face even greater difficulties, which results in some deciding to stay in the fighting group, as they know that reintegration into their community would be extremely difficult and may threaten their survival.

Cultural relativist perspective

Cultural relativists challenge the three tenets of the post-modern Western conception of childhood and children's rights within the context of child soldiers:

- use of age to differentiate children from adults
- fundamental belief that children should not engage in armed conflict
- vulnerability and lack of agency¹¹ of children

The use of age to differentiate children from adults is often irrelevant to the social-cultural context in which child soldiers live. In many countries rituals, initiations, marriage and childbearing are more appropriate indicators of adulthood rather than age.¹² This has a direct impact on DDR programmes based solely on age, as some child soldiers may not identify themselves as children nor be regarded as children by the communities into which they are being reintegrated. This is especially true for child soldiers who are married or have had children themselves during the conflict and wish to have access to the adult DDR programmes. There have been reported incidences where some children "insisted that they were adults" and "some adolescents wanted to be demobilized as adults so they could receive direct cash assistance and claimed to be above the age of 17".¹³

As for the fundamental belief that children should not engage in armed conflict, cultural relativists provide a variety of examples of cultures and societies where engaging in armed conflict is either a rite of transition to adulthood or is actually promoted and supported by the local community. Others argue that in a context of a civil conflict, many children voluntarily join armed groups out of concern for their social well-being and security. Boys in Teso, Uganda, gave reasons why they had joined the Uganda People's Army (UPA):

The Karamojong raiding saw the number of cattle in Teso fall from about 1 million to just 10,000 by 1991. This was a loss with deep emotional resonance for it represented the loss of wealth, security, and a future. The loss of cattle proved one of the main rallying cries for the UPA military leadership as they sought recruits. It was a lament keenly felt by young boys and men who know that without cattle they could not hope for marriage, a properly established home, rightfully held children, and the full requirements of what it is to be a mature man in Teso social life. They joined the UPA in anger and rebellion against their loss.¹⁴

This example demonstrates that complex and interweaving social, cultural and economic factors compel children to take up arms. Many child soldiers also join in search of the power, authority and regular income a gun can provide in the chaos of a civil conflict. Under these circumstances some children may not wish to demobilize as their engagement with the armed group has brought them prestige, safety, authority and income. As a result, some do not wish to return to a subservient role in society. DDR programmes that are mandated to demobilize and reintegrate every child may be forcing some to do so against their will. In addition, by making it illegal for children to be part of the armed forces, child soldiers are not allowed to become part of the new army or police force. This often takes away what is very often their only marketable skill in a strained post-conflict economy. Many become mercenaries and fight in other regional conflicts, thereby contributing to the destabilization of other states and regions.

The final criticism made by cultural relativists is that the universalist perspective fails to recognize the agency of children and youths in a conflict and post-conflict setting, thereby ensuring that child soldiers cannot be held accountable for their crimes. Indeed, many communities want to hold child soldiers accountable and believe that rights must be counterbalanced with responsibilities. An example in Sierra Leone demonstrates how communities can attribute agency and responsibility to child soldiers whilst DDR programmes promote a different message.¹⁵ Child soldiers who had fought with the Civil Defence Forces were hailed as heroes and not innocent victims manipulated by adults into fighting for their country. As a result, they were accepted by and reintegrated into the communities and many did not participate in the DDR programme. However, the reintegration of the rebel fighters from the Revolutionary United Front (RUF) proved to be much more difficult. The communities did not wish to reintegrate them as they considered them to be the instigators of violence and civil unrest. As a result, non-governmental organizations (NGOs) who implemented DDR programmes took a more hands on approach in order to encourage communities to accept and reintegrate RUF soldiers. They engaged in community sensitization campaigns and often used economic incentives in the form of funding for community schools, while promoting the right to reintegration and the notion of victimhood over agency and responsibility. Furthermore, there is evidence of manipulation of the child soldier discourse by child soldiers themselves, which strongly reflects agency and responsibility.

Among their friends and fellow soldiers, they try to maintain the status that being part of the fighting gives them. They wear combat clothes and sunglasses and brag about firing rocket-propelled grenade launchers. With NGOs they adopt the persona of the traumatized innocent, usually requesting aid in furthering their education. With community members and in school they act like normal kids, never mentioning the past. Thus, their “reintegration” is achieved in social practice across a variety of contexts using a variety of strategically adopted identities.¹⁶

This demonstrates the extreme difficulty in drawing a line between manipulated behaviour and free will, as children navigate through their various social environments and adapt accordingly. Whether the acts of violence were the result of manipulation, agency—or more realistically, a mixture of both—the situation described above, which took place in Sierra Leone, demonstrates how the issue of victimhood promoted by the universalist perspective is one of great contention for local communities who have suffered tremendously and are, in some ways, forced to reintegrate child soldiers in order to have access to much needed funding.

Moving the debate forward

The debate over DDR programmes for child soldiers is currently set up as an impasse between those who advocate a universal rights-based programming and those who criticize the very foundations and assumptions that type of programming is based upon. Consequently, we are left with the following fundamental questions:

- Who is a child soldier?
- Who is in need of DDR support?
- What should DDR programmes for child soldiers entail?

In an effort to move the debate forward, there needs to be a revision of our understanding of the universal rights-based approach:

At the conceptual level, there is a need to move beyond sterile debate around universalism versus cultural relativism in order to engage more fully with the realities of children's lives, which are inevitably shaped by ideas, practices, and power relations that are both local and global. It is essential to recognize that the vision of childhood manifest in the CRC may have only limited relevance for children who lack the social, economic, and political wherewithal to actualize this vision. Instead, they are faced with a set of realities that humanitarians, working in narrow accordance with a "rights-based approach", are currently ill-equipped to comprehend, let alone address.¹⁷

Indeed, it is a serious problem if the rights-based approach set up to protect and defend against various abuses is an obstacle to the proper understanding of the nature and circumstances of these abuses, and therefore an obstacle to the development and implementation of a proper solution or protection mechanism. DDR programmes need to engage in a more cultural relativist approach to properly understand local conditions and factors that will determine what is considered to be a successful demobilization and reintegration according to the child and to the community. There is also a strong need to refocus on the actual causes of the fighting in order to better understand how to demobilize and reintegrate child soldiers. Although, as the cultural relativists have argued and demonstrated, children and youths may

want to engage in armed conflict, this may not be their priority. Indeed, the example of the young Ugandan fighters described illustrates this point. The youths wanted to fight for their cause and the community supported them. However, their priority was to regain access to their cattle in order to be able to make a living and be socially respected. In other words, from the perspective of the youths who voluntarily join armed groups, the problem is not whether they should engage in armed conflict prior to a certain age or whether local social and cultural factors justify their engagement, the problem for them lies in the very reasons that drive the conflict in the first place. We must remember that the number one reason for child soldiers is conflict. Although the cultural relativists have brought forward an important perspective on this issue, by focusing entirely on the local and cultural point of view, focus moves away from the actual causes of conflict, which represents the major concern for the youths involved. Consequently, a better understanding of these causes is necessary for the DDR of child soldiers and will go a long way in promoting and respecting their fundamental human rights.

In order for a more complete picture of a complex reality to emerge, experts from various fields must come together—which is presently not the case. Indeed, the success of DDR programmes for child soldiers will be determined by the understanding of, respect for and adaptability to local factors and conditions.

What is required today is a constructive dialogue on the issue of childhood and children's rights that does not fall into the twin traps of relativism and universalism, that does not ignore the heterogeneity of children's lives or obscure the commonality of ways in which economic and political forces in an increasingly unstable and polarized world have affected the lives and experiences of these children.¹⁸

Children need to be consulted during the development phase of the DDR programme, and not simply presented with a predetermined menu of services. Unfortunately, there is very little information on the opinions of child soldiers themselves. As their experiences can vary tremendously from one child to the next, DDR programmes need to be more sensitive to this complexity. In order to do so, however, much more research highlighting the perspective of child soldiers themselves is needed. Unfortunately, this may be extremely difficult to do in a post-conflict setting, which is in the midst of a complex and shifting redefinition of its social fabric, social roles and local power dynamics.

Conclusion

The universal rights-based approach to DDR fails to take into account important social, cultural and personal influences that lead children to participate in armed conflicts in the first place and which greatly influence if, how and when the children will seek to disarm and reintegrate into civilian life. However, the cultural relativists' narrow focus on the social and cultural factors that impact children's participation in armed conflict fails to recognize the important socio-

economic causes of conflict, which in return greatly shape the environment into which child soldiers are to be reintegrated.

As child soldiers are affected by global and local influences, both as soldiers and as individuals making the transition to a new civilian life, there is an important need to move away from the current impasse of the two dichotomized perspectives. In order to do so, both sides need to shift their focus. This can be done by having experts from different disciplines come together and paint a more realistic picture of the conflict situation and provide a better understanding of the complex causes of conflict as well as the dynamics of reconstruction of post-conflict societies. Finally, more research on the perspective of the child soldiers themselves is needed in order to better understand how former child soldiers navigate through post-conflict society and how they would like to be reintegrated.

Notes

1. This article is based on a paper by the author entitled "Child Soldiers and Disarmament, Demobilization and Reintegration Programs: The Universalism of Children's Rights vs. Cultural Relativism Debate", which appeared online in *The Journal of Humanitarian Assistance* on 23 August 2010.
2. For further information see J. Hart, "The Politics of 'Child Soldiers'", *Brown Journal of World Affairs*, vol. 13, no. 1, 2006, pp. 217–26.
3. J. Fernando, "Children's Rights: Beyond the Impasse", *The ANNALS of the American Academy of Political and Social Science*, vol. 575, no. 1, 2001, pp. 8–24.
4. *Ibid.*, pp. 18–19.
5. M. Vaha, "Child Soldiers and Killing in Self-Defence: Challenging the 'Moral View' on Killing in War", *Journal of Military Ethics*, vol. 10, no. 1, 2011, pp. 36–51.
6. For more information on the legal frameworks which deal with children and conflict, see J. Doek, "The International Legal Framework for the Protection of Children in Armed Conflict", in this issue of *Disarmament Forum*.
7. United Nations, "5.30: Children and DDR", *Integrated Disarmament Demobilization and Reintegration Standards*, 2006, p. 1.
8. World Bank, "Child Soldiers: Preventing, Demobilizing and Reintegration", *Africa Region Working Paper Series*, no. 23, 2001.
9. More recent studies include: L. Stark, N. Boothby and A. Ager, "Children and Fighting Forces: 10 years on from Cape Town", *Disasters*, vol. 33, no. 4, 2009, pp. 522–47; A. Honwana, *Child Soldiers in Africa*, 2006; and N. Boothby, J. Crawford and J. Halperin, "Mozambique Child Soldier Life Outcome Study: Lessons Learned in Rehabilitation and Reintegration Efforts", *Global Public Health*, vol. 1, no. 1, 2006, pp. 87–107.
10. For further information see: M. Wessells, "The Reintegration of Formerly Recruited Girls: A Resilience Approach", in D. Cook and J. Wall (eds), *Children and Armed Conflict: Cross-Disciplinary Investigations*, 2011, pp. 189–204; K. Kostelny, "What About the Girls?", *Cornell International Law Journal*, vol. 37, no. 3, 2004, pp. 505–12; and S. McKay, "Reconstructing Fragile Lives: Girls' Social Reintegration in Northern Uganda and Sierra Leone", *Gender and Development*, vol. 12, no. 3, 2004, pp. 19–30.
11. The terminology "agency" implies liability and accountability.
12. For further information see D. Francis, "'Paper Protection' Mechanisms: Child Soldiers and the International Protection of Children in Africa's Conflict Zones", *Journal of Modern African Studies*, vol. 45, no. 2, 2007, pp. 207–31.

13. J. Williamson, "The Disarmament, Demobilizing and Reintegration of Child Soldiers: Social and Psychological Transformation in Sierra Leone", *Intervention*, vol. 4, no. 3, 2006, pp. 185–205.
14. J. de Berry, "Child Soldiers and the Convention on the Rights of the Child", *The ANNALS of the American Academy of Political and Social Science*, vol. 575, no. 92, 2001, pp. 92–105.
15. See S. Shepler, "The Rites of the Child: Global Discourses of Youth and Reintegrating Child Soldiers in Sierra Leone", *Journal of Human Rights*, vol. 4, no. 2, 2005, pp. 197–211.
16. *Ibid.*, pp. 198–99.
17. J. Hart, "The Politics of 'Child Soldiers'", *Brown Journal of World Affairs*, vol. 13, no. 1, 2006, pp. 217–26.
18. J. Fernando, "Children's Rights: Beyond the Impasse", *The ANNALS of the American Academy of Political and Social Science*, vol. 575, no. 8, 2001, pp. 8–24.

Selective outrage: the dangers of children's DDR in eastern DRC

Claudia Seymour

This article offers a critique of the dominant approach to children's disarmament, demobilization and reintegration (DDR) in the Democratic Republic of the Congo (DRC). Drawing on narratives of young people who were formerly associated with armed groups, the article highlights some of the mistaken assumptions of the discourse and practice of children's DDR, and shows how far removed they are from young people's actual experience. I argue that the global outrage against the "child recruitment" phenomenon is dangerously selective, and that it obscures the entrenched structural violence, which deeply and negatively affects the lives of young people in eastern DRC today.

Since the mid-1990s, the use and recruitment of children by armed groups is an issue that has dominated international discourse on children's experience of violent conflict. From the 1996 report by Graça Machel on the impact of conflict on children,¹ to the 1998 adoption of the Rome Statute of the International Criminal Court (Rome Statute) codifying the use and recruitment of children under the age of 15 years as a war crime, to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC), adopted in 2000, global attention has mobilized forcefully behind the "child soldier" phenomenon.

Indeed, the image of a child with a gun might be one of the most potent images of the early twenty-first century. Highlighting the brutality and injustice of contemporary conflict, it disturbs established Western conceptions of childhood as a period of vulnerability and innocence. The image of the "14-year-old boy whose name means innocent in Swahili ... [and who] was forced to commit acts of sexual violence against women" lends itself to an amorphous sense of fear of children who have been injured and socialized to violence—children who have been seized by the irrational savagery of modern warfare.² It is an image which serves as a powerful tool to mobilize media attention and donor funding.

With so much human suffering associated with violent conflict, the power of such imagery begs deeper reflection. Critical research is beginning to emerge on international responses to the child soldier phenomenon, and it would be useful for us to reflect: "In a world where mass child poverty and malnutrition is a reality for hundreds of millions, it is curious how 300,000 child soldiers have gained so much international recognition".³

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By offering perspectives from young people who have grown up in the protracted violence of eastern DRC, this article shows how far removed the dominant approach to children's DDR is from children's realities. Although the children's DDR framework might hopefully be understood as an ameliorative intervention in the terrible suffering of war, I argue that the global moral outrage surrounding the child soldier phenomenon is unjustifiably selective, and that it obscures the much more destructive and deeply entrenched manifestations of structural violence, which pervades life in eastern DRC today.

Such a perspective is based on my professional work as a child protection actor and on my doctoral research exploring young people's experience of violence in eastern DRC. Between 2006 through 2010 I served with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) as a child protection advisor, with the Security Council-mandated Group of Experts on the Democratic Republic of the Congo and with several NGOs. In 2010 and 2011 I conducted doctoral fieldwork in South Kivu, documenting individual narratives and life histories of 44 young people in three research sites. The data used in my research draws on this ethnographically-based work, as well as on the interviews conducted with more than 300 children previously associated with armed groups in North Kivu and the documentation of approximately 2,000 recruitment experiences in eastern DRC.

Children's DDR in eastern DRC

Children's DDR in the DRC is strongly grounded in the international, normative child rights framework. The DRC government has signed and ratified the Convention on the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Child, the Rome Statute, the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention 182) and the OPAC. Notably, the case against Ituri militia leader Thomas Lubanga Dyilo—the first case tried at the International Criminal Court—was based on crimes against humanity, on the charges of enlisting and conscripting children under the age of 15. In 2009 the government passed the national Child Protection Code, which includes provisions outlawing the use and recruitment of anyone under the age of 18.

Popular estimates maintain that more than 33,000 children have been recruited and used by armed groups in the DRC since the beginning of the conflict in 1996.⁴ While the use of children was popularized by President Laurent Kabila during the "liberation" wars, local militia and rebel groups have regularly drawn on boys and young men to supplement their troop numbers. Since the first DDR programme for children was initiated in 1999, the United Nations Children's Fund (UNICEF) reports the formal demobilization of an estimated 31,200 children.⁵ Eligibility to the programmes is defined according to the Paris Principles:

"A child associated with an armed force or armed group" refers to any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to

children, boys, and girls used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.⁶

The formal process of DDR

According to the national DDR programme for children, the process of separating a child from an armed group begins with their identification.⁷ Upon identification, military commanders are requested to grant access to the presumed child to allow a child protection agent verify their age. If determined to be under the age of 18, the child is then disarmed (if carrying a weapon) and released by his or her commander. The child then begins the formal “demobilization” process, which usually entails a stay at a transit centre (or a host family) for a period of weeks or months. During demobilization children are engaged in social, psychosocial, educative and recreational activities to support their re-adaptation to civilian life. Concurrently, the child’s family is traced, and eventually the child is reunified at home, thus beginning the process of “reintegration”. According to the DDR framework, the child is supported in the reintegration phase through the provision of vocational training, formal education or an income-generating activity.

In reality, however, such a clear progression through the phases of children’s DDR is rarely achieved. The complexity and recurrence of violence in eastern DRC requires that any external intervention be aware of and responsive to the social, economic and historical rootedness of the conflict, yet child protection actors rarely have sufficient capacity, time or donor funding for the nuanced, long-term commitment demanded. Consequently, children’s DDR programmes have often been little more than expensive logistical exercises, which ignore the conditions of entrenched poverty and extremely limited choices that lay the foundations of the child recruitment phenomenon. From this perspective the next section looks at the disconnect of two of the dominant assumptions of children’s DDR approaches from children’s lives through narratives of two young people formerly associated with armed groups.

Countering the dominant assumptions of forced recruitment and victimhood

Voluntary recruitment

As one small contribution to broad United Nations efforts to hold perpetrators of child recruitment to account, one of my tasks in 2009 was to compile a database documenting the names of commanders reportedly recruiting children. In this process I documented nearly 2,000 child recruitment experiences in North Kivu alone. Of these, a total of 928 had been described—by the children themselves—as having been “voluntary”. The fact that nearly half of the cases I examined were described as voluntary counters the dominant assumption which draws much legitimacy from the premise of nefarious commanders and helpless children.

Clearly, notions of “voluntary” are problematic in a context of ongoing conflict, and indeed, young people are often left to choose the least worst of a series of bleak possibilities. However, that so many children were able to express their “tactical agency”⁸ makes it clear that there is much more to understanding why young people become involved in armed groups.

A young man recounted his story, a narrative which offers rich insights into how children’s agency can allow them to navigate the extreme complexity of active conflict. He had first been recruited by the Alliance of Democratic Forces for the Liberation of Congo–Zaire (AFDL) in 1996, when he was seven, and spoke of his first association with the rebel movement:

In 1996 the war came to [my town]. My family fled to Bukavu, where we stayed for three months. When we returned [home], we didn’t know who was in charge, though Mzee [Laurent] Kabila was leading recruitment efforts. I was forced to join the AFDL with all the other boys I grew up with. We were taken to the Plains of Ruzizi and trained for five months in how to use guns. After the training we were given arms and uniforms and started fighting.

By the time Mzee Kabila took Kinshasa, my battalion had returned to [the base near the airport]. When the RCD [Rassemblement congolais pour la démocratie] entered Bukavu in 1998, they took over our base and killed all but six of the AFDL officers. The soldiers who remained were forced to carry the bodies . . . to be burnt with benzene. These soldiers were then shot and killed. Other soldiers who had gone to the police seeking refuge were also shot and killed.

Six of us managed to survive and we escaped. Two of us hid with our commander. Two weeks later Bukavu was taken by the RCD, so we began our journey on foot to Goma, where we stayed with the family of our commander. He negotiated for us to be integrated into the RCD.

There are many ways in which this young man’s narrative could be analysed, but what especially struck me at the time was the way in which he spoke of his AFDL commander. His commander was his protector, the one who assured his safety, provided him with shelter and food during their escape from the advancing RCD forces, and ensured his safe transfer to RCD command.

His narrative expressed his understanding of the political violence in which he was engaged, yet this was apparently not very exceptional to him—he was merely doing what “all of the boys” he had grown up with were doing. However, his engagement with the conflict eventually took on a new meaning, becoming deeply personal:

One day I was given some days of leave to visit home. Once there I went to visit my grandfather in the nearby village. When I returned home late that day, I found that the RCD had surrounded my house. They were accusing people of

being Mayi-Mayi [local defence militia] sympathisers. I saw my father as he was being beaten by the soldiers. He was beaten to death.

Unable to stop the killing of his father by members of his own army, he was able to express his agency by taking another kind of action: "To take vengeance for my father's death, I decided to leave the RCD and to join the Mayi-Mayi". He explained the details of his time with the Mayi-Mayi and then described how in 2002 he was identified by an international child protection organization and thus began the DDR process for children. However, as the conflict continued in South Kivu, he was eventually re-recruited by the Mayi-Mayi and returned to the front line. He described his last battle with pride: "I participated in the war of June 2004 when the RCD and [Colonel] Mutebusi attacked Bukavu. We managed to chase Mutebusi back into Rwanda".

During his narrative, this young man placed great importance in having participated in this heroic routing of the RCD forces. Even more crucially for him, he had at last avenged the death of his father, an act which helped him make sense of the conflict.

I got to know this young man only in 2010, six years after his last involvement with an armed group. At 21 years of age he was struggling each day just to survive in the patronage-dependent economic networks of Bukavu. He had previously completed a reintegration programme for children, but, like most of the other young people I have known who have gone through this kind of training support, the skills he had learned as a mechanic were inadequate and irrelevant in the urban economy. Instead, he earned money by working at the port of Bukavu, transporting extremely heavy loads of merchandise or sand into town. For this young man the most distressing part of his story was not his years fighting in the AFDL, the RCD or the Mayi-Mayi forces, but rather that just living today was so difficult.

Resilience over victimhood

The second main assumption of the children's DDR discourse was articulated in September 2011 by Under-Secretary-General Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, in a speech to the Human Rights Council, when she noted that "children should be treated primarily as victims, not as perpetrators".⁹ This perspective of "child-as-victim" continues to dominate international child protection policy and practice, despite ample research findings which call this perspective into question. Researchers working in Israel and Palestine,¹⁰ Northern Ireland,¹¹ South Africa¹² and northern Uganda¹³ have shown that many children are often not as traumatized by their involvement in violent conflict as is commonly thought, and that they are generally able to adapt to and cope with the daily risks and adversities in ways that defy expectation.¹⁴

As my work and research have shown, resilience is a concept which is useful in helping us understand how children cope with insecurity and violence. In the psychological literature, resilience can be defined as "the dynamic process of adjustment that leads to a relatively good outcome despite the experience of risk conditions that would otherwise lead to

psychopathology or other serious secondary effects".¹⁵ Resilience theory examines concepts such as "locus of control",¹⁶ and considers the role of family and social support networks¹⁷ as well as processes of meaning-attribution¹⁸. These theoretical considerations contribute to understanding what anthropologists might consider as children's "constructive engagement with adverse societal conditions".¹⁹

The narrative of another young person in South Kivu who participated in my doctoral research provides further insights on children's actual experience of being associated with armed groups. I also first got to know this 22-year-old woman in 2010 and have since stayed in close contact with her. Her story offers powerful testimony contrary to the assumption of victimhood—young people regarding themselves as victims—and reveals their courage and resilience. She had been abducted by the Forces démocratiques de libération du Rwanda (FDLR) during one of the many battles in her rural town at the height of the conflict. Her narration of her abduction experience was brief:

Some things one can forget, and once forgotten, they are gone forever. But other things cannot be forgotten. I was in my fourth year of secondary school. It was 2003, I was 15½. On 1 August 2003 I was taken by the FDLR. I stayed in the forest with them for seven months.

Eventually, she managed to escape and to find her way home. In contrast to the scarcity of detail which she used when describing her abduction experience, the description of her return home was full. It is a period of her life which continues to weigh heavily on her thoughts:

I was able to escape on 7 March 2004, and I found my way home. I was already seven months pregnant by then. My family told me repeatedly that I had to get rid of the pregnancy. They considered my unborn baby the enemy—*le serpent*. But I wanted to keep it—I believed it was God's will. I was hated by the whole family. My family was so angry with me, they told me they lost their cows because I had been raped.

Despite the intense rejection and emotional abuse she experienced, she refused to abort the pregnancy. Her commitment to her unborn child was anchored in what she described as her spiritual faith—a way of accepting what she had lived through. The emotional loss of rejection by her family, however, continued to trouble her deeply. Later she recounted the more recent abduction, and eventual killing, of her youngest sister by other elements of the FDLR. Her sister's death had a profound impact on her family: "My parents lost all their hope then. They cried and they mourned the loss of yet another daughter". Quietly she continued, "Like her, I'm dead to them".

This young woman is incredibly dynamic, but it was clear that over the years she had come to internalize the rejection by her family. Several times she expressed a recurring worry about her

future: “I dream of getting married one day. But I’ll never find a man who would accept me, who would love my son”.

I continue to meet with this young woman on each of my visits back to the DRC, and in-between visits we talk on the phone. Her hopes of getting married and finding some stability remain an important preoccupation for her. Her son, now 7 years old, is the centre of her life. She had also gone through the children’s DDR process, and was a “beneficiary” of a tailoring skills-training programme—yet this “skill” brought little to her in the way of earning her livelihood. Now she spends her days doing small jobs or asking others for financial help. Her son is now in primary school, and she is in her second year of university. Not once in her story would she allow the word “victim” to feature.

The danger of selective outrage

The aim of this article has been to challenge some of the dominant assumptions and the accepted discourse about children’s association with armed groups. By showing some of the complexity of the experience of just two young people, I hope to show how far removed children’s DDR programmes remain from the actual needs of children and young people.

Rather than association with armed groups, my research has shown that today in the DRC it is the “invisible violence”—structural violence—which has the greatest negative impact on young people’s lives.²⁰ Structural violence can be defined as “chronic, historically-entrenched political-economic oppression and social inequality”;²¹ an especially insidious form of violence because it “is silent, it does not show”.²²

Today in the DRC, the impact of structural violence is evident in the hopelessness and defeat expressed by so many young people, who increasingly tell me that “today is worse than yesterday—tomorrow will probably be worse than today”. A sentiment expressed by one research participant was echoed by many: “During the war there was nothing I could do to protect myself. But even now I still have no means to change things”. Another young man who I interviewed in Goma replied to a question about his future aspirations: “Why should I have thoughts about my future? I’m already dead”.

During a discussion with a group of young people, they tried to explain to me how this powerlessness feels:

Inside we are destroyed. We’re losing our morale. We are unable to defend ourselves. We have realized that power is not ours, that there is nothing we can do to protect ourselves. We have learned that anytime we try to defend ourselves, we will be punished by force.

Conclusion

Life in the DRC today is as complex as it is difficult. The simplistic assumptions upon which the children's DDR framework is built obscure the agency and the courage of so many young people as they navigate the complex terrain of conflict in eastern DRC. There is a need to go beyond the formulaic approach to DDR and to understand and appreciate the complex ways in which young people experience and cope with violent conflict. As argued here, the internationally mobilized outrage against children's association with armed groups is dangerously selective, as it obscures much deeper, systemic harms. Acknowledging and responding to the oppressive structures of violence, poverty and blocked opportunities facing most young people in the DRC today—the structures which also lay the foundations of the child recruitment phenomenon—would likely contribute to more relevant and effective interventions for the protection of children.

Notes

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New publication

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Edited by Piers Millet (October 2011)

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The Inter-Agency Working Group (IAWG) on Disarmament, Demobilization and Reintegration (DDR) has identified the need for an evidence-based approach to enhance the effectiveness of DDR programmes worldwide.

An evidence-based approach is essential for improving the effectiveness of local-level programming. Although disarmament and demobilization activities have been facilitated by some universal good practices, the sociocultural nature of reintegration activities tends to limit a “one-size-fits-all” approach when designing programmes. In order to be effective, reintegration programming needs to be tailored to local contexts, cultures and particularities. This can be achieved by identifying and prioritizing which local evidence is required when deciding the best courses of action and then applying them to the reintegration activities.

The goal of the project Research and Development for an Evidence-Based Reintegration Programming Tool is to develop such an approach for the IAWG and its partners, thereby improving post-conflict stabilization and peacebuilding efforts.

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