

Children as Weapons of War

By Jo Becker

Over the last five years, the global campaign to stop the use of child soldiers has garnered an impressive series of successes, including new international legal standards, action by the UN Security Council and regional bodies, and pledges from various armed groups and governments to end the use of child soldiers. Despite gains in awareness and better understanding of practical policies that can help reduce the use of children in war, the practice persists in at least twenty countries, and globally, the number of child soldiers—about 300,000—is believed to have remained fairly constant.

As the end of wars in Sierra Leone, Angola, and elsewhere freed thousands of former child soldiers from active armed conflict, new conflicts in Liberia and Côte d'Ivoire drew in thousands of new child recruits, including former child soldiers from neighboring countries. In some continuing armed conflicts, child recruitment increased alarmingly. In Northern Uganda, abduction rates reached record levels in late 2002 and 2003 as over 8,000 boys and girls were forced by the Lord's Resistance Army to become soldiers, laborers, and sexual slaves. In the neighboring Democratic Republic of Congo (DRC), where all parties to the armed conflict recruit and use children, some as young as seven, the forced recruitment of children increased so dramatically in late 2002 and early 2003 that observers described the fighting forces as "armies of children."

In many conflicts, commanders see children as cheap, compliant, and effective fighters. They may be unlikely to stop recruiting child soldiers or demobilize their young fighters unless they perceive that the benefits of doing so outweigh the military advantage the children provide, or that the costs of continuing to use child soldiers are unacceptably high.

In theory, the benefits of ending child soldier use can include an enhanced reputation and legitimacy within the international community, and practical support for rehabilitation of former child soldiers, including educational and vocational opportunities. Possible negative consequences of continued child soldier use can include "shaming" in international fora and the media, restrictions on military and other assistance, exclusion from governance structures or amnesty agreements, and prosecution by the International Criminal Court or other justice mechanisms.

In practice, however, the use of child soldiers all too often fails to elicit action by the international community at all, apart from general statements of condemnation. Human Rights Watch is aware of no examples of military aid being cut off or other sanctions imposed on a government or armed group for its use of child soldiers. Conversely, when armed forces or groups do improve their practices, benefits also frequently fail to materialize. Although governments and armed groups receive public attention for commitments to end use of child soldiers, concrete support for demobilization and rehabilitation efforts often does not follow.

If the international community is serious about ending the use of child soldiers, it needs to build on the successes of the past five years, but with a sober eye for the obstacles that have stymied further progress. This essay gives an overview of developments over that period, both positive and negative, and offers suggestions on the way forward.

Renewed progress will depend on clearly and publicly identifying the responsible parties; providing financial and other assistance for demobilization and rehabilitation; and, most importantly, ensuring that violators pay a price should they continue to recruit and deploy child soldiers. Some concrete suggestions on how these remedies should be pursued, including the critical role that the U.N. Security Council is poised to play, are described in the concluding section of the essay.

New Visibility and the Emergence of New Legal Norms

In a span of just two years, but following years of campaigning, three important new treaties were adopted that significantly strengthened legal norms regarding the use of child soldiers. In July 1998, 120 governments adopted the Rome Statute for the International Criminal Court, defining the conscription, enlistment, or use in hostilities of children under the age of fifteen as a war crime. Less than a year later, in June of 1999, the member states of the International Labor Organization (ILO) acted to prohibit the forced recruitment of children under age eighteen for use in armed conflict as part of the Worst Forms of Child Labor Convention (Convention 182). And in May 2000, the U.N. adopted the Optional Protocol to the Convention on the Rights of the Child, establishing eighteen as the minimum age for participation in armed conflict, for compulsory or forced recruitment, and for any recruitment by nongovernmental armed groups.

The treaties were embraced rapidly. The Worst Forms of Child Labor Convention quickly became the most rapidly ratified labor convention in history, with 147 states parties by November 2003. In April 2002, the Rome Statute reached the threshold of sixty ratifications needed to bring the International Criminal Court into being, and by November 2003, sixty-six nations had ratified the Optional Protocol.

Intensive lobbying by nongovernmental organizations, (NGOs) notably the Coalition to Stop the Use of Child Soldiers and the coalition's national partners, helped build a global consensus against the use of child soldiers, and brought new attention to the issue. The coalition spearheaded the campaign for the adoption, ratification, and implementation of the Optional Protocol, holding a series of high-profile regional conferences, documenting child recruitment policies and practices worldwide, lobbying the Security Council and other international actors, and supporting regional networks working to end the use of child soldiers. The coalition's national partners launched public awareness campaigns, lobbied for changes in national policy and practice, and in many countries, helped drive forward the ratification and implementation of the optional protocol.

Attention to child soldiers has emerged in numerous other fora, including the Organization for Security and Cooperation in Europe, the European Parliament, the Organization of American States, the European Union-African, Caribbean and Pacific group (E.U.-ACP), and the Economic Community of West African States (ECOWAS), resulting in resolutions, joint strategies to address children and armed conflict, and the establishment of regional child protection mechanisms.

Government Forces and Child Soldiers

While some governments have taken concrete steps to end child soldier use, others flout the new norms by continuing to use children in conflict. Between 1999 and 2001, South Africa, Portugal, Denmark, and Finland each adopted new national legislation, raising the minimum age for voluntary recruitment to eighteen. In early 2003, the National Security Council of Afghanistan established a new minimum recruitment age of twenty-two.

Some governments raised their recruitment age even in the midst of conflict. In May of 2000, the government of Sierra Leone announced government policy setting eighteen as the minimum age for bearing arms. Previously, military law had set the age at seventeen. The government of Colombia, engaged in a thirty-year civil war, adopted legislation in

December 1999 prohibiting all recruitment of children under the age of eighteen, and discharged over 600 children from the army and more than 200 from other government forces.

The ratification of the optional protocol has brought additional changes by other governments. Until 2002, the United States routinely recruited seventeen-year-olds on a volunteer basis, and deployed them into conflict situations. Seventeen-year-old U.S. soldiers served in U.S. operations in Somalia, Bosnia, and the 1991 Gulf War. Once the U.S. ratified the Optional Protocol in December 2002, it changed its deployment practices to exclude seventeen-year-old troops from combat positions.

The United Kingdom recruits at age sixteen—one of the lowest official voluntary recruitment ages of any country—and has been the only European country to send under-eighteens routinely into battle. When ratifying the optional protocol in early 2003, the U.K. made a declaration stating that it would continue to deploy under-eighteens in situations of “genuine military need” when withdrawing them is deemed “impractical.” The Coalition to Stop the Use of Child Soldiers and other human rights advocates sharply criticized the declaration, stating that it was contrary to the object and purpose of the protocol, and that the U.K.’s declaration should be considered null and void. A change in practice became evident when the U.K. government announced that it would not deploy under-eighteens in the U.S.-led military operation against Saddam Hussein’s forces in Iraq, and removed under-age soldiers from ships being sent to the region. In contrast, over 200 British under-eighteens participated in the 1991 Gulf War, two of whom died during the war.

Other governments have continued to recruit and use children in armed conflict, including Burma, Burundi, the DRC, Liberia, Sudan, and Uganda. Burma’s national army alone includes an estimated 70,000 child soldiers (nearly one-quarter of the world’s total) and routinely sends children as young as twelve into battle against armed ethnic opposition groups. Both Uganda and the DRC have ratified the optional protocol, but flout their obligations by using child soldiers. The Ugandan People’s Defense Force has recruited children who escaped or were captured from the rebel Lord’s Resistance Army, and has trained and deployed children recruited into local defense units. The government of DRC maintains children in its ranks despite a 2000 presidential decree calling for the demobilization of child soldiers.

Paramilitaries or civil defense forces that are linked to the government frequently recruit children as well. As many as 20,000 children may serve in militias supported by the

government of Sudan. In Colombia, the paramilitary United Self-Defense Forces of Colombia (Autodefensas Unidas de Colombia, AUC) receive support from some army units, and often work in close collaboration with the Colombian military, which prohibits the recruitment of children. The AUC includes over 2,000 children, including many girls and children as young as age seven. In other countries, including the DRC and Rwanda, child recruitment by government-linked militias is also common.

Child Soldiers and Opposition Forces

Child soldier use is endemic among non-state armed groups. In nearly every conflict where government forces use child soldiers, opposition forces do as well. But even when governments do not recruit children, as in Nepal, the Philippines, or Sri Lanka, use of child soldiers by opposition forces may be routine. The use of child soldiers by nongovernmental armed groups is perceived as a more intractable problem than such use by states, due to the more limited range of pressure points available to the international community when dealing with non-state actors.

Many armed groups are sensitive to world opinion, however, and heightened attention to the issue of child soldiers has prompted a growing number of non-governmental armed groups to make public commitments to end the use of child soldiers. Among these are the Rassemblement Congolais pour la Démocratie-Goma (RCD-Goma) in the DRC, Revolutionary Armed Forces of Colombia-People's Army (Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, FARC-EP) in Colombia, the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka, Liberians United for Reconciliation and Democracy (LURD) in Liberia, the Sudan People's Liberation Army (SPLA) in Sudan, and several ethnic armed opposition groups in Burma (Myanmar).

One of the most recent commitments by non-state actors was contained in a statement by the Liberians United for Reconciliation and Democracy (LURD) on June 30, 2003. The LURD statement instructed all military commanders to refrain from the "unwholesome" act of recruiting children under the age of eighteen for active combat, and to release all children under the age of eighteen to LURD headquarters for demobilization and social reintegration. Several factors may have precipitated the announcement. Human rights advocates had raised the child soldiers issue with LURD's political leadership, suggesting that the LURD demobilize child soldiers not only for principled reasons, but also pointing out the indictment of then-president of Liberia Charles Taylor by the Sierra Leone special court for crimes including the use of child soldiers. The advocates suggested that the LURD would not want similar charges

hanging over their heads should they eventually take power. Members of the U.N. Security Council delegation led by Sir Jeremy Greenstock of the U.K. also urged an end to the use of child soldiers during meetings with parties to the Liberian peace talks in Accra in late June 2003. Like many other parties to armed conflict that have made similar pledges, however, the LURD has not implemented its commitment, and has continued its use of child soldiers

The U.N. secretary-general's special representative on children and armed conflict, Olara Otunnu, has secured a number of high-profile commitments from non-state armed groups. Although highly touted, few of these commitments have been kept in practice. During a June 1999 visit to Colombia by the special representative, the FARC agreed not to recruit children under the age of fifteen. However, the FARC's recruitment practices remained unchanged, and Human Rights Watch estimates that over 7,400 children (including those in urban-based militias) serve in its ranks, including many under the age of fifteen. Of seventy-two former child soldiers from the FARC interviewed by Human Rights Watch in 2002, fifty-seven (nearly 80 percent) were recruited before the age of fifteen.

In May of 1998, Otunnu traveled to Sri Lanka and received a commitment from the LTTE to end its use of children under eighteen in combat, and not to recruit children below the age of seventeen. In 2001, UNICEF reported that child recruitment had actually increased in the interim. The LTTE reaffirmed its commitment during a February 2001 visit by UNICEF's deputy director, but child recruitment by the LTTE continued unabated, including the kidnapping of school children traveling home from school. In June 2003, the government and LTTE agreed on an action plan for children affected by war, including mechanisms for the release and reintegration of former child soldiers, primarily the establishment of transit centers co-managed by the Tamils Rehabilitation Organization and UNICEF. At this writing, child recruitment by the LTTE was continuing, and it was unclear whether the agreement would prompt significant progress.

The continuing pressure by the U.N. to induce the LTTE to fulfill its commitment is more the exception than the rule. The special representative has not made follow-up visits to either Sri Lanka or Colombia, and a UNICEF representative told Human Rights Watch that the commitments are "not systematically monitored." The representative cited a general lack of coordination between the special representative and UNICEF in following up the commitments.

Another underlying problem is that armed groups perceive a public relations benefit from making public commitments not to recruit child soldiers, but often lack the political will or resources to actually demobilize children from their ranks. Commanders who are concerned with maintaining military strength may be reluctant to release young soldiers, particularly when alternatives for the children, including school or vocational training, are not available.

In many cases, assistance in creating educational and vocational alternatives for child soldiers is critical in ensuring compliance by armed groups with their commitments. Top-ranking commanders in the Karenni Army, one of Burma's armed ethnic opposition groups, admit that 20 percent of the group's ranks are children despite policies prohibiting the recruitment of children under the age of eighteen. A Karenni Army general told Human Rights Watch that he was aware of international standards and would prefer to exclude children from his forces, but that many of the children who seek to join are displaced or refugee children with no access to school. He said that if viable educational or vocational alternatives were available to young volunteers, it would be easier to comply with international standards:

“We have some ideas for projects for some of our young boys in the army, but we can't get any support from outside organizations. . . . No resources means no skills. . . . The only option for child soldiers is if we can have a special school for them, not only for reading and writing but also for vocational skills like carpentry or auto mechanics. We can't send fourteen and fifteen-year-olds to ordinary kindergarten. The most important thing for these young people is education.”

In eastern DRC, complementary efforts by the U.N. and NGOs resulted in the demobilization of more than 1,200 children from RCD-Goma and other armed groups in North and South Kivu from 1999 to early 2003. Following a massive recruitment drive by the RCD-Goma in 2000, Save the Children U.K. sought the agreement of RCD-Goma commanders to hold a series of workshops for military personnel on international law related to child soldiers, and the demobilization and rehabilitation programs operated by Save the Children. Seven workshops were held in 2001, prompting a noticeable increase in the number of children demobilized. During the same period, UNICEF held a series of meetings with the RCD-Goma political leadership, culminating in a formal plan of action for the demobilization of child soldiers that was agreed in December of 2001. In April of 2002, RCD-Goma formally demobilized 104 children from a military training camp near Goma. However, thousands of additional child soldiers remain in RCD-Goma's ranks.

Transitioning Children Out of War

By late 2003, demobilization and rehabilitation programs for former child soldiers were operating in a half-dozen countries, including Colombia, the DRC, Rwanda, Sierra Leone, Somalia, Sudan, and Uganda, and new programs were beginning in Afghanistan, Burundi, Liberia, and Sri Lanka. However, with few exceptions, these programs were available to only a small percentage of the children who needed them, and in some countries, including Myanmar, Nepal, and the Philippines, such programs were practically nonexistent.

Rehabilitation assistance for child soldiers is often delayed. In Afghanistan, parties to conflict regularly used child soldiers during more than two decades of civil war, and one survey of over 3000 Afghans found that up to 30 percent had participated in military activities as children. However, it was nearly two years after the Afghan conflict had officially ended before a UNICEF program for the rehabilitation and reintegration of former child soldiers was established. In Angola, a peace agreement was reached in April of 2002, but child soldiers were excluded from formal demobilization programs and, at this writing, no special rehabilitation services had been set up for an estimated 7,000-11,000 children who served with UNITA or government forces. In the DRC, the government issued a decree in June of 2000 to demobilize child soldiers from government forces. It subsequently developed a plan for demobilization, rehabilitation, and reintegration, but complained that it was unable to implement the plan because donors had not provided sufficient resources. Between July 2001 and November 2002, only 280 child soldiers were reportedly released from the government's forces.

Not surprisingly, the most significant reductions in child soldier use have accompanied the end of conflicts themselves. From May 2001 through January 2002, the U.N. mission in Sierra Leone disarmed and demobilized close to 48,000 combatants from rebel forces and government-allied militias, including 6,845 child soldiers. Most former child soldiers were reunited with their families, and about half were either enrolled in educational support or skills training programs

A significant weakness of the Sierra Leone program and many others is the exclusion of girls from demobilization, rehabilitation, and reintegration processes. In Sierra Leone, hundreds of girls were left out of the demobilization program and remained with their rebel captors. In the DRC, thousands of girls are thought to be involved in armed groups, but the demobilization of over 1000 children in North and South Kivu by Save

the Children and other partners since 1999 included only nine girls. The exclusion of girls is due to multiple factors. Girls who do not serve in visible combatant roles are often overlooked. Some may be reluctant to participate in demobilization programs because of the stigma of being associated with military forces, particularly when sexual abuse is common. In other cases, programs are not designed with girls or their particular needs in mind, despite the significant numbers of girls involved in many armed conflicts.

Demobilization of children during an active armed conflict is particularly challenging. Southern Sudan is one of the few examples of such efforts. In 2000, the SPLA made a commitment to UNICEF executive director Carol Bellamy to end its use of child soldiers. The following year, the SPLA cooperated with UNICEF and other organizations in the demobilization of over 3,500 children from its forces and their reunification with their families. By 2003, however, the process of demobilization had stagnated. UNICEF estimates that 7,000-8,000 children remain with the SPLA, and that some recruitment continues, including re-recruitment of children who had been previously demobilized.

Re-recruitment of some former child soldiers occurs in nearly all cases where demobilization of children is attempted during a continuing armed conflict. In Northern Uganda, where the Lord's Resistance Army has abducted an estimated 20,000 children for use as slaves and soldiers, programs operated by World Vision and Gulu Save Our Children Organization (GUSCO) provide rehabilitation support for many former child soldiers who manage to escape or are released. However, the World Vision center reports that since 2000, at least eighteen children who had passed through the center were reabducted and escaped for a second time. GUSCO reported that ten children from their program were reabducted between September and December 2002. For many former child soldiers, fear of reabduction prevents them from returning to their homes, making social reintegration and the resumption of civilian life very difficult.

Re-recruitment of previously demobilized children has also been reported in the Democratic Republic of Congo, Sierra Leone, and Sudan. In early 2001, 163 Congolese children were demobilized and returned to Eastern DRC by UNICEF after being discovered in a military training camp in Uganda. However, by mid-2003, local NGOs reported that the majority had been recruited again by an opposition group, the Union of Congolese Patriots (UPC), and that some had been killed during fighting.

The risk of re-recruitment underlines the need for adequate security in areas where forced recruitment takes place, support mechanisms in the child's community to

facilitate their reintegration, and advocacy networks to follow up any cases of re-recruitment.

The Role of the U.N. Security Council

Beginning in 1998, the U.N. Security Council began a series of annual debates and resolutions on children and armed conflict, and more broadly on the protection of civilians and human security. On the issue of child soldiers in particular, the Council has taken progressively stronger measures. The Council's first resolutions on the issue (in 1999 and 2000) simply urged U.N. member states and parties to armed conflict to abide by international standards on the issue and support rehabilitation efforts for former child soldiers. However, in November 2001, the Council took the unusual step of asking the secretary-general to compile and publish a list of specific parties to armed conflict that were recruiting or using child soldiers in violation of their international obligations. This "name and shame" initiative was the first time that the Council had specifically named abusive parties, and was intended to hold violators accountable for their actions. In addressing the Council, the secretary-general said of the list, "By exposing those who violate standards for the protection of children to the light of public scrutiny, we are serving notice that the international community is finally willing to back expressions of concern with action."

The list of violators produced by the secretary-general in November of 2002 included twenty-three parties in five countries—Liberia, Somalia, Democratic Republic of Congo, Afghanistan and Burundi. Because the list was confined to the situations on the Security Council's agenda, it excluded some of the countries with the most severe child soldier problems, including Colombia, Burma, and Sri Lanka. However, the text of the secretary-general's report raised concerns about child recruitment and use in nine additional countries not on the Security Council's agenda, including the three just mentioned.

Following the receipt of the report, the Council took several additional steps. First, it indicated its intention to enter into dialogue with parties using child soldiers in order to develop action plans to end the practice. Secondly, it requested specific information from the parties named on steps taken to end their use of child soldiers. Third, it requested a progress report on the parties named in the secretary-general's report (including parties in situations not on the Security Council's agenda) by October 31, 2003. Finally, it indicated its intention to consider additional steps (which could include

sanctions) against parties that demonstrated “insufficient progress” in ending their use of child soldiers.

In two missions to Africa in 2003, Security Council members raised concerns about the use of child soldiers. In June, members traveled to Central Africa, where the delegation raised the recruitment and use of child soldiers with parties to the conflict in the DRC. Shortly afterwards, in late June and early July, another Security Council delegation raised similar concerns with parties to conflicts in Côte d’Ivoire and Liberia. On that mission, the Council also urged parties to those conflicts to arrest and prosecute anyone responsible for recruitment of child soldiers.

The Council’s “name and shame” strategy, however, has yet to yield concrete results. From late 2002 to mid-2003, the list of violators actually expanded with the addition of both governmental and opposition forces in Côte d’Ivoire, and additional parties to the conflicts in Burundi, DRC, and Liberia. In addition, several of the parties included in the secretary-general’s list or report significantly escalated their use of child soldiers during 2003. These include both government and opposition forces in Liberia, the UPC and other armed groups in the DRC, and the Lord’s Resistance Army in Northern Uganda.

The limited impact of the list to date is rooted in several factors. According to U.N. workers, the list has not been used extensively as an advocacy tool at the field level, where its potential may not be understood, or it may be seen as irrelevant to the local situation. The limited scope of the 2002 list—covering only countries on the Security Council’s agenda, and excluding others with extensive child soldier problems—has caused some to question its validity (although this concern was largely addressed with the publication of two lists in late 2003, one encompassing situations on the Security Council’s agenda and the other covering all other situations). Most importantly, at this writing, the Council has not yet demonstrated its willingness to take concrete action against parties on the list that show no improvement.

The Way Forward

Ending the use of child soldiers demands strategic and sustained efforts by national, regional and international actors, utilizing and strengthening the tools and norms that have developed over the past few years.

The U.N. Security Council

The recent initiatives taken by the Security Council hold promise for prompting positive change. However, these initiatives require systematic application and follow-through. To be more effective, the U.N. must ensure that all parties that are “named” by the Security Council for recruiting or using child soldiers in violation of their obligations are promptly and officially notified of the fact, and should pursue systematic dialogue with all such parties regarding the creation of action plans and concrete steps to end child recruitment and demobilize child soldiers.

The Council should commit to systematic monitoring, and annual reviews of progress (or backsliding) by parties named. Most importantly, it must be clear to governments and armed groups that continued recruitment and use of child soldiers will result in decisive and negative consequences.

At a minimum, the Council should impose strict bans on the supply of arms or any military assistance to any party recruiting or using child soldiers in violation of international obligations, for as long as such recruitment and use continues. Other targeted measures should also be employed, including financial restrictions (such as the freezing of assets), travel restrictions on leaders of government or armed groups, and their exclusion from any governance structures or amnesty provisions. Demobilization and rehabilitation assistance should be assured for governments and groups that effectively end new recruitment and demonstrate a clear willingness to demobilize children from their forces.

Third-party Governments

The actions of third party governments are also critical. For example, arms-supplying countries bear a measure of responsibility for the abuses carried out with the weapons they furnish and, as a matter of principle, countries should commit to and stop weapons transfers to parties known to use child soldiers. Countries such as Ukraine, Yugoslavia, the Russian Federation, and China have provided arms or other military equipment to Burma, despite that government’s widespread recruitment of children. Since 1999, Angola (which used child soldiers against UNITA during the country’s civil war) received arms from Belarus, Bulgaria, the Czech Republic, Kazakhstan, Slovakia, Russia, and Ukraine. The U.K. approved licenses for exports of military equipment to Angola during the same period.

Bilateral agreements regarding other military assistance should be conditioned on recruitment practices that exclude children. One positive example of such engagement is that of the U.K. and Sierra Leone. In early 1999, the U.K. reached an agreement with the government of Sierra Leone to provide a £10 million package of assistance to promote stability and reconciliation in the country. Among the conditions for the program, the U.K. government sought and secured an assurance from President Kabbah that children would not be used by the Sierra Leone Armed Forces or the Civil Defense Forces. Later in 1999, and again in 2000, Human Rights Watch provided the U.K. government with information regarding child recruitment by civil defense forces. In both instances, the U.K. government raised the issue with Kabbah. There are currently no indications of child soldier use by government armed forces.

Another positive example is the Belgian Parliament, which adopted legislation in March 2003 barring arms transfers to forces that use child soldiers. The new law entered into force in July 2003. Belgium's law and the U.K.'s agreement with the Sierra Leone government, though unfortunately all too rare examples of governments conditioning assistance on performance related to child soldiers, provide a model for future initiatives.

Other tools exist, but are not well-utilized. For example, the U.S. Congress has adopted legislation (the Trade and Development Act of 2000) that conditions trade benefits to developing countries on implementation of their commitments to eliminate the worst forms of child labor, including the forced recruitment of children for use in armed conflict. The U.S. Department of Labor publishes an annual report describing the child labor laws, policies, and practices of nearly 150 beneficiary countries, including the use of child soldiers. To date, however, this has not consistently led to negative consequences for countries found to have used child soldiers. The 2002 report, for example, listed both DRC and Burundi as beneficiaries of U.S. trade benefits, even though both governments had been cited by the U.N. for child soldier use during the same year. To date, only one country—Pakistan—has had its trade benefits partially suspended because of a failure to address child labor issues adequately. No country has had its trade preferences revoked by the U.S. government because of failure to end the use of child soldiers.

National-level Initiatives

At the national level, greater investments must be made in both preventing recruitment of children and rehabilitating former child soldiers. For either to succeed, alternatives to military service are essential. Without access to quality education, or vocational training

that can support a viable livelihood, children are much more likely to join armies or armed groups. Keeping families together and reunifying separated children with family members also reduces recruitment risks and facilitates social reintegration of former child soldiers.

Effective prevention also includes sensitizing children, their families, and community leaders to international norms and the negative impact of child soldiering, and engaging local communities in identifying local risk factors for recruitment. At the national level, birth registration, to ensure that children can produce proof of age, and close monitoring of recruitment practices are key. In areas where abduction or forced recruitment of children takes place, increased security at and near schools is needed to ensure that children can pursue their education in safety.

Significant improvements are possible when civil society and national authorities take responsibility for addressing child recruitment. In Paraguay, forced recruitment of children between ages twelve and seventeen was common in the late 1990's, despite legal prohibitions against any recruitment of children below age eighteen. A local non-governmental organization estimated in 2000 that 80 percent of conscripts (more than 10,000 people) were under age eighteen. Between 1996 and 2000, a total of fifty-six under-age soldiers died during military service, often due to training accidents and ill treatment. Local NGOs organized a national campaign, documenting and publicizing cases of under-age recruitment, and filing cases with the Inter-American Commission on Human Rights. In response, the Senate formed an investigatory commission (including both governmental and nongovernmental representatives) to monitor conditions in military barracks. The commission visited sixty-five military barracks in 2001 and 2002, identifying the presence of nearly 200 children. By 2003, local organizations reported that under-age recruitment had essentially stopped. For the first time, official recruitment documents now clearly stipulate the eighteen-year minimum age.

Justice

Finally, stronger efforts must be made to address impunity. In countries where child soldier use is routine, recruiters are rarely, if ever, held to account for recruiting children under the age prescribed by law or policy. In Burma, government law sets the recruitment age at eighteen and recruiters are subject to imprisonment for up to seven years for recruiting children under age. However, not only are these laws routinely flouted, but recruiters receive incentives in the form of cash and bags of rice for every recruit—regardless of age—that they deliver to recruitment centers. In response to

requests, the government could provide Human Rights Watch with no information regarding any individuals who had been sanctioned for child recruitment.

This pattern of impunity fuels the cycle of child recruitment. Without a credible threat of criminal or disciplinary action, many recruiters will continue to seek out children, who are easily intimidated by threats, and easily lured by promises.

Impunity can be challenged through national courts, ad hoc tribunals, the International Criminal Court (ICC), and other justice mechanisms. To date, the most active pursuit of child recruitment cases has come through the Special Court for Sierra Leone, which has one investigator—a specialist in child rights issues—dedicated to investigating these crimes. Investigating crimes related to the use of child soldiers was included in the investigative and prosecutorial strategy from the very inception of operations at the court. The use of child soldiers is included in each of the court's thirteen indictments against defendants linked to abuses by the Civil Defense Forces or the Armed Forces Revolutionary Council/Revolutionary United Front, including, as noted above, former Liberian President Charles Taylor. If convicted, these defendants will likely face lengthy prison terms.

The ICC has great potential for pursuing high profile cases against those responsible for child recruitment. The ICC prosecutor has identified the DRC as a likely source of first cases for the court. Child recruitment has been a hallmark of the war in the DRC, and the country is probably second only to Burma in numbers of child soldiers. Prosecuting the top leadership of RCD-Goma, the UPC, the MLC, and other armed groups for their recruitment and use of children would send a powerful message to others who seek children for their forces.

National justice mechanisms must also hold recruiters to account. Laws on the books are not enough. Colombian law, for example, punishes the recruitment of children under age eighteen by armed groups with a six to ten-year prison sentence for those responsible. Yet the government has failed to enforce the law energetically.

The persistent recruitment and use of child soldiers presents the international community with a formidable, but not insurmountable challenge. The efforts of the past five years have established strong new norms and developed promising new avenues for addressing the problem. But these efforts are clearly not sufficient. Stronger, more concerted pressure is needed to persuade governments and armed groups to abandon

their use of children as weapons of war. Success will depend on continued monitoring and advocacy, practical assistance for demobilization and rehabilitation, effective use of political and military leverage by international actors, and an uncompromising commitment by local, national, and international authorities to hold perpetrators accountable.