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# ANGOLA

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I was taken away in 1999 when I was thirteen years old. At first, I was used to transport arms, supplies, and other materials. There were other children in our group, about thirty. We were soon given training on how to fight. We shot with AK-47s and other weapons. I was the youngest in my troop of about seventy, children and adults. We were on the front lines and I was sick, with bouts of malaria and often not enough to eat. I was in the troop only because they captured me in the first place. This wasn't my decision.

-- Testimony to Human Rights Watch

## **FORGOTTEN FIGHTERS: Child Soldiers in Angola**

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Angola

## I. SUMMARY

*Age was a determining factor in who received demobilization benefits from the government [child soldiers were excluded], but did not play a role in the decision to recruit these children in the first place.*

—Angolan human rights activist, November 28, 2002.

*I was taken away in 1999 when I was thirteen-years old. At first, I was used to transport arms, supplies, and other materials. Later, I was shown how to fight. We shot with AK-47s and other weapons. I was the youngest in my troop of about seventy, children and adults. We were on the front lines and I was sick, with bouts of malaria and often not enough to eat. I was in the troop only because they captured me in the first place. This wasn't my decision.*

—Manoel P., former UNITA child soldier, December 3, 2002.

An agreement reached between government armed forces and the largest opposition group, the National Union for the Total Independence of Angola (União Nacional para a Independência Total de Angola, UNITA), brought peace to mainland Angola in April 2002. Some 100,000 adult combatants from UNITA moved with their families into quartering areas. Five thousand of these were integrated into the national police and armed forces; the rest into a formal demobilization program. Most adult fighters eighteen and older received demobilization and photo identification cards, a travel authorization certificate, a five-month salary based on military rank, and food assistance. They are also to receive a transport allowance and a reinstallation kit upon return to their home communities. But boy and girl soldiers, seventeen and younger, were not included in the demobilization program and received only an identification card and food aid distributed by the international community to family units attached to the soldiers.

The current demobilization program discriminates against children, many of whom carried out the same duties as adults during the conflict. It compounds the injustice these children have faced: the use of children in armed conflict is explicitly prohibited by the African Charter on the Rights and Welfare of the Child, and participation by children in armed conflict is among the worst forms of child labor as defined in the Worst Forms of Child Labour Convention. As a party to these instruments, the government of Angola has a general obligation to provide for the care, protection, recovery, and reintegration of children who are affected by armed conflict.

The lack of direct assistance to former child<sup>1</sup> combatants and the failure to include them in demobilization programs jeopardizes the rights of boys and girls who served in the war and is a step back from previous practices in Angola. Following the Lusaka Protocol of 1994 which brought a temporary cessation to the fighting, approximately 9,000 boy combatants from UNITA and the government were enrolled in a demobilization program. Although this program was only partially successful and did not include girl soldiers, it stands in sharp contrast to the lack of formal assistance to those children who served in the last years of the war.

No official figures exist for how many children fought with UNITA and the government in the last resumption of the war from the period 1998 to 2002. The Coalition to Stop the Use of Child Soldiers estimates that 7,000 children served with UNITA and government forces, Angola Armed Forces (Forças Armadas Angolanas, FAA).<sup>2</sup> Child protection workers in Angola have suggested that as many as 11,000 from the two sides may have lived and worked in combat conditions. Some children received weapons and arms training and were active in the fighting. Many others acted as porters, cooks, spies, and wives to UNITA soldiers. Whatever their duties, the work they performed was hazardous and has had an emotional impact on many of them.

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<sup>1</sup> In this report, the word “child” refers to anyone under the age of eighteen. Article 1 of the Convention on the Rights of the Child defines a child as “every human being under the age of eighteen years unless, under the law applicable to the child, majority is attained earlier. Convention on the Rights of the Child, G.A. Res. 44/25, U.N. Doc A/RES/44/25.

<sup>2</sup> Coalition to Stop the Use of Child Soldiers, *Global Report on Child Soldiers 2001*, June 12, 2001.

Children interviewed for this report spoke of the hardships they experienced in serving under the UNITA command during the war. Tasked with the dangerous duty of running messages to and from the front, they described combat conditions and fear of “disappearing” or death. The role a child might play with UNITA was roughly determined by size; smaller children served as cooks, domestics, and food gatherers, while more physically developed children carried arms and fought in battle. Human Rights Watch researchers spoke with one boy who was eleven years old at the start of his service with UNITA. He told us, “I suffered a lot in the war. I had to carry heavy equipment, arms and ammunition, and work on the front lines.”<sup>3</sup>

Girls served with UNITA as domestics, assistants, and “wives” to soldiers. Women and girls were also forcibly given as “comfort women” to visiting guests in UNITA-held areas in the war. After the war, many of these girls were young mothers living in the quartering areas, with or without their “husbands”. Other girls were living with family members and not as easily identifiable as a distinct group. In the demobilization process following the Lusaka Protocol, girls were not included in any formal programming. Girls who lived and worked in combat conditions are presently receiving no specific assistance and there is a great risk that their needs will once again be overlooked.

Boys and girls also spoke about the strict command structure of UNITA and the harsh punishments for the infraction of rules. Soldiers whipped the children for not following orders or forced them to carry heavy loads. Other punishments were hazardous duties including collecting firewood and food in FAA-held areas. One child spoke of being held in cold water for several hours for shirking duty. Many of these same commanders, demobilized in 2002, controlled information and access to camp inhabitants in the quartering areas although children were unanimous in asserting that the physical abuse had ended.

International organizations provided basic food and medical care to residents in many of the quartering areas. But the poor state of the roads, coupled with the rainy season from December to April which caused some deeply laid landmines to resurface, hampered delivery and cut off some areas from assistance. For logistical ease, food aid was distributed to family units by way of a designated head of household. Child soldiers did not qualify as heads of households and had to attach themselves to a family, related or not, to receive a share. Boys and girls explained that in some instances, families provided an insufficient portion to them and that they were often the last to get something to eat. Although they stated that life had much improved since the end of the war, they were still lacking basic items in the camps. Children expressed the need for additional clothing, blankets, shoes, and school materials.

The government of Angola also used child soldiers during the war despite national legislation that prohibited their conscription. Many were rounded up and forced to fight for the FAA during recruitment drives in government-held areas. Some boys received arms training and fought in the front lines. Others worked as radio operators and mechanical repairmen. Working with international agencies, the government released some boys that were stationed in the capital, Luanda, in 2002. Observers working in the provinces told Human Rights Watch that underage soldiers were still serving with the FAA in rural areas largely out of sight of the international community and that a full demobilization needed to occur.<sup>4</sup> For example, one journalist told Human Rights Watch that he interviewed a fourteen-year-old boy serving with the FAA in Kwanza Sul province in mid-2002.<sup>5</sup>

Children who have been released from the FAA have received no benefits as former fighters. They have been placed with their families or relations in their home areas, but lack proper food and shelter, health care, and educational opportunities in contravention of Angola’s commitment to provide for the care and recovery of victims of armed conflict. Social workers have emphasized that the plight of these children is so bad that many have expressed a preference to return to the armed forces where at least they were guaranteed something to eat and a dry place to sleep.

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<sup>3</sup> Human Rights Watch interview, December 3, 2002.

<sup>4</sup> Human Rights Watch interviews, Bié, November 28 and Moxico, December 2, 2002.

<sup>5</sup> Human Rights Watch interview, Luanda, November 20, 2002.

The thousands of former UNITA child soldiers who will move from the camps to transit centers and back to their home regions in 2003 will likely face many of the same difficulties faced by those already released from the FAA. While in the camps, these children had access to food assistance and some health care—a luxury that many children in Angola do not have. Children interviewed for this report spoke with concern about the future and coming to grips with their violent pasts, underlining the need for specific psychosocial counseling and community integration.

Some community-based government programs for rehabilitation of children have been planned with support from the international community. The programs promote family and community rehabilitation but do not single out child soldiers reportedly because such identification hinders their reintegration. While these programs may strengthen community cohesion in the short-term, the failure to target former boy and girl soldiers specifically in a recognized program suggests that many of these children and their special needs for recovery and rehabilitation will be overlooked. Further, it assumes that these former child soldiers have family and community to assist them, which is not always the case. Finally, continued peace and stability in the countryside in part depend on the successful reintegration of those who bore arms. If child combatants are left out of the process, there is a risk that at least some of those children could again become fodder for elements seeking to destabilize Angola's transition to peace.

After decades of civil war, Angola's infrastructure lies in ruins. Landmines litter the countryside and hospitals, health clinics, and schools were destroyed in the fighting. A lack of qualified professionals in the interior mean basic health and education services are not available to the majority of the population. Although these fields have been identified as priorities for 2003, the government must deliver on its promises to secure the progressive implementation of the rights to education and the highest attainable standard of health. The ultimate success of programs for the reintegration of former child combatants into their communities is contingent on their ability to access basic social services.

Angola assumed the chairmanship of the Southern African Development Community in October 2002 and, as of January 2003, a seat on the United Nations Security Council. Increased international prominence should be linked to increased accountability to and benefits for its people at home. The international community must apply pressure on the government of Angola to fulfill its obligations to its citizenry. While United Nations agencies and non-governmental organizations can and should continue to play a role in development and humanitarian activities, the government bears the primary responsibility for ensuring the rights to education and health and for providing for the rehabilitation of those who were child soldiers.

This report highlights the plight of children who fought in the civil war and the absence of programs addressing their specific needs. Almost every child in Angola, however, has been affected by the conflict. The government should as a matter of priority work to ensure the rights to education and the highest attainable standard of health for all children. As children under eighteen represent 60 percent of the population of the country, a peaceful and prosperous future for Angola depends on it.

## **Methods**

This report is based on research conducted in Angola in November and December 2002. We conducted interviews in the capital, Luanda, and in the two provinces of Bié and Moxico. Human Rights Watch researchers interviewed former child soldiers from UNITA and the FAA. Former boy soldiers were interviewed individually and girls were interviewed in groups. Confidential, private interviews with girls could not be arranged with authorities in the camps. The information presented on sexual abuse of girls is from previous Human Rights Watch research in 1998 and 1999, interviews with aid workers working with girls in the camps, and private interviews with boy soldiers.

We also met with former and current military leaders, national and international non-governmental organization (NGO) representatives, members of the clergy, United Nations employees, and government officials. The names, identities and locations of children interviewed for this report have been changed or withheld for their protection.

## II. RECOMMENDATIONS

### To the Government of Angola

- Ensure that demobilization and rehabilitation programs do not discriminate against children on the basis of age. Programs should be tailored to meet the appropriate needs of children while not exposing them to stigmatization in their communities and should include vocational training and psychosocial counseling.
- All programs should emphasize the inclusion of girls and provide for their specific needs and rights including, but not limited to, reproductive health care, health care for their children, HIV/AIDS counseling, testing and treatment, counseling for victims of sexual violence, and educational and vocational training. The programs should also provide an opportunity and the means for girls to leave their “husbands” [many girls were forced into sexual relations during the war] if so desired.
- Enact national legislation that creates an exemption for all children who fought in the conflict from future recruitment in the army, a measure already pledged by government representatives at child protection meetings in early 2003.
- Make certain that there are no more children serving in the armed forces of Angola (FAA) and demobilize any found in the ranks.
- Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and issue a binding declaration setting a minimum age for voluntary recruitment of at least eighteen.
- As a matter of priority, ensure the rights of children to free elementary education and the highest attainable standard of health.
- Ensure that no child is denied enrollment in primary education programs on the basis of age. Create classes where necessary for war-affected children who missed educational opportunities.
- Submit overdue reports to the Committee on the Rights of the Child highlighting protection issues and rehabilitation efforts underway in Angola.
- Fully disclose the amount budgeted for child-related programs and provide an audited and publicly available account of actual expenditures in a regular and timely manner.
- Make available a detailed list of all programs pertaining to children that are funded by multilateral agencies, non-government organizations, and all other humanitarian agencies and private sector actors.

### To Donor Countries to Angola

- Provide technical and financial assistance to the Angolan government in creating demobilization and rehabilitation programs that are appropriate to children. Donors should be sure to examine past experience in Angola and examples from other countries in Africa when seeking to improve the functioning of programs, and should ensure that girls are included in the process.
- Use diplomatic and all appropriate means to pressure the government to ensure that no children under eighteen years serve in the Angolan armed forces.
- Continue to assist humanitarian agencies working in Angola to protect and care for children affected by the conflict. Where appropriate, insist that funding for programs that assist former child soldiers provide for their specific psychosocial and rehabilitation needs.
- As a requirement for further assistance, donors should insist that the government publish all sources of revenues with details of incoming revenues and outgoing expenditures and a budget that contains no substantial unexplained discrepancies. In particular, these provisions should be stringently adhered to for programs related to children.

### To the United Nations Children’s Fund

- Work with the government to draft applicable exemptions for children who fought in the conflict to ensure that they are not conscripted in the future.
- Ensure that existing plans for community-based rehabilitation include provisions for former child soldiers appropriate to their needs. Offer continued assistance to Angola in the drafting, planning, and implementing of demobilization and rehabilitation programs that target former child combatants with emphasis on girls who were used in the conflict. Identify child soldiers in the camps and transit centers

and follow their movements to ensure that these children will be included in future programs. When structuring programs, use the criteria defined in the Cape Town Principles so that all children involved in the war will benefit.

- Draw from past experience in Angola and examples from other countries in Africa when seeking to improve the functioning of demobilization programs for children and ensure that girls are included in the process.
- Continue to work with the government to release any children still serving with the FAA and enlarge the programs to include military bases in the countryside.
- Expand operations to additional provinces and strengthen existing field offices to work with children affected by the conflict.

#### **To the World Bank**

- Modify existing plans under the Angola – Emergency Demobilization and Reintegration Project (ADRP) to provide additional financial assistance to underage ex-combatants. Ensure that programs correctly identify child soldiers and include them in community rehabilitation, educational and technical training, and psychosocial counseling for former combatants. Draw on experience from other child demobilization projects funded by the World Bank in Africa. Include girls in all aspects of the project.
- Use leverage with the government in the funding and implementation of the ADRP so that former child soldiers will be prioritized.

### **III. BACKGROUND**

The signing of the Memorandum of Understanding on April 4, 2002, between the government of Angola and UNITA has brought an end to decades of fighting on the mainland of Angola. A struggle for independence from Portugal which began in the 1960s pitted three nationalist groups against each other for control of the country. With the departure of Portugal in 1975, one of these groups, the Movement for the Popular Liberation of Angola (Movimento Popular de Libertação de Angola, MPLA), took control of the capital. The two remaining groups joined in the fight against the MPLA government and the ensuing conflict between the MPLA and UNITA spanned some twenty-seven years. Support for the MPLA came from Cuba and the Soviet Union while the apartheid government of South Africa and the United States provided assistance to UNITA.

From 1975 until 2002, several efforts to cease hostilities were negotiated but ultimately fell apart. Following a first failed attempt in 1989, the Bicesse Accords signed in May 1991 brought peace to the country for over one year. During this time period, national elections were held with President dos Santos of the MPLA winning against UNITA candidate Jonas Savimbi. UNITA rejected the electoral results and the country returned to warfare in October 1992. UNITA territorial losses in the countryside during 1994 prompted further negotiations between the two sides which culminated in the signing of the Lusaka Protocol in November 1994.

The Lusaka Protocol, which brought an uneasy truce for four years, was marred by sporadic fighting and violations by the two sides. Both the government and UNITA continued to prepare for war during this time, procuring weapons through the sale of oil and diamonds, respectively. Although the United Nations established a Human Rights Division following the Lusaka Protocol, a lack of transparency and public reporting on violators of the agreement hampered the effectiveness of the division. Parties were rarely held accountable for human rights violations. Full scale fighting between the government and UNITA resumed in 1998.<sup>6</sup>

The final period of fighting between 1998 and 2002 was marked by widespread human rights violations by both sides. Government and UNITA fighters forcibly displaced civilians in an attempt to remove support to the opposition. Both groups targeted the civilian population, indiscriminately shelling civilian areas and mining the countryside. The government estimates that the number of displaced civilians doubled in this period to more

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<sup>6</sup> For a comprehensive analysis of the Lusaka Peace Process see Human Rights Watch, *Angola Unravels The Rise and Fall of the Lusaka Peace Process*, (New York: Human Rights Watch, 1999).



than four million people, with an additional 435,000 refugees in neighboring countries. During these last four years of conflict, UNITA forces swept through villages abducting children and adults and pressing them into service. Government forces also staged recruitment drives where underage soldiers were conscripted.<sup>7</sup>

Despite the failures of past agreements, there is much promise that the current peace will last. The death of Jonas Savimbi in February 2002 prompted UNITA to return to the negotiating table and his death removed one of the largest obstacles to peace. Since the signing of the Memorandum of Understanding in April 2002, there have been no outbreaks of fighting between the two groups, and the two sides, together with the population, appear committed to peace. UNITA officials have been incorporated into ministerial and ambassadorial posts. The demobilization process has gone forward with UNITA soldiers surrendering their arms and moving into camps. The absence of child soldiers, however, undermines the legitimacy of the demobilization program and may have some serious implications for future stability and public order.

Following the Lusaka Protocol of 1994, the demobilization commission enacted a formal program for children, registering 9,133 soldiers under the age of eighteen. Of those registered, 5,171 were demobilized. Boy soldiers were placed in quartering areas, given a monetary subsidy, a return kit of food and clothing, and transported to their areas of origin within a targeted six-month period. A national tracing program for these and other children separated in the war was established to reunite children with their families or nearest relatives.<sup>8</sup>

The past process for child demobilization had problems in its implementation, structure, and ability to successfully reintegrate the participants. Many of the children stayed much longer in the camps than the intended six-month period, languishing for over one year. Difficulties with the establishment of the program, engaging qualified personnel, and political manipulation account for some of the delays. Of those children registered, just over half were officially demobilized, with 4,811 coming from the UNITA side and 360 from the FAA. Delays in providing benefits and fears that children would be recruited once more into UNITA as renewed warfare loomed, led many registered children to simply abandon the centers without undergoing formal reintegration. The lack of separation between adult and child soldiers in the centers meant that UNITA commanders had effective control over these children, a factor identified in post-conflict studies as a hindrance to their rehabilitation. Finally, access to the program was initially limited to those who could produce a weapon, prohibiting many former child soldiers from registration.<sup>9</sup>

One glaring omission from the demobilization process was provision for girls and disabled children. Although the use of girls in the fighting was well documented, they were ignored in the design and running of the program. Children who were separated as military war disabled also did not receive benefits. Current plans, which focus on family and community rehabilitation and include no specific programs for former child soldiers, run the risk that these two groups will be forgotten once again. In other post-conflict situations, lack of attention to rehabilitation for girls has meant that girls with no family or supportive community are forced to provide for themselves. The example of Sierra Leone, where former girl fighters have been forced to live on the streets or engage in commercial sex work, warns of the hazards of excluding girls from demobilization programs.<sup>10</sup>

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<sup>7</sup> See Human Rights Watch, *United Nations: Protect the Displaced in Angola*, Human Rights Watch Press Release, March 5, 2002. See also Médecins sans Frontières, *Angola: Sacrifice of a People*, October 2002.

<sup>8</sup> Christian Children's Fund, *Let Us Light a New Fire*, (Luanda, Angola: Editora Humbi, 1998), pp. 55-60.

<sup>9</sup> Ibid. See also Verhey, Beth, *Child Soldiers: Preventing, Demobilizing and Reintegration*, November 2001, Africa Region Working Paper Series No. 23, UN Press Release, SC/6830, March 23, 2000.

<sup>10</sup> Verhey, *Child Soldiers*, p. 7, Human Rights Watch interviews, Luanda, November 20 and 26, 2002, Women's Commission for Refugee Women and Children, *Precious Resources: Adolescents in the Reconstruction of Sierra Leone*, (New York: Women's Commission for Refugee Women and Children, 2002), pp. 42-50.

#### IV. USE OF CHILDREN IN THE WAR SINCE 1998

It is Human Rights Watch's position that no one under the age of eighteen should be recruited, either voluntarily or involuntarily, into any armed forces whether governmental or non-governmental in nature. During the war, both UNITA and the government forcibly recruited children into the conflict in violation of treaties and conventions to which they were bound. Armed forces on both sides subjected them to torture and ill treatment, hazardous duty, and in the case of girls, sexual violence. The recruitment and use of children violated their fundamental human rights and prevented them from attaining the highest standard of health, education, and development. In her statement to the Third Committee of the U.N. General Assembly, Graça Machel, who headed the study, summarized the effect of war on children's rights: "War violates every right of the child—the right to life, the right to grow up in a family environment, the right to health, the right to survival and full development and the right to be nurtured and protected, among others."<sup>11</sup>

##### Boys Who Served with UNITA

The exact number of children used by UNITA since 1998 remains unknown, although estimates put the number of children who bore arms for UNITA at 6,000.<sup>12</sup> The actual number is likely much higher. Arriving at a more exact figure depends in part on the definition used. The definition favored by the international community and promoted by Human Rights Watch, is known as the Cape Town definition which defines a child soldier as "any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks, porters, messengers, and those accompanying such groups, other than purely as family members."<sup>13</sup> Fitting this description to the Angolan civil war, thousands more should be added to this figure of 6,000.

As UNITA soldiers moved through towns and villages, children and families were forced to follow them. While some children may have willingly worked for UNITA, others were abducted when walking to schools, markets, and their homes. Children captured in these raids served as "apprentice-soldiers" or "auxiliaries." Given menial tasks at first, some of these soldiers-in-training were later given arms and weapons training and became fighters. All children interviewed for this report described the harsh conditions of the war, the strict hierarchy of UNITA, and their desire to put their difficult pasts behind them. Some representative examples follow (as elsewhere in this report, their names have been changed to protect their identity).<sup>14</sup>

Marcos M. told Human Rights Watch:

I was thirteen when the soldiers came and took me away. I was alone in my house because my parents had gone to the town center and somehow were not there when the soldiers arrived. The armed men told me that it was my duty to help them and they gave me stolen materials to carry. I had no choice. I was not treated badly at first. Later, they gave me arms, ammunitions, and grenades.<sup>15</sup>

Manoel P. had a similar experience:

I was taken away in 1999 when I was thirteen years old. At first, I was used to transport arms, supplies, and other materials. There were other children in our group, about thirty. We were

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<sup>11</sup> Graça Machel, Statement to the Third Committee of the U.N. General Assembly, November 8, 1996.

<sup>12</sup> Coalition to Stop the Use of Child Soldiers, *Global Report on Child Soldiers 2001*, June 12, 2001; see also The World Bank, *Technical Annex for a Proposed Grant of SDR 24 Million (US\$ 33 Million Equivalent) to the Republic of Angola for an Angola Emergency Demobilization and Reintegration Project*, (Document of the World Bank: Report No. T7580-ANG, March 7, 2003), p. 31.

<sup>13</sup> Cape Town Principles and Best Practice on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa, Cape Town, South Africa, April 30, 1997 [online], <http://www.globalmarch.org/virtuallibrary/dci/prevention-armed-forces.htm> (retrieved March 5, 2003).

<sup>14</sup> Human Rights Watch, *Angola Unravels*, p. 52; Médecins sans Frontières, *Sacrifice*, p. 11.

<sup>15</sup> Human Rights Watch interview, December 3, 2002.

soon given training on how to fight. We shot with AK-47s and other weapons. I was the youngest in my troop of about seventy, children and adults. We were on the front lines and I was sick, with bouts of malaria and often not enough to eat. I was in the troop only because they captured me in the first place. This wasn't my decision.<sup>16</sup>

Like other boys interviewed for this report, Luiz J. also fought in the war. "I was involved in the fighting and in the action. At first, I was used to carry goods and help make food, later I was trained to fight. At fourteen, I was the youngest boy in my unit, although there were others of fifteen and sixteen. I saw people with their arms being blown off. . ." <sup>17</sup>

A child's role in the combat was linked to his size and length of service with UNITA. Younger and inexperienced children would perform unskilled tasks, while larger boys would bear arms. A man in his twenties who was held by UNITA for several months explained that only children who were accustomed to the guerrilla spirit would be chosen for the fighting forces. This required knowledge of the movement and trust won from the soldiers. The other factor was the size of the child; more physically developed children were chosen for arms training and offered the prestige of a uniform.

A journalist working in a southeastern province interviewed children in a UNITA camp where at first they claimed to have operated radios, and only later admitted to fighting. One boy gave details of his training at Jamba UNITA headquarters in Cuando Cubango province on the use of automatic weapons; he had been sent out to fight at fourteen years. Similarly, a number of the children interviewed by Human Rights Watch first spoke of transporting arms and only later revealed their involvement in the fighting. This reticence makes it imperative that Angolan authorities implement a substantive demobilization program that both involves children and is tailored to meet their needs based on their varying experiences in the war. Only with a more complete picture of the role and extent that children played in the fighting can an adequate rehabilitation program be provided.<sup>18</sup>

Serving as a porter itself could be extremely dangerous. Carlos B. told us:

I was with my family, we left because of the war—the fighting came and we had to flee. I was sixteen years old. For our work, we had to carry heavy things. Mortar shells for example. There were other children in my group, we were a group of between thirty and forty children aged fourteen to sixteen. Our main job was to carry ammunition from the bases in the *altura* (heights) to the front lines. It was difficult work because the loads were heavy. We were often hungry and without proper clothes and sometimes it would happen that people would "disappear."<sup>19</sup>

Seventeen-year-old João F.:

There was a time when the government forces attacked our villages, so I had to flee with my brothers, uncles, and father. I was responsible for carrying the pack of my uncle, his materials, weapon, and ammunition. I would go into the bush at night to forage for food. This could be hazardous if you were spotted by a group of government fighters. I also had to carry messages back and forth to the front lines, sometimes during the fighting. It was dangerous because you were on the front, in combat. If you didn't have luck you could be captured or be killed. Finally,

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<sup>16</sup> Human Rights Watch interview, December 3, 2002.

<sup>17</sup> Human Rights Watch interview, December 3, 2002.

<sup>18</sup> Human Rights Watch interviews, December 3 and 4, 2002; see also Pearce, Justin, "No-One Fighting for Angola's Child Soldiers," *BBC News UK Edition*, November 19, 2002.

<sup>19</sup> Human Rights Watch interview, December 3, 2002. In several interviews, children used the term disappear instead of death. This appears linked to the belief held in many parts of Angola that life does not end at death, but that the spirit passes on and plays an important role in the life of the living, providing protection, counsel, and assuring communal harmony. Thus, the physical body disappears but the spirit lives on. See Christian Children's Fund, *Let Us Light*, pp. 19-24.

I was sometimes made to go on patrol, this meant to spy on the troops of the government and see what they were doing at their bases.

During the night when I was out with other children collecting food, we were captured by government troops. We were ten kids in total. The youngest was thirteen at the time.<sup>20</sup>

Marcos M. has moved so many times since his birth that he was unable to answer where his true home was located:

I worked with the troops for almost three years. There were many children, we all did the same work, we carried arms and other things. We helped with the cooking and gathering of firewood. I carried AK-47s and grenades, but I didn't do any fighting, that was for the older kids, those over fifteen.

I would carry arms for a great distance, sometimes for over eight hours each day. It was very dangerous and exhausting work. If many troops arrived from the other side, then you would "disappear."<sup>21</sup>

Once taken in with UNITA, children were subjected to the rigors of life in the armed forces. Discipline was harsh and the penalty for escape was death. Children demobilized in 1996 explained that when one child who had escaped was captured, the others would have to assist in his execution even if that person were a family member. Children taken since 1997 have described similar practices in which abducted boys were forced to watch an escapee killed with an axe to serve as a lesson. Children who were too tired to continue marching or who collapsed under an especially heavy load would be threatened with death. All children interviewed suffered extreme hardship and psychological stress from conditions in which the slightest infraction could mean beating or whipping. These examples only underline the need for psychosocial counseling and assistance for former child soldiers specific to their experiences.<sup>22</sup>

João F. told us: "If you didn't comply with orders, you would be punished, sometimes killed. Children were punished too. Myself, I was whipped twice for disobeying orders. Other children were beaten with heavy sticks."<sup>23</sup>

Miguel R., sixteen-years old, recalled:

Discipline was strict, you would be punished with the whip for a wrongdoing. Other times you were tied up with a rope or did not receive any food. Or sent out into areas which were mined or where there were enemy troops to look for food. I wanted to leave the bush and return home to my family but wasn't allowed. You had to ask permission for this and it was not granted. I suffered a lot in the bush, I was only eleven when I was taken.<sup>24</sup>

Luiz J. said:

You couldn't leave without getting your orders, if you were found outside an area where you were commanded to be, you faced punishment. I was whipped several times for not obeying orders, it was very strict and we were often hungry, tired and cold. It was easy to make mistakes.

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<sup>20</sup> Human Rights Watch interview, December 3, 2002.

<sup>21</sup> Human Rights Watch interview, December 3, 2002.

<sup>22</sup> Human Rights Watch interview, December 4, 2002; see also Human Rights Watch, *Angola Unravels*, p. 52, CCF, *Let Us Light*, pp. 38-44, U.S. Department of State, *Angola Country Reports on Human Rights Practice* (Washington D.C.: The Bureau of Democracy, Human Rights, and Labor, 2000, 2001), section 1F.

<sup>23</sup> Human Rights Watch interview, December 3, 2002.

<sup>24</sup> Human Rights Watch interview, December 3, 2002

Other punishment might be to carry especially heavy loads, to be forced to cut branches or to be held in water for several hours at night. I saw one man kept in water for five hours. It was very cold that night. Another humiliating punishment was to be forced to the ground and roll around, back and forth, until you were ordered to stop.<sup>25</sup>

### **Girls in UNITA**

Girls under the age of eighteen also served with UNITA. Like boys, some were abducted individually while others were rounded up with family members during sweeps through their villages. Girls were used as cooks, domestics, and porters in roles similar to that of boys. Women and girls were also given to UNITA commanders and visitors and forced into sexual relations. Other girls were forced into marriages with UNITA combatants. Refusals were met with punishment and attempts to escape often meant death. Access to girls held in UNITA areas after the war was difficult. There was stricter control over girls than boys by the civilian leaders in the camps we visited, and in semi-private group interviews we were unable to determine whether any girls took part in active combat. Girls themselves may also be reticent and less willing to come forward and speak about their past. Only through a demobilization program that accounts for the needs of girls will their true roles and numbers be known and their rehabilitation begin.

A child rights expert working in Luanda estimated that the number of underage wives married to UNITA soldiers rests somewhere between 5,000 and 8,000. She cautioned that because access to these girls had been limited, she was unaware of how many may still be alive, under the age of eighteen and wishing to leave their current domestic situation.<sup>26</sup> Another international NGO worker expressed the difficulty in reaching out to girls in the camps despite their geographic concentration. She cited controls by the camp hierarchy as one reason why working with these girls had been problematic. She further explained that girls were not easily visible as a distinct group in the camps. Younger girls were living with families, whether related to them or not, and were taking care of the children and others in the family. Older girls may still be occasionally visited by their husbands and would not necessarily identify themselves as single mothers.<sup>27</sup>

According to one women's rights activist, a girl may prefer to stay with her husband even if she were sexually abused in the relationship. With little other choice available, she may see this as preferable to living as a single mother with the social stigma that accompanies it. A young girl living alone also could be seen as a threat by other women living around her and as competition for their husbands' affections. Fearing community rejection and needing assistance from other women, a girl may prefer to stay with a nearly absent or abusive husband than to suggest publicly she is single. She may see her husband as an economic burden but a social advantage. This activist stressed that while this might be the case for some girls, other may choose a different course of action if options were available, especially for those forced into particularly abusive situations.<sup>28</sup>

Given such a choice, one sixteen-year-old girl, abducted in the last years of the war and made the wife of a UNITA commander, abandoned her husband and reunited with her family. According to a local NGO worker who assisted with her rehabilitation, she was obliged to perform domestic duties, including forced sexual relations with the commander during her time with UNITA. Made to go out into the fields, she would search for food and provide it to the soldiers. If she did not come back with an amount deemed sufficient, she was not allowed to eat herself. In times of fighting, she transported military goods while retreating and was more than once caught in the cross-fire. Initially interned in UNITA's Mimbota quartering area outside Luanda, she was later released to her family after they had contacted her through a national tracing program. She was able to leave despite the objections of her husband in the camp because of the insistence of her family and the work of the activist—an option the activist later suggested that many girls in her situation do not have.<sup>29</sup>

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<sup>25</sup> Human Rights Watch interview, December 3, 2002.

<sup>26</sup> Human Rights Watch interview, Luanda, November 26, 2002.

<sup>27</sup> Human Rights Watch interview, Luanda, November 26, 2002.

<sup>28</sup> Human Rights Watch interview, Luanda, November 20, 2002.

<sup>29</sup> Human Rights Watch interview, Luanda, November 25, 2002.

One man who served with UNITA told us that girls were used primarily as cooks and domestics but also as sexual slaves. When attacks came and UNITA troops were victorious, these girls “would dance, they would voice loud shouts to offer and proclaim the victory.” It was following such celebration that girls would be sexually abused, given out to the various commanders as rewards for their bravery. He told us that girls attached to different commanders would also be assigned the dangerous duty of carrying things to the front to assist them. When there was an attack, they were made to retreat with their war materials.<sup>30</sup>

Reports of dancing and the giving of girls as rewards mirrors testimony collected by Human Rights Watch from Angolan refugee women in Zambia who formerly lived with UNITA. Women and girls referred to dancing for the troops as a precursor to sexual relations with soldiers. They were then turned into “wives” and made to cook, clean, farm, dance, and engage in sexual relations. Those that complained were beaten and any caught trying to escape were killed or their families punished. Faced with a choice that could mean death, some risked flight rather than continue living with their husbands.<sup>31</sup> Testimonies gathered by Doctors Without Borders in 2001 and 2002 similarly detailed the common practice of using girls as domestics and for sexual exploitation.<sup>32</sup>

An Angolan health worker in one of the camps told Human Rights Watch that there had been few cases of rape and sexual assault since the interning of UNITA soldiers. But the large number of teenage mothers and pregnant girls in the camp was of concern and evidence of the early sexual activity of girls either through force or volition. Her fear was for the future of these girls and their health, especially considering that some have no family or a community to return to and the inadequate state of health care in Angola. In the same camp, Human Rights Watch encountered a number of pregnant girls among those aged twelve to fifteen.<sup>33</sup>

These same girls spoke of the difficulty of their lives in the war, the hardships they faced, and their hopes for the future. They highlighted the need for education and their desires to be teachers, doctors, and mothers. Currently attending classes run by adults in the camps, they hoped to resettle in their home communities and return to primary school. Because we were not granted permission to speak to these girls individually or in a private setting, we did not pose sensitive questions about sexual abuse or details about their role in the war. Boys interviewed privately for this report shared information about the experience of girls in UNITA.

Miguel R. told Human Rights Watch:

There were three girls in the troop with us, and they would carry materials, arms, supply packs, and other things. They were thirteen, ten, and eight years old. The loads that they carried were heavy, these were young girls, we all suffered in the bush. They are not here in the camp but they went away.<sup>34</sup>

Luiz J. said:

Girls would help by carrying food and materials on their heads. They also prepared the food when we arrived at camp. I worked with two girls that were sixteen to help make food....It was dangerous because you are on the front lines in the combat, but there were no girls there, not there on the front in the fighting, but working behind the lines.<sup>35</sup>

International agencies have experienced problems in identifying orphaned girls and young mothers in the camps. In the recent past in Angola, children in many parts of the country belonged to the collective group and not just to individual parents. It was the responsibility of the entire community to raise children and girls were

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<sup>30</sup> Human Rights Watch interview, December 4, 2002.

<sup>31</sup> See Human Rights Watch, *Angola Unravels*, p. 52.

<sup>32</sup> See Médecins sans Frontières, *Angola Sacrifice of a People*, p. 11.

<sup>33</sup> Human Rights Watch interview, December 3, 2002.

<sup>34</sup> Human Rights Watch interview, December 3, 2002.

<sup>35</sup> Human Rights Watch interview, December 3, 2002.

especially valued for their domestic assistance. Following this practice, families in many of the UNITA camps have taken in orphaned girls and widowed child mothers raising them together with their own children. One child rights worker in Luanda explained that while this kind of family care for children was preferable, it had complicated girls inclusion in counseling and programming. When international aid workers pose questions about the existence of orphaned children or child heads of households, adult respondents may misunderstand and present all children living with them as their own. Identification of girls who likely served in combat is also hampered by the fact that the delivery of food aid to households is determined by family size: some adults reportedly have found it advantageous to claim these girls in order to increase their benefits.<sup>36</sup>

A Catholic sister working with disadvantaged groups in the camps and transit centers emphasized that reaching out to girls in a demobilization program would be difficult but not impossible. Because many of these girls will eventually be in homes with families or their husbands and often caring for children, they may not be aware that such programs exist or how to access them. Correctly identifying these girls now and tracing them to their homes may be one way to ensure that they are not forgotten in the future. Further, she believed that some girls may feel ashamed to be publicly known as a victim of sexual violence and afraid to come forward and speak out. For her, programs designed to work with girls at places where they might otherwise congregate--schools, churches and markets--might be the best places for outreach and their social reintegration. She deplored the current lack of assistance and programs designed to assist girls who remain a largely invisible group.<sup>37</sup>

### **Child Soldiers Used by the FAA**

The FAA also used children in the fighting, though to a lesser extent than UNITA. An estimated 3,000 boys under the age of eighteen may have served with the FAA in the last years of the fighting.<sup>38</sup> Government roundups and press-ganging of males occurred in poorer neighborhoods that targeted the unemployed. These conscriptions or *rusgas* were often conducted at night and in outlying sections of urban areas. The youngest children taken and those who could bribe their way out were often released, but many more underage boys were transported to military bases in different provinces and pressed into service.<sup>39</sup>

During these roundups, a lack of proper identification meant that the majority of children could not prove their true age, despite national legislation that prohibits their recruitment. Although military personnel would release some of the smaller ones, those that appeared capable and strong were recruited. One child soldier interviewed in 2000 by Red Barnet, Save the Children Fund-Norway, said he was aged thirteen at the time he began his service in the FAA. The determining factor in his recruitment was not his proclaimed age but rather his size. Deemed fit enough to fight, he was taken to a military camp.<sup>40</sup>

A priest who works with former child soldiers told us that many of the children taken were victims of these conscription practices. The reluctance of members of the general public to serve in the armed forces in the later years of the war pushed the government to take anyone they could find, including children. Of the approximately fifty former FAA child soldiers the priest counsels, the youngest is twelve and the eldest eighteen. The majority are between the ages of fifteen and seventeen. Most of these children were trained during the war in skills such as mechanics, radio operations, and repair work. All the boys he works with were conscripted after the last round of fighting began in 1998. Children were also given arms training as part of their basic training at military camps and fought directly in the war.<sup>41</sup>

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<sup>36</sup> Human Rights Watch interviews, Luanda, November 19 and 20, 2002.

<sup>37</sup> Human Rights Watch interview, December 5, 2002, see Refugees International, *Women's Access to Demobilization and Reintegration Program Funding Essential*, March 7, 2003.

<sup>38</sup> Coalition to Stop the Use of Child Soldiers, *The Use of Children as Soldiers in Africa: A Country Analysis*, 1999.

<sup>39</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers 1379 Report*, 2002, Pages 17-20.

<sup>40</sup> *Dagens Nyheter*, September 9, 2000 – from Red Barnet, [online], [www.rb.se:8082/www/childwar.nsf](http://www.rb.se:8082/www/childwar.nsf) (retrieved January 17, 2003).

<sup>41</sup> Human Rights Watch interview, November 28, 2002.

Boys who fought with the FAA have received even less attention than those who fought for UNITA, in part because of their smaller numbers. In addition, the release of child soldiers since the end of the war from Luanda to provincial government authorities and ultimately their home communities is largely unknown to the general population. Some boy soldiers initially recruited may have died in the fighting; many more may now be adults. While girls were also sexually abused by FAA soldiers and obliged to provide occasional services to them, Human Rights Watch was unable to document the use of girls as soldiers in the FAA.<sup>42</sup>

According to a United Nations employee, as of November 2002 the government and U.N. agencies had identified some 190 underage FAA soldiers in Luanda to be demobilized and had been successful in relocating about seventy of them. While access and cooperation with military leaders in the capital was commendable, no work had yet been done in the provinces to ensure that no children were left with government forces.<sup>43</sup> A priest working outside the capital expressed concern that while attention to child combatants of UNITA was important, large numbers of boys had also fought with the FAA and their whereabouts were unknown. Another priest working in the central provinces stated that underage boys were still working with the FAA, living in barracks, and assisting the soldiers.<sup>44</sup> A journalist in July 2002 interviewed a fourteen-year-old child soldier of the FAA in Kwanza Sul province. Assigned to a military position outside of Gabela and in full military uniform, the boy feared answering detailed questions about his specific work duties.<sup>45</sup>

Felipe A., released from the FAA in late 2002, shared his story with us:

I was fifteen when rounded up by the FAA. I had already fled from my home area and was living with a family outside of Andulo. I was taken to a training center of the military by truck. There I was trained with 180 other children. Children who were given arms training with me were between the ages of fourteen and eighteen, but I later worked with some kids as young as ten.

We were trained in shooting automatic weapons, like AK-47s, and shown how to use grenades. Some kids also got training in the use of missiles and anti-tank weapons. We also received some technical training on automobile repair, mechanics, and arms cleaning and repairs.

During the war, I worked primarily as a mechanic, doing repairs on arms and assisting the soldiers. I never saw any girls working with the FAA, only boys. I was well treated by the military and given food, mostly rice and beans. I carried weapons and used them in the fighting sometimes. During a battle in Moxico, I was wounded, receiving a bullet on the left side of my temple. I was healed in a military hospital where I spent one month last year.<sup>46</sup>

This seventeen-year-old orphan is now living with a family in his home area. Wearing tattered clothing and visibly underweight, he was nervous and shaking throughout the interview. While he has received some support from his community, the lack of government supported programs for children like Felipe and the hundreds of others who fought means they continue to face an uncertain future. While the government of Angola is to be commended for releasing children from their ranks and should be encouraged to continue the practice, the lack of assistance programs and recognition of their status as former combatants is a disservice to the many who risked their lives for the country. It is also a violation of Angola's obligation to provide for their recovery and reintegration.

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<sup>42</sup> Human Rights Watch interviews, November 28 and December 2, 2002, see Médecins sans Frontières, *Angola Sacrifice*, pp. 11-12.

<sup>43</sup> Human Rights Watch interview, Luanda, November 26, 2002.

<sup>44</sup> Human Rights Watch interviews, November 28 and December 2, 2002.

<sup>45</sup> Human Rights Watch interview, Luanda, November 20, 2002.

<sup>46</sup> Human Rights Watch interview, November 28, 2002.



## V. CHILD SOLDIERS IN ANGOLA FOLLOWING THE CONFLICT

### Demobilization of UNITA Soldiers

*Those under eighteen, they too were soldiers, but they are not on the demobilization lists. They were recruited and served with UNITA, but did not receive any benefits from the state. In the society today, you need money and something to do in the future.*

—FAA officer, November 28, 2002.

The vast majority of boys and girls who served with UNITA lived in family areas attached to the cantonment areas of former soldiers. With the confusion at the end of the war and a highly dispersed population, a few child combatants returned to their home areas or moved into civilian camps for internally displaced persons rather than stay with UNITA. These cantonment areas were designed as temporary settlements, established to register and identify UNITA soldiers, demobilize them, and move them to transit centers and ultimately to their home provinces or resettlement areas. Some child soldiers remain in the family areas, others have been moved to transit centers and await resettlement, some others have returned to their communities. The government has repeatedly set deadlines for the closure of the camps and announced in April 2003 that many were officially closed although in some cases residents remain.<sup>47</sup>

One hundred thousand UNITA adult combatants were registered and demobilized in the official government program. Sources in the capital explained that there was some speculation at the time UNITA first moved into the camps over whether children would be included in the demobilization process or not. By July 2002, however, there were 80,000 identified demobilization beneficiaries that included men and women only. In late November and December of that year, more men and women moved into the camps and the number increased to its present figure.<sup>48</sup>

Demobilization as it was planned after the 2002 Memorandum of Understanding required that UNITA soldiers were first incorporated into the national army. They were then provided with documents that established their service record and demobilized from the national army, as would any soldier who served with the FAA. The demobilization process started around September 2002 when a large number of intended beneficiaries began to receive a salary based on their grade commensurate with soldiers in the government army. They received payment for a five-month period that covered the time from when they first arrived in the camps to their official demobilization date. Some women who fought with UNITA as well as men and women who entered the camps late last year have yet to receive their documentation and monetary compensation.

Angolan national law on the recruitment of children meets the requirements of international law and treaties. Young adults eighteen and older may volunteer to serve in the armed forces. Males who have reached the age of eighteen must register for service and at age twenty can be called up in times of necessity.<sup>49</sup> Accordingly, underage soldiers who served with UNITA could not be officially integrated into the FAA and therefore could not be demobilized and included in the government run program for adults only.

During the Human Rights Watch visit to Angola, researchers met with FAA and former UNITA officers as well as national and provincial government officials. Each cited different reasons why children were not included in the demobilization process, but pointed out that children could not be integrated into the FAA and so were not eligible for the program. According to one international aid worker, the design of the program meant that the government was able to avoid the cost of providing benefits to an additional 7,000 former combatants and

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<sup>47</sup> Angola Press Agency, *Some 28 Sheltering Areas Closed*, Luanda, April 2, 2003 [online], <http://allafrica.com/stories/printable/200304020625.html> (retrieved April 4, 2003).

<sup>48</sup> Human Rights Watch interview, Luanda, November 26, 2002.

<sup>49</sup> Constitution of Angola, article 152, "on duty to defend the country", Lei Constitucional da República de Angola, art. 152(2), "O serviço militar é obrigatório. A lei define as formas do seu cumprimento." For conscription at the age of 20 see Law 1/93. For age of 18 for voluntary service see Decree No. 40/96, December 13, 1996.

to deflect attention from the potentially embarrassing issue of the use of child soldiers in Angola generally and by the FAA in particular. As this aid worker put it, no government official denies that children were used in the war, but authorities simply point out that children do not qualify for existing programs. The fact that the issue of child soldiers was not formally addressed during the negotiations suggests that either UNITA did not press to include it or the government was not willing to provide any concrete remedy.<sup>50</sup>

The lack of political will to make children affected by conflict a clear priority partly explains why child soldiers may have been excluded. In the demobilization process in Angola following the Lusaka Protocol of 1994, nationwide advocacy on the need to assist child soldiers played a key role. According to one report, "Angola offers a positive example of how advocacy can bring the issue of child soldiers into demobilization plans. Even though child soldiers in Angola were omitted from the peace agreement [Lusaka 1994], the demobilization commission's first resolution gave child soldiers priority and adopted procedures for their demobilization and reintegration...The lesson learned was that child protection concerns require the active participation of all political and humanitarian offices. Concern for child soldiers required high-level political attention; otherwise the matter risked being lost in the peace process."<sup>51</sup> Despite some progress on child protection issues since 2002 by the government, U.N. agencies, and non-governmental organizations, child soldiers have not been a comparable priority in the current process. The lack of a national, inclusive program that identifies child soldiers and targets them specifically for rehabilitation means that many affected children may never receive assistance.<sup>52</sup>

### **Life in the Camps**

In November 2002, some 445,000 former UNITA soldiers and their families lived in forty-two camps located around the countryside.<sup>53</sup> Initially these areas were known as Quartering and Family Areas (QFAs). Following the demobilization of the soldiers, they simply became known as gathering areas reflecting their civilian status. Since November, some camp residents have returned home, either assisted through government programs or by simply abandoning the camps. Many more will likely remain in the gathering areas or transit centers until at least the end of the rainy season in late April 2003, although there is uncertainty about future plans for this population.<sup>54</sup> Some camps have been easily accessible, close to provincial capitals and towns. Others, located in isolated areas, where providing humanitarian aid and monitoring population movements has been challenging.

The Chicala I gathering area was located some thirty kilometers west of Luena, the capital of the province of Moxico. In December 2002, Chicala I had a population of 2,346 residents, of whom 437 were demobilized adult combatants and the remainder family members. An open atmosphere prevailed in the camp with residents freely circulating to nearby fields and collecting water at a stream adjacent to the camp. The government, U.N. agencies, and international NGOs have provided basic food and health assistance.

The Chicala II gathering area, located several kilometers further west from Chicala I, was considerably larger, with 6,876 family members and over 2,500 former adult combatants as of December 2002. Divided into sixteen shady sub-blocks each containing mud-and-wattle houses in neat rows, the camp appeared structured and orderly at the time Human Rights Watch visited. The camp liaison officer, proudly showing off the sub-blocks, praised residents for their cleanliness and efficiency in following instructions from authorities. Like Chicala I,

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<sup>50</sup> Human Rights Watch interview, Luanda, November 26, 2002.

<sup>51</sup> Verhey, Beth, *Child Soldiers: Preventing, Demobilizing and Reintegration*, November 2001, Africa Region Working Paper Series No. 23, p 7.

<sup>52</sup> Angola Press Agency, *Child Protection Strategies Meeting Continues*, December 17, 2002. [online], <http://allafrica.com/stories/printable/200212170632.html> (retrieved December 20, 2002).

<sup>53</sup> OCHA Update, Humanitarian Situation in Angola, October 28, 2002.

<sup>54</sup> UN Wire, *Angola: Top U.N. Official Says Ex-Unita Fighters, Displaced Need Help*, January 16, 2003. See also UN Integrated Regional Information Networks, *WFP Concerned Over Increase in People Leaving Camps*, January 27, 2003; Angola Press Agency, *Some 28 Sheltering Areas Closed*, Luanda, April 2, 2003 [online], <http://allafrica.com/stories/printable/200304020625.html> (retrieved April 4, 2003).

Chicala II has also received government and non-governmental assistance and in addition has internal cooperatives that provide care to children and adults.<sup>55</sup> As of April 2003, these two camps and others were declared officially closed by the government, yet some residents remain in the areas.<sup>56</sup>

Children in the two gathering areas have received some medical care, as health posts run by an international agency provided medical personnel and drugs for common ailments. Health professionals interviewed in the camps appreciated the assistance that was provided but said they were unable to care for more serious cases. While they suspected that some children might be HIV-positive, they lacked the equipment to do proper testing. Camp residents, many of whom were former teachers, provided informal education at the primary level. UNICEF has distributed some educational and health materials for the children. Boys and girls interviewed in the camps stressed that while efforts had been made to provide schooling for those up to fourth grade, older children had no educational possibilities.<sup>57</sup>

These same children emphasized their relative well-being in comparison with their experiences during the war. They received something to eat and basic medical treatment, and no longer lived with the sound of gunfire. But camp officials and the children alike stressed their need for additional school materials, soap, proper clothing, blankets, and shoes.<sup>58</sup>

International aid workers in Luanda and the provinces highlighted that in comparison with the majority of Angolan children, these boys and girls were marginally better off. Similar comments were voiced among Angolans themselves, questioning the preferential treatment of those who were involved in the war while thousands of children in the country lack food, decent shelter, and medical care. Addressing inequalities in assistance given to vulnerable groups will be essential in rebuilding harmonious communities. Rehabilitation programs as currently designed may help address these disparities. This approach however, runs the risk that former child soldiers may not receive assistance in part because they are not identified and their numbers unknown. Further, children interviewed for this report who had already left the FAA or UNITA gathering areas and transit centers were receiving no official support, suggesting that the thousands of others who will leave the camps may share a similar fate.

Another problem that surfaced at recently closed camps for internally displaced persons and gathering areas for demobilized soldiers is the abandonment of orphans who had been taken in by families. Because humanitarian aid was given to families with allotments related to family size, adults could receive larger shares of food aid by increasing the numbers in their group. Orphans and unaccompanied children were taken in and claimed by some families as their own. As these camps closed and people returned to their home areas where little assistance was provided, some families left these children behind. Humanitarian workers in Moxico province have dealt with cases of abandoned children from the Calala gathering area in the east and camps for internally displaced persons around Luena that are now closed. They feared that since some UNITA child soldiers were also without families, this trend was likely to continue as gathering areas closed in 2003.<sup>59</sup> Abandonment is likely to complicate current plans for rehabilitation which fail to identify and specifically provide for former child soldiers, because it assumes that children have family and community to which to return.

### **Children Returned to Their Communities**

A social worker involved in assisting former FAA child combatants deplored the lack of assistance offered by the government and the conditions in which many of these children now find themselves. For some children, he told Human Rights Watch, the situation was so bad that children expressed their desire to return to military service in order to be guaranteed a decent meal and shelter. This social worker believed that placing children with families and helping them return to civilian life was important, but because so many people were

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<sup>55</sup> Camp statistics were provided by camp leaders at the time of Human Rights Watch visits in early December 2002.

<sup>56</sup> Human Rights Watch telephone conversation with humanitarian worker in Moxico, April 8, 2003.

<sup>57</sup> Human Rights Watch interviews, December 3 and 4, 2002.

<sup>58</sup> Ibid.

<sup>59</sup> Human Rights Watch interview, December 2, 2002.

living in poverty in Angola, the families were often not able to provide proper care. He also denounced the lack of counseling and care needed to help children overcome their troubled past. Without this, he claimed, former child soldiers were unlikely to become responsible and productive members of society.<sup>60</sup>

Local groups have petitioned the government to provide demobilization cards for these children, which show that they served in the FAA. Repeated requests by these groups to the Department of Military Records (Departamento de Recenseamento Militar, DRM) were denied. These cards may never provide children with monetary benefits or a government pension, but because of existing registration laws, they would exempt the children from having to face combat conditions again. A camp commander in one gathering area whom we questioned about the need for cards stated that with the military presently reducing numbers, these cards would not be necessary in the future. A local priest came to the opposite conclusion: "During the war, it was our experience that people who registered went off to fight and there is a concern that these children may some day have to fight again."<sup>61</sup> Whether or not the same children are called up again, these cards could play an important psychological role in ensuring their holders that their military days are finished.

Felipe A., a former FAA combatant, explained the difficult conditions in which he now finds himself.

There is little hope. I don't have enough to eat. I sleep poorly because of lack of blankets and the cold. I have no work to do and the community where I live is destitute. I hope to return to school when the academic year begins, but I have no money for a uniform or school materials. . . . When I left the FAA, I was not given any assistance; no money, no documents, and no honors.<sup>62</sup>

An NGO working with former UNITA child soldiers around Luanda painted a similar picture for boy soldiers who have already left the gathering areas. The Mimbota area, in nearby Bengo province, had been partially emptied by December 2002. Former boy soldiers were loaded onto trucks and transported to a transit center in Caxito town. Although they were supposed to spend only several nights there, some of the children had nowhere to go and spent weeks hanging about the center. Angolan aid organizations were able to trace some of these boys back to their families and helped them to return home. At the time they left the center, these boys were each given a worn pair of trousers and a T-shirt. As one worker expressed to us, "This is not our idea of rehabilitation."<sup>63</sup>

This activist also underlined the pressing need for educational and vocational training for children so that once released they will have something to do. Many gained some mechanical and electrical skills while serving in the ranks and courses could be created that draw on their existing knowledge to prepare them for eventual employment. While children interviewed expressed their desire to continue their education, they were uncertain from where the financial support would come. Many older children believed they would be denied enrollment in primary school on the ground that they were too old. Others may simply be ashamed to sit with a class of seven-year-olds in primary school.<sup>64</sup>

Not surprisingly, the problems faced by former child soldiers already in their communities matched the fears of those in the camps. Boys whom Human Rights Watch interviewed in the gathering areas were unanimous in their desire to return to school and study but feared they might not be able to do so for financial or other reasons. Miguel R., a sixteen-year-old, has never been to school and can neither read nor write. He expressed concern about having school materials and sitting in the first grade with younger children. Marcello N. would like to study and work but did not know where he would get the money to do so. Carlos B. wants to return to

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<sup>60</sup> Human Rights Watch interview, November 28, 2002.

<sup>61</sup> Ibid.; Human Rights Watch interview, December 4, 2002.

<sup>62</sup> Human Rights Watch interview, November 28, 2002.

<sup>63</sup> Human Rights Watch interview, Luanda, November 25, 2002.

<sup>64</sup> Ibid.; Human Rights Watch interview, November 28, 2002. For a discussion of other barriers on access to education, see *um futuro de esperança para as crianças de Angola: uma análise da situação da criança* (Luanda: Ministério do Planeamento, Ministério da Assistência, and UNICEF, n.d.), pp. 54-57.

secondary school and live in one place again. "After moving around so many times in the last few years, I need a stable community in which to live."<sup>65</sup>

## VI. ASSISTANCE TO CHILDREN

*For child protection, the tools are there. International treaties have been ratified. There is a progressive family code and national legislation. Angola incorporated the guiding principles on the internally displaced into national law. The government must follow through on its statements and live up to its commitments and to its people.*

—Child Rights Consultant, November 26, 2002.

Rebuilding a country that was plagued by almost four decades of continuous conflict will be an enormous challenge. Much of Angola's infrastructure lies in ruins with schools, health centers, and homes destroyed and countless lives lost. Millions of Angolans will need to resettle into communities, forgive their neighbors, and pick up the pieces of their lives. Careful planning by the government and increases in social services are needed to create a stable future for the people. In addition, Angola is obligated under international convention to progressively achieve compulsory and free primary education for all and the highest attainable standard of health.

In contrast to many countries in Africa, Angola has the means to deliver on its obligations. Angola has sizeable oil reserves and could produce as much oil as Kuwait within the next decade. The government is heavily reliant on oil revenues which bring in more than three billion U.S. dollars each year, accounting for roughly 75 percent of overall government revenues and nearly 30 percent of gross domestic product (GDP).<sup>66</sup> With abundant diamond and other mineral deposits, a peaceful Angola means that the extraction of these resources can provide additional revenues to the government and ultimately to its people.

Little was spent on health and education in the last four years of the conflict. While expenditures in these two areas were given priority by the parliament in December 2002, much depends on how much of an increase will be allotted by the government and delivered to the provinces.<sup>67</sup> Of concern is the fact that the IMF determined that 908 million U.S. dollars or just under 10 percent of GDP could not be accounted for in 2001. More troubling still perhaps is that the IMF was unable to determine how much was spent on health and education in that the same year because the government was either unwilling or unable to make that data available. However, for the years 1997 to 2000, the IMF reported that spending on health and education averaged approximately 4 percent of GDP while, in the same period, the average amount unaccounted for was approximately 12 percent of GDP.<sup>68</sup>

With the majority of the population of Angola under the age of eighteen, government investments in children—school, health care, tracing programs, rehabilitation—must be given priority. Programs that help former child soldiers must be established to provide opportunity to those who fought for their country. These programs though, must be tailored to the needs of the communities where these children will live. Inclusive programs that provide for social rehabilitation and community cohesion provide the best solution to peaceful integration for former child combatants.

Some partial assistance for rehabilitation of child soldiers has been provided by international agencies working in the field. The International Committee of the Red Cross is tracing and reuniting separated children

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<sup>65</sup> Human Rights Watch interviews, December 3 and 4, 2002.

<sup>66</sup> International Monetary Fund, *Angola: Recent Economic Developments*, IMF Staff Country Report Number 00/111, August 2000; International Monetary Fund, *Angola: Staff Report for the Article IV Consultation*, March 18, 2002, pp. 28-33, (copy on file at Human Rights Watch).

<sup>67</sup> Angola Press Agency, *2003 State Budget Passed*, December 19, 2002 [online]. <http://allafrica.com/angola/200212190593.html> (retrieved December 20, 2002).

<sup>68</sup> International Monetary Fund, *Angola: Staff Report*, pp. 28-33.

with their families. The Spanish Red Cross has designed programs to provide some technical training and assistance to child soldiers in a few provinces. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict appointed a child protection advisor to work with the Angolan government in 2002 for a six-month period.

A meeting held in late December 2002 in Luanda on Child Protection Strategies was a positive step for children in Angola. Organized with members from the Ministry of Social Welfare (Ministério da Assistência e Reinserção Social, MINARS), U.N. agencies, local and international NGOs, and civil society actors, the groups met and discussed, among other things, the need for the rehabilitation of child soldiers. Such action around issues related to child protection that bring together different child rights actors was identified as instrumental in the establishment of programs for child soldiers after the Lusaka Protocol.<sup>69</sup>

A roundtable discussion held in March 2003 and a commitment by partners for its implementation followed up the earlier protection meeting. A strategy of community rehabilitation and family reunification was declared preferable to a formal child demobilization program that identified boys and girls as soldiers where “labeling child soldiers and providing them with demobilization benefit packages leads to stigmatization within their community.”<sup>70</sup> Such an emphasis on family and community-based rehabilitation and avoiding negative stigma for the long-term is essential for former child soldiers and their communities. But it risks failing to identify former girls and boys who bore arms and overlooking their special needs because there are no planned programs tailored to their specific rehabilitation requirements.

In speaking on the gathering areas, a UNICEF employee stated, “Within the camps all children, not just underage soldiers have received counseling.”<sup>71</sup> Yet the former child soldiers interviewed for this report, both boys and girls in some of the most accessible gathering areas, were unanimous in stating that as of December 2002, they had never received any counseling. In her report on lessons learned for demobilization of child soldiers and drawing from past examples including Angola, Beth Verhey argues that in any demobilization process, “the special needs of child soldiers in demobilization programs [are] vital.”<sup>72</sup> Her views have been summarized in other works on best practices for conflict prevention and reconstruction as well. “Child soldiers generally want to be recognized and included in formal demobilization programs. When they are excluded, resentment and a sense of abandonment lead some to return to violence as a way of improving their lives. For others, recognition plays an important protection role. . .to protect themselves from re-recruitment”<sup>73</sup> The 1996 United Nations Study on the Impact of Armed Conflict on Children, Report of the Expert of the Secretary-General, Ms. Graça Machel, also recommends the formal recognition of child combatants. “Official acknowledgement of children’s part in a war is a vital step. . .without this recognition, there can be no effective planning or programming.”<sup>74</sup> These opinions, based on past examples from Angola and other countries, call into question the applicability of the current rehabilitation strategy.

The World Bank is proposing a U.S. \$180 million initiative to assist and reintegrate into their communities former UNITA and FAA combatants. Known as the Angolan Demobilization and Reintegration

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<sup>69</sup> Angola Press Agency, *Child Protection Strategies Meeting Continues*, December 17, 2002 [online], <http://allafrica.com/angola/200212170632.html> (December 20, 2002).

<sup>70</sup> United Nation’s Children’s Fund News Notes, “A New Phase in Action for Separated Children and Child Soldiers in Angola,” Luanda, Angola, March 7, 2003.

<sup>71</sup> Integrated Regional Information Network (IRIN), “Angola: Reintegration of Child Soldiers Underway,” January 15, 2003.

<sup>72</sup> Verhey, Beth, “Child Soldiers Preventing, Demobilizing and Reintegrating,” November 2001, p. 7.

<sup>73</sup> Conflict Prevention and Reconstruction Unit, Social Development Department, “Child Soldiers: Prevention, Demobilization and Reintegration,” Environmentally and Socially Sustainable Development Network of the World Bank, May 2002, p. 2.

<sup>74</sup> United Nations, *Promotion and Protection of the Rights of Children Impact of Armed Conflict on Children*, (New York: United Nations Publication, August 26, 1996), A/51/306, p. 19.

Program (ADRP), this initiative includes a U.S. \$33 million grant approved by the bank in March 2003.<sup>75</sup> While the ADRP specifies that underage combatants will receive assistance in trauma counseling and psychosocial care, it makes no reference as to how these children will be identified nor any reference to girl soldiers. In the ADRP Technical Annex, the bank has recognized that because child soldiers have not been registered in the gathering areas, the proposed number of beneficiaries is unknown. Identifying child soldiers in the gathering and transit areas before they close and following their progress outside of the camps may be the only way that these children will be sure to receive intended future assistance. Equally problematic is the assertion in the technical annex that “The FAA has assumed primary responsibility for the demobilization process. . . .and has been responsible for registering, screening and issuing military identity cards to ex-combatants to be demobilized.”<sup>76</sup> Boy and girl combatants, however, were left out of the demobilization process and relying solely on the FAA as the implementing partner for demobilization risks that they will be left out again.

The necessary elements to create and sustain programs for former child soldiers are present in Angola. A larger percentage of funding from the current World Bank initiative and grant could be channeled to assist child combatants. The organized child protection group could provide the needed technical and professional assistance to correctly implement programs. Such a scenario, however, can only work with a strong commitment by the government. Investment in children and their communities by the government is required to balance the needs of child soldiers with that of all children and vulnerable groups in Angola.

## VII. THE FUTURE

*In the future, I would like to return to Huambo and go back to school. I should now be in the sixth level of primary school, but the problem is that there is no one to help me. I am alone. I need to have school materials, notebooks, pens, and paper but I have no money to buy them. Who is going to help me?*

—Luiz J., December 3, 2002.

Former child soldiers interviewed for this report spoke with uncertainty about the future and how they would successfully reintegrate into civilian life. Among other concerns were their feelings of lack of recognition for service and their fear of the camps closing and their abandonment. While programs currently planned may meet the needs of some, it is possible that many others will not be assisted in the absence of resources dedicated to child soldiers. Further, plans for their reintegration must move in tandem with ongoing efforts to rebuild Angola or risk being ineffective. Problems with mine contamination, forced return of the displaced, and poor education and health facilities must be addressed so that rehabilitation programs for these children can be a success.

The number of landmines in Angola today is unknown. Estimates by U.N. agencies have put the number as high as fifteen million, while non-governmental de-mining organizations interviewed for this report believe there are just over one million.<sup>77</sup> All partners agree that the presence of landmines in Angola continues to hamper humanitarian access, the reintegration of refugees and the displaced, and the resettlement of civilians to their home communities.

During research for this report in November and December 2002, several humanitarian workers were killed and others wounded in mine incidents while trying to reach displaced populations. In the provinces of Bié, Huila, and Cuando Cubango, vehicles operating on roads that had been opened by the government struck mines

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<sup>75</sup> The World Bank, *Technical Annex for a Proposed Grant of SDR 24 Million (US\$ 33 Million Equivalent) to the Republic of Angola for an Angola Emergency Demobilization and Reintegration Project*, (Document of the World Bank: Report No. T7580-ANG, March 7, 2003), p. 37.

<sup>76</sup> *Ibid.*, pp. 19, 31-32, and 42.

<sup>77</sup> Human Rights Watch interview, Luanda, December 7, 2002; see David Hartley, “HALO Trust in Angola,” *Journal of Mine Action*, Issue 6.2, 2002.

that wounded and killed passengers. In these instances, it is believed that heavy rains caused deeper laid mines to resurface or that vehicles swerving around large puddles in the rainy season drove off de-mined dirt tracks. One humanitarian worker, operating in gathering areas in Huila province, reported that three children playing just outside the gathering areas had been wounded in separate mine incidents since June 2002. She believed that a lack of accurate information on mine contamination and guarantees that resettlement areas are mine-free continue to hamper the resettlement process.<sup>78</sup>

Almost one quarter of the population of Angola will be moving in 2003 and mine contamination is a continued hazard to them and all Angolans. Refugees will be returning to the country in a repatriation program and the internally displaced resettling in their communities. For the protection of the internally displaced, the government of Angola has integrated the Guiding Principles on Internal Displacement into national law and established a mechanism for implementation.<sup>79</sup> The international community, and especially the Office for the Coordination of Humanitarian Affairs (OCHA), has worked to ensure that these principles are followed. Despite these developments, sporadic incidents of forced return, which may violate the principles, have created uncertainty for the future of many camp residents including former child combatants. In the Chicala I gathering area in Moxico province, a camp leader voiced his concern over the closing of Calala gathering area in the same province and the lack of resettlement areas for some UNITA fighters from that camp.<sup>80</sup>

Educational opportunities and access to health care remain limited for all children, due to damaged school buildings, educational and medical personnel shortages, and lack of materials and medicines. The government bears primary responsibility for securing the progressive implementation of rights to education and the highest attainable standard of health for children. UNICEF is working with the Ministry of Education and has established a Program for Educative Opportunities that will increase the number of children in school in 2003 by 210,000 but many more still need assistance.<sup>81</sup> Primary schooling is free for children but the costs of supplying school materials and books make attendance impossible for the poorest children and acts as a barrier to education. Former child soldiers who spoke with Human Rights Watch bemoaned their lack of ability to pay these additional costs.

For many Angolans, access to health care remains elusive because drugs are prohibitively expensive and there is a general lack of medication and medical facilities in the country. Statistics from the National Institute of Statistics reflect this shortage. Approximately 250 out of 1,000 children die before the age of five and of those, 150 die before they are one year old.<sup>82</sup> While HIV/AIDS infection rates for the country, estimated at 5.5 percent,<sup>83</sup> are still low in comparison with neighboring countries in southern Africa, the rate is expected to rise because of increased movement of populations, including return of people displaced by the conflict. In addition, measurements are likely to become more accurate and may reveal higher rates than currently estimated. One child rights worker in Luanda told us that in informal surveys taken in the countryside, more than half of the population was unable to identify HIV/AIDS as a disease. All these factors suggest that HIV/AIDS is going to be a major health issue for Angola which is already grappling with an inadequate health system.

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<sup>78</sup> Human Rights Watch interviews, Luanda, November 25 and 26, and Moxico, December 2, 2002.

<sup>79</sup> Human Rights Watch interview, Luanda, November 19, 2002.

<sup>80</sup> Human Rights Watch interview, Moxico, December 4, 2002.

<sup>81</sup> Angola Press Agency, "Some 210,000 Children in the Teaching System This Year," March 4, 2003 [online], <http://allafrica.com/stories/200303040544.html> (retrieved March 5, 2003).

<sup>82</sup> Angola Press Agency, "250 Children Out of 1000 Die Before Five," January 25, 2003 [online], [http://www.unfoundation.org/unwire/util/display\\_stories.asp](http://www.unfoundation.org/unwire/util/display_stories.asp) (retrieved January 27, 2003).

<sup>83</sup> UNAIDS "Angola – Epidemiological Fact Sheets on HIV/AIDS and Sexually Transmitted Infections," 2002 Update, p. 2.



## VIII. LEGAL STANDARDS

Under the Constitution of Angola, the recruitment of soldiers under the age of eighteen is prohibited.<sup>84</sup> Further, Angola is a party to the African Charter on the Rights and Welfare of the Child, which prohibits the recruitment of children under eighteen and, together with the Convention on the Rights of the Child, places obligations upon states to provide for the protection, care, and recovery of child victims of conflict, including child combatants. Existing demobilization programs which cater to adults violate the basic principle of nondiscrimination set forth in the International Covenant on Civil and Political Rights (ICCPR) ratified by Angola in 1992. Finally, under both the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, Angola has recognized the right of a child to the highest attainable standards of education and health.

The 1996 Angolan decree on the applicability of military service states that the minimum age for voluntary recruitment is eighteen for men and twenty for women.<sup>85</sup> While Human Rights Watch received no reports that Angola was actively recruiting underage soldiers, there is concern that children used in the last years of the war may still be serving in the FAA. The government should continue to demobilize children who served with the FAA and ensure that no one under the age of eighteen is currently in the military as stipulated under national law.

Setting the age of eighteen as the minimum age of recruitment is reinforced in the African Charter on the Rights and Welfare of the Child. Article 22 states that parties must take measures to ensure no child takes part in hostilities and to refrain from recruiting children. It goes on to state that, “State parties...shall take all feasible measures to ensure the care and protection of children who are affected by armed conflicts.”<sup>86</sup> Similar language for the care and recovery of children used in war and a prohibition on the involvement of those under eighteen in hostilities is found in the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Angola has yet to ratify this important international protocol.

The protection of children affected by armed conflict is further delineated in the Convention on the Rights of the Child. Angola ratified the convention in 1990 but has yet to submit overdue reports to the Committee on the Rights of the Child, established to look at progress and actions taken by states to fulfill their obligations under the convention. Article 38 obliges that State Parties take appropriate measures “to promote physical and psychological recovery and social reintegration of a child victim of . . . armed conflicts.”<sup>87</sup> In comments to article 39, the committee “recommends that the State Party develop as quickly as possible a long-term and comprehensive programme of assistance, rehabilitation and reintegration.” This recommendation was further reinforced in an interpretation of article 38 which calls for the demobilization, rehabilitation and reintegration of child combatants.<sup>88</sup>

Angola is also party to ILO Convention No. 182, the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, which identifies the compulsory recruitment of children for use in armed conflict as one of the worst forms of child labor. Under article 7, states must “take effective and time-bound measures to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration” and “take account of the special situation of girls.”<sup>89</sup> The existing community-based rehabilitation programs which

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<sup>84</sup> Constitution of Angola, article 152, “on duty to defend the country”, Lei Constitucional da República de Angola, art. 152(2), “O serviço militar é obrigatório. A lei define as formas do seu cumprimento.” For conscription at the age of 20 see Law 1/93. For age of 18 for voluntary service see Decree No. 40/96, December 13, 1996.

<sup>85</sup> Ibid.

<sup>86</sup> African Charter on the Rights and Welfare of the Child, article 22; Angola ratified the charter in 1992.

<sup>87</sup> Convention on the Rights of the Child, article 39.

<sup>88</sup> Comments by the Committee on the Rights of the Child on article 39, Sierra Leone, IRCO, Add. 116, para 74. See Comments to Article 8, Sierra Leone IRCO, Add. 1.

<sup>89</sup> ILO Convention 182 – Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Article 7, June 17, 1999.

fail to identify or target the specific needs of child soldiers, and girl soldiers in particular, may leave unfulfilled the obligations in article 7 of this convention as well as article 38 of the Convention on the Rights of the Child.

Articles 2, 3, and 26 of the ICCPR together define nondiscrimination as a basic and general principle in protecting human rights. Demobilization programs set up after the Memorandum of Understanding of 2002 discriminate against boys and girls seventeen and younger who performed the same duties and merit the same privilege and recognition as those eighteen and older. Although the Covenant does not expressly prohibit discrimination on the basis of age, the Committee on Civil and Political Rights has interpreted that the term discrimination “should be understood to imply any distinction, exclusion, restriction or preference which is based on any ground...and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.” The committee has further commented that, “legislation...adopted by a state party...must comply with the requirement of article 26 that its content should not be discriminatory.”<sup>90</sup>

These prohibitions on all forms of discrimination do not mean that every distinction is impermissible. As the Human Rights Committee has commented, “not every differentiation of treatment will constitute discrimination, if the criteria for such differentiation are reasonable and objective.”<sup>91</sup> In the case of demobilization in Angola, however, it does not appear reasonable to distinguish between otherwise similar groups of soldiers solely on the basis of their age. Rather, it could be argued that additional programs should be created for children because of their greater need for assistance.

Primary school attendance in Angola stands at just over 50 percent and many children have no access to even basic health care after decades of civil war have ravaged the interior of the country.<sup>92</sup> Government funding in these fields is needed to bring Angola in compliance with its pledges to achieve free and compulsory education and basic health services as stipulated in both the African Charter on the Rights and Welfare of the Child and the Convention on the Rights of the Child.

## IX. CONCLUSION

*For the government, they speak of a good social life for everyone, maybe if they could conform theory to practice it would be a very good life indeed.*

—Carlos B., former UNITA child soldier, December 3, 2002.

*The gradual and piecemeal approach to macroeconomic stabilization and reform that was being followed [by the government] was not sufficient and would do little to help the nearly 70 percent of Angolans living in poverty.*<sup>93</sup>

—IMF Staff Report, March 18, 2002.

Boys and girls in Angola fought in the civil war that ravaged the country for decades; yet to date, they have received no formal assistance in demobilization programs. Existing programs for adults discriminate against children who performed these same duties and are in violation of the government’s obligation to provide for their recovery and rehabilitation. Current plans for community and family rehabilitation are unlikely to meet the needs of former child soldiers and they risk being forgotten, especially girls. The government must provide for these children through a demobilization program with assistance from the international community. Such programs

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<sup>90</sup> International Covenant on Civil and Political Rights (ICCPR), articles 2, 3, and 26. See Committee on Civil and Political Rights, *General Comment 18, Non-Discrimination*, paragraphs 7 & 12, U.N. Doc. HRI/GEN/Rev.1 at 26 (1994).

<sup>91</sup> Human Rights Committee, *General Comment 18, Non-discrimination*, paragraph 13, 37<sup>th</sup> Session, 1989.

<sup>92</sup> UN Wire, *Angola: UNICEF Study Finds 25 Percent Mortality Among Children Under 5*, January 24, 2003.

<sup>93</sup> International Monetary Fund, *Angola: Staff Report for the Article IV Consultation*, March 18, 2002, p. 14, (copy on file at Human Rights Watch).

must be tailored to help specifically reintegrate former child combatants into the community while not creating stigmatization or inequalities with other war-affected children. Priority must be given by the government to investments in social services, fulfilling their obligations under international treaties and ensuring the success of these programs.

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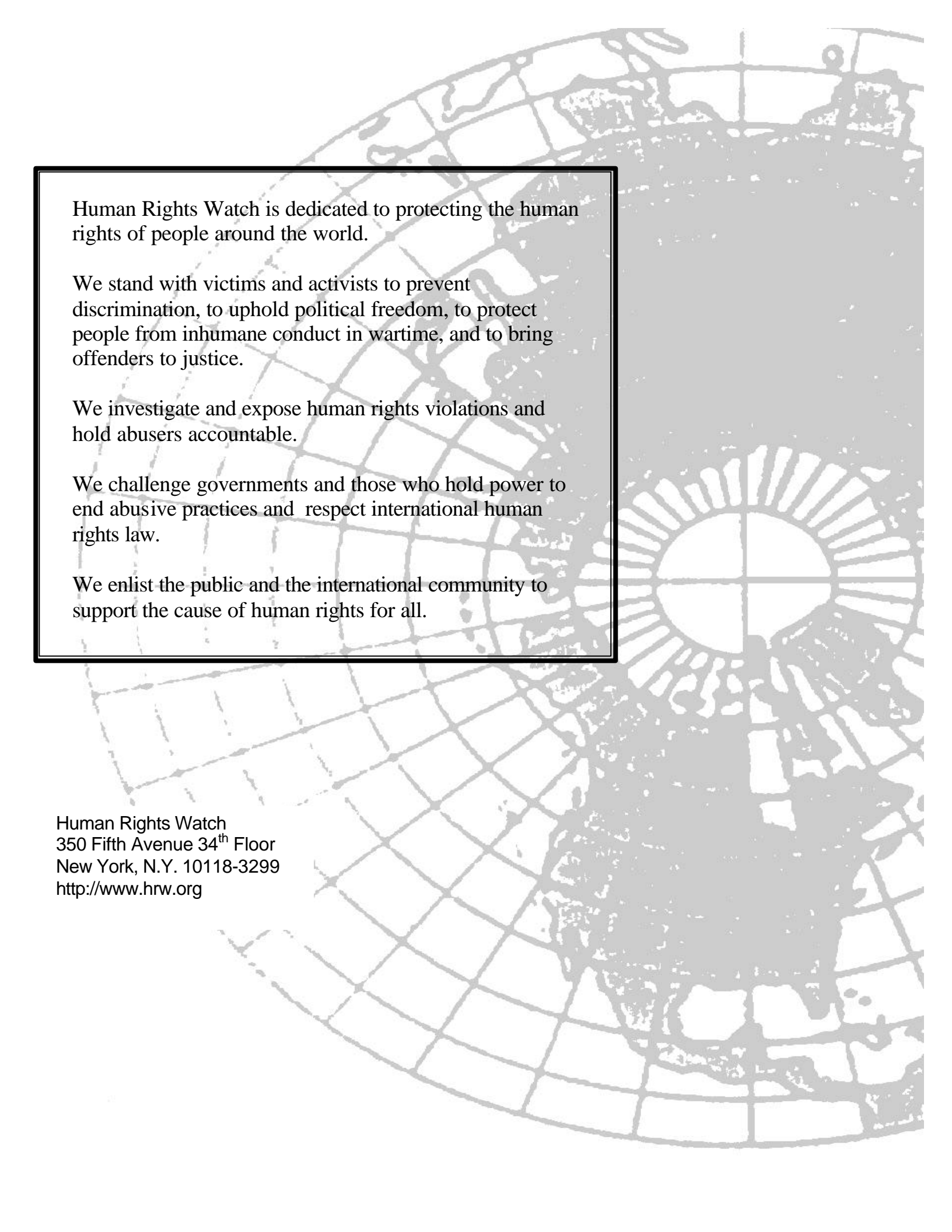
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