GLOBAL REPORT ON CHILD SOLDIERS

(TEXT VERSION)

2001

COALITION TO STOP THE USE OF CHILD SOLDIERS

This report mainly covers the period June 1998 to April 2001 as well as including some earlier information
ACKNOWLEDGEMENTS

This report is based on extensive research on more than 180 countries and territories carried out between 1999 and 2001 by the Coalition to Stop the Use of Child Soldiers. Most of the research was initially presented to five regional conferences organised by the Coalition (Maputo, Mozambique, in April 1999; Montevideo, Uruguay, in July 1999; Berlin, Germany, in October 1999; Kathmandu, Nepal, in May 2000; and Amman, Jordan, in April 2001) but has been substantially revised and updated since January 2001.

I would like to thank all of those who have contributed to this report, in particular Asmita Naik for research coordination and editing, Judit Arenas for project management and research, and Lisa Alfredson, Ibrahim Al-Marashi, Nicola Giacomo Borello, Asunta V. Cavaller and Alan Parra for research. I would also like to acknowledge the contribution of my predecessor Stuart Maslen and former Coalition staff, Kathryn Burgess, Shazia Islamshah, Francoise Jaffre, Joël Mermet, Mali Nilsson and Valerie Quéré in earlier phases of this project.

I would also like to thank the Coalition’s Steering Committee, National Coalitions, other partners and volunteers who have provided much useful information and comment. In particular, I would like to acknowledge the Coalition’s debt to Rachel Brett, whose long-standing commitment to this issue is such an asset to our campaign.


This report is dedicated to all children who have fought, died, been wounded or captured in recent conflicts – and to our shared goal of ending their use as soldiers once and for all.

Rory Mungoven
Coordinator
Coalition to Stop the Use of Child Soldiers
May 2001
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GLOSSARY AND ACRONYMS

AI - Amnesty International

CAC - Child in Armed Conflict

CSC - Coalition to Stop the Use of Child Soldiers


DCI - Defence for Children International

GC - Geneva Conventions (12 August 1949)

GC - PI - Protocol (I) Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victim of International Armed Conflicts, adopted in June 1977

GC - PII - Protocol (II) Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victim of Non-International Armed Conflicts, adopted in June 1977

HRW - Human Rights Watch

ICC – [Rome Statute of the] International Criminal Court

ICRC - International Committee of the Red Cross

IFRC - International Federation of Red Cross and Red Crescent Societies

IFTDH - International Federation Terre Des Hommes

IISS - International Institute for Strategic Studies, London

ILO - International Labour Organisation

ILO 138 – International Labour Organisation - Convention No. 138 Concerning Minimum Age for Admission to Employment, June 1973
ILO 182 - International Labour Organisation - Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, June 1999

IRIN - Integrated Regional Information Network

ISCA - University of Oxford, Institute of Social and Cultural Anthropology

JRS - Jesuit Refugee Service

OCHA - Office for the Coordination of Humanitarian Affairs

QUNO - Quaker United Nations Office

RB - Rädda Barnen

SRSG/CAC – Special Representative of the UN Secretary-General for Children and Armed Conflict

Straight 18 – Governments which support and implement a prohibition on all forms of military recruitment (voluntary and compulsory) and participation below the age of 18 years. This term came into usage during negotiations on the Optional Protocol and reflects the Coalition’s own position

UNESCO - United Nations Educational, Scientific and Cultural Organisation

UNHCHR - United Nations High Commissioner for Human Rights

UNHCR - United Nations High Commissioner for Refugees

UNICEF - United Nations Children’s Fund

WV - World Vision International
GLOBAL REPORT ON CHILD SOLDIERS

PART I
CHILD SOLDIERS: AN OVERVIEW

At any one time, more than 300,000 children under 18 – girls and boys - are fighting as soldiers with government armed forces and armed opposition groups in more than 30 countries worldwide. In more than 85 countries, hundreds of thousands more under-18s have been recruited into government armed forces, paramilitaries, civil militia and a wide variety of non-state armed groups. Millions of children worldwide receive military training and indoctrination in youth movements and schools. While most child soldiers are aged between 15 and 18, the youngest age recorded in this report is seven.

These statistics represent only a ‘snapshot’ of the problem, as children are recruited, captured, demobilised, wounded or even killed every day. Many of today’s adult soldiers started out as children, growing up in military ranks; in many countries, with inadequate systems of birth registration, age can be difficult to determine.

Conflicts come and go as well; the more protracted the armed conflict, the more likely children will participate. In recent years, large numbers of children fighting in Latin America and the Middle East region have been replaced as conflicts recede by new generations of child soldiers in Africa and Asia. In the industrialised world, there is general trend away from conscription and towards volunteer, professional armies; combined with economic and social change this has made enlistment levels more difficult to sustain and placed downward pressures on recruitment age.

While many children fight in the frontline, others are used as spies, messengers, sentries, porters, servants and sexual slaves; children are often used to lay and clear landmines or conditioned to commit atrocities even against their own families and communities. Most child soldiers suffer physical abuse and other privations within the armed forces; in extreme cases, child soldiers are driven to suicide or murder when they cannot bear the mistreatment any longer. When children are used as soldiers, all children in a conflict zone are often suspected and targeted by the warring parties.

While some children are recruited forcibly, others are driven into armed forces by poverty, alienation and discrimination. Many children join armed groups after having experienced or witnessed abuse at the hands of state authorities. The widespread availability of modern lightweight weapons has also contributed to the child soldiers problem, enabling even the smallest children to become an efficient killers in combat. International political and military support for armed forces and armed groups using children, sometimes linked to the exploitation of natural resources like diamonds or oil, has in many cases deepened conflicts and the involvement of children.

Many governments and armed groups claim to use children because of a shortage of adult recruits. But often children are recruited because of their very qualities as children – they can be cheap, expendable and easier to condition into fearless killing and unthinking obedience. Sometimes, children are supplied with drugs and alcohol to achieve these aims.
Often child soldiers are recruited from second countries, among refugee communities or ethnic diasporas, and trafficked across borders. Children from Angola, Burundi, Kenya, Rwanda and Uganda have fought alongside their adult sponsors in the civil war in the Democratic Republic of Congo. Children have been recruited from various countries of western Europe by Kurdish and Kosovar armed groups.

In many countries, military training and indoctrination is provided through schools and youth movements, often as a means of bolstering defence preparedness or recruitment levels. In Iraq, thousands of children aged 10 to 15 participate in the Ashbal Saddam (Saddam Lion Cubs) youth movement formed after the 1991 Gulf War; training reportedly include small-arms use, hand-to-hand combat, and infantry tactics. In the United States of America, military-run programmes exist for children as young as eight. In the Young Marines, boys and girls from age 8-18 wear uniforms, are assigned military ranks, and participate in “boot camp” and rifle drills; the programme has over 200 units nation-wide, with 14,865 participants in early 2001.

The impact of soldiering on children

Child soldiers do not only lose their childhood and opportunities for education and development – they risk physical injury, psychological trauma and even death. Children are often at an added disadvantage as combatants in relation to adults.

Widely perceived to be a cheap and expendable commodity, child soldiers tend to receive little or no training before being thrust into the front line. In the early 1980s, during the Iran-Iraq war, thousands of Iranian children, many straight from school, were sent with popular militias to the frontline, often given a symbolic key to the paradise promised them as martyrs. More recently, during the border war with Eritrea in 1999-2000, Ethiopian government forces reportedly press-ganged thousands of secondary schools students from marketplaces and villages, some of whom were used in human wave attacks across minefields. Children’s immaturity may lead them to take excessive risks — according to one armed group commander in the Democratic Republic of Congo, "[children] make good fighters because they’re young and want to show off. They think it’s all a game, so they’re fearless."

Children may begin participating in conflict from as young as seven. Some serve as porters (carrying food or ammunition) or messengers, others as spies. In Myanmar, for instance civilians, including children as young as 10, are forced to porter for the military and even used as human shields and minesweepers: the International Labour Organisation reported in 1999 that children had been forced to sweep roads with tree branches or brooms to detect or detonate mines. As soon as children are strong enough to handle an assault rifle or a semi-automatic weapon (normally at 10 years of age), they may be used in frontline roles. One former child soldier from Burundi stated that: "We spent sleepless nights watching for the enemy. My first role was to carry a torch for grown-up rebels. Later I was shown how to use hand grenades. Barely within a month or so, I was carrying an AK-47 rifle or even a G3."

When not actively engaged in combat, children can often be seen manning checkpoints. In Afghanistan, young students from religious schools in Pakistan perform military service with the Taleban, policing urban centres and checkpoints to free more experienced fighters for the front line. Others, such as 15-year-old Stevica in the Former Republic of Yugoslavia, perform
domestic tasks: “I prepare the weapons, I write reports from the field and I cook. I work for the Serb Tigers. There are 100 of us from Macedonia but we are all Serbs.”

In many countries, girls too are used as soldiers, though generally in much smaller numbers than boys. Many governments and armed groups around the world are increasing the recruitment and functions performed by females in their armed forces, in many cases including girls under the age of 18. In Sri Lanka, for instance, young Tamil girls, often orphans, have been systematically recruited by the opposition Liberation Tigers of Tamil Eelam (LTTE) since the mid-1980s. Dubbed “Birds of Freedom”, many are reportedly trained as suicide bombers as they may better evade government security. In October 1999, 49 children, including 32 girls aged between 11 and 15 years of age were among the 140 LTTE cadres killed in a battle with the security forces at Ampakamam in the north.

Girls are at particular risk of rape, sexual slavery and abuse, although the exploitation of boys for these purposes is also reported. Concy A., a 14-year old girl abducted from Kitgum in Uganda by the Lord’s Resistance Army (LRA) and taken to camps in Sudan told how “we were distributed to men and I was given to a man who had just killed his woman. I was not given a gun, but I helped in the abductions and grabbing of food from villagers. Girls who refused to become LRA wives were killed in front of us to serve as a warning to the rest of us.” Grace A. gave birth on open ground to a girl fathered by one of her [LRA] abductors: "I picked up a gun and strapped the baby on my back” and continued to fight the government forces. In Colombia, girls fighting with armed groups are frequently subjected to sexual abuse. The Revolutionary Armed Forces of Colombia (FARC) operates a “sexual freedom” policy and there are reports of young girls being fitted with inter-uterine devices; one 15-year-old girl soldier who was killed was found to be pregnant.

Even in the supposedly sophisticated armed forces of industrialised countries, young recruits – especially girls – are subject to ‘hazing’, harassment and abuse. In recent years, cases of bullying and humiliation of under-18 recruits in the British Army have included mock execution, forced simulation of sexual acts, ‘regimental baths’ in vomit and urine and the forced ingestion of mud. In August 1997, a 17-year-old recruit to the British Army was forced to perform a sex act and raped by a drunken instructor while she was on manoeuvres. She told the judge that she “didn’t shout out because he is a sergeant and a higher rank. You don’t disrespect your boss”. (The instructor was jailed for seven years in November 1998.) In 1999, one school district in the US state of Washington banned recruiters from schools after several Army recruiters from a local recruiting station were investigated for sexual harassment of high school girls.

Besides the risk of death or injury in combat, child soldiers suffer disproportionately from the rigours of military life. Younger children collapse under heavy loads; malnutrition, respiratory and skin infections and other ailments are frequent. Child soldiers may also be at additional risk of drug and alcohol abuse (often used to recruit children or desensitise them for violence), sexually transmitted disease, including HIV/AIDS, and unwanted pregnancies. Auditory and visual problems are common, along with landmine injuries.

Harsh training regimes and other forms of ill-treatment often lead to casualties and even deaths among young recruits. In Paraguay, 56 under-18s died during their military service, six of them under the age of 18 in 2000 alone. On 3 April 2001, 17-year-old Héctor Adán Maciel was shot
by a fellow conscript after he refused to give him cigarettes. He died due to inadequate medical care as the Armed Forces argued that intensive care would be too expensive. Maciel was recruited at 16 after the armed forces reportedly falsified his mother’s signature on documents giving her consent. Between 1982 and 1999, 92 recruits aged 16 and 17 died during service with the British Army, including four deaths as result of battle wounds or injuries. In 1998 one 16-year-old Royal Marine recruit drowned wearing full kit during a river-crossing exercise during a 30-week commando training course; he was the fourth to die during training in two and a half years.

Children are often treated brutally and punishments for mistakes or desertion are severe. In May 2001 four children in the Democratic Republic of Congo, aged between 14 and 16, were sentenced to death by a military court under a special law designed to crack down on looting and robberies by gangs of child soldiers. In Ethiopia, young conscripts claimed that comrades who tried to escape during attacks were shot; others who returned alive after battles were reportedly ill-treated, charged with desertion and even imprisoned in pits in the ground. In September 2000, the UN Committee on the Rights of the Child raised a general concern about the application of military laws to under-18 recruits, in possible contradiction with the Convention on the Rights of the Child and international standards on juvenile justice.

In many countries, child soldiers who are captured, escape or surrender often face ill-treatment, torture and even death. On 26 May 2000 in Nepal, one girl aged 17 was killed with five other Maoist suspects in Urma village, allegedly after being wounded and captured. In Burundi, the government has imprisoned and tortured children, many accused of collaborating with armed opposition groups, for long periods without charge or trial. Others face retaliation from the community and are given little protection. On 25 October 2000 in Sri Lanka, a mob from nearby villages attacked Bindunuwewa rehabilitation camp killing 26 inmates between the ages of 14 and 23; an inquiry is underway into the circumstances. In Sierra Leone, many demobilised children have been re-recruited by armed groups, sometimes from rehabilitation camps themselves.

Whenever even a few children are involved as soldiers in a conflict, all children in that particular community or area - civilian or combatant - come under suspicion. For instance, the UN Committee on the Rights of the Child and UN Special Rapporteurs have expressed concern about cases of extra-judicial execution, torture and ‘disappearance’ of juveniles suspected of involvement with armed groups in the northeast states of India. On 15 August 2000 in Colombia, an army unit near Pueblo Rico, Antioquia, mistook a party of schoolchildren for a guerrilla unit and opened fire, killing six children aged between 6 and 10 and wounding six others.

The full psychological impact on children of participation in armed conflict, especially for those who have witnessed or committed atrocities, is only beginning to be understood. According to one 14-year-old girl abducted by the Revolutionary United Front in Sierra Leone in January 1999, “I’ve seen people get their hands cut off, a ten-year-old girl raped and then die, and so many men and women burned alive . . . So many times I just cried inside my heart because I didn’t dare cry out loud.” From Algeria, one report cites boys who appeared to be around the age of 12 decapitating a 15-year-old girl and then playing 'catch' with her head.
However there is growing experience today in many parts of the world with the physical and psycho-social rehabilitation of child soldiers and their successful reintegration into society, some of which is documented in this report. Often these programs combine the latest developments in psychology and child development with traditional custom and ritual. The adjustment from highly-militarised environments to civilian life can be extremely difficult, particularly for those who have lost or are rejected by their families or in societies where social infrastructure has been shattered by years of war. Special attention needs to be paid in such programs to the experience and needs of girls, who have often been overlooked in assistance programs and disadvantaged by traditional patriarchal social values.

These programs are vitally important to peacebuilding efforts and the long term stability and development of post-conflict societies. The United Nations, including in Security Council Resolution 1314 of August 2000, has recognised the importance of incorporating the disarmament, demobilisation and reintegration of former child soldiers into peace negotiations and agreements, and donors are committing more resources to this critical area. But a more consistent and long-term commitment is desperately needed if this problem is to be squarely addressed.

A GLOBAL PROBLEM

As this report shows, the use of children as soldiers is a global issue requiring a global response. While the problem has been most critical in Africa and Asia, children are used as soldiers by governments and armed groups in many countries in the Americas, Europe and Middle East. The following section provides a brief overview of each region, details of which can be found in the individual country entries contained in this report.

Sub-Saharan Africa

The Coalition to Stop the Use of Child Soldiers believes that more than 120,000 children under 18 years of age are currently participating in armed conflicts across Africa, some no more than 7 or 8 years of age. In recent years, the countries most affected by this problem have been Angola, Burundi, Congo-Brazzaville, the Democratic Republic of Congo (DRC), Ethiopia, Liberia, Rwanda, Sierra Leone, Sudan and Uganda.

Burundi and Rwanda have the lowest legal recruitment ages on the African continent, seemingly 15 or 16 years for volunteers. The overwhelming majority of African States set 18 as the minimum age for recruitment, whether voluntary or through conscription, in line with the African Charter on the Rights and Welfare of the Child, but in too many cases these laws are not applied in practice. Given the lack of systematic birth registration in many countries, however, younger children are inevitably recruited even where there is a will to prevent it. Several countries, such as Uganda and Chad, appear to accept recruits under 18 with parental consent; others, such as Botswana, Kenya and Zambia allow for the recruitment of children with the 'apparent age of 18'. Several countries, including South Africa and Mozambique, allow for the recruitment age to be lowered in time of war or national emergency; Angola has reduced its minimum conscription age several times since 1993, currently set at 17.

Even in armed forces that otherwise appear to respect recruitment procedures, the creation of
government-sponsored militia forces tends to open the floodgates to child recruitment. In Sierra Leone, up to 30 per cent of government-sponsored Citizens Defence Forces in some areas are children between 7 and 14, despite government promises to the contrary; UN officials report that children are no longer used to guard checkpoints but are hidden in the bush. During the 1998-1999 civil war, government militia in Congo-Brazzaville, widely blamed for serious human rights abuses, included many teenage children in their ranks. In some countries, such as Burundi and Rwanda, military schools appear to serve as backdoor recruitment into the armed forces of tens of thousands of children. In some cases it is difficult to distinguish between recruitment and traditional initiation rites of passage into adulthood, especially for young boys. In Sierra Leone, for example, young boys are initiated into traditional hunting societies which have become integrally involved with civil defence militias.

Some countries have recruited children from across their borders – there were reports throughout 2000 of Namibian children being recruited by Angolan armed forces in the border region; Ugandan and Rwandan armed forces were found to have recruited children to militias they have backed in the DRC’s civil war; Kenyan street-children have reportedly been recruited by Burundi Hutu militias active in the same conflict; Rwandan forces recruited children in neighbouring countries to fight in both the DRC and Burundi.

Armed groups throughout Africa have a flagrant record of recruiting children and using them in combat. While some armed groups, such as the Union for the Total Independence of Angola (UNITA), have made public declarations and pledges to stop this abuse, these have often been flouted in practice. Others have made no such promises. Opposition forces in Sierra Leone, including the Revolutionary United Front (RUF) and Armed Forces Revolutionary Council (AFRC), have recruited children as young as seven in a civil war characterised by the most heinous human rights abuse. In Uganda, the LRA has systematically abducted children from their schools, communities and homes to camps in Sudan, forcing them to commit atrocities and become sexual slaves. Children who attempt to escape, resist, cannot keep up, or become ill are killed. In Angola, more than 3,000 children were reported to be fighting with UNITA, many forcibly recruited or abducted (some from neighbouring Namibia); girls as young as 13 had been forced to serve as porters, camp followers and concubines.

**Middle East and North Africa**

In the past two decades the Middle East and North Africa region has witnessed some of the worst and most egregious cases of the exploitation of children as soldiers. In the early 1980s, during the Iran-Iraq war, thousands of Iranian children, many straight from school, were used by popular militias in human wave attacks against Iraqi forces, often given a symbolic key to the paradise promised them as martyrs. Iraq also lowered its age for conscription and engaged in the widespread mobilisation of children during its war with Iran. In Lebanon, large numbers of children actively participated in the civil war with various paramilitary groups – until recent years, the South Lebanese Army, a militia supported by Israel in South Lebanon, forcibly recruited young teenagers to its ranks.

Today, while the situation is vastly improved, children under 18 across the region continue to serve with government and opposition armed forces or to be subject to various forms of militarisation in their communities and schools. The conflict in Sudan has long been recognised
as one of the worst child soldier problems anywhere in the world. Thousands of children as young as 12 have been forcibly recruited into government-aligned and separatist groups in the south of the country. The Sudan Government has also provided support and protection to the Lord’s Resistance Army, responsible for the abduction, brutal treatment and sexual slavery of approximately 10,000 children from northern Uganda since 1987.

In recent years, some countries of the region have begun to make the shift from conscript to professional volunteer armies. With changing economic and social conditions, some countries are finding it harder to attract voluntary recruits or ensure that young people complete their military service. These factors often lead to a downward pressure on the minimum age for military recruitment as armed forces struggle to maintain personnel levels. Several countries also rely on military personnel contracted from outside the region, including Pakistan and the United Kingdom, both of which recruit at 16.

Also common in the region is the mobilisation and militarisation of children through various militia and youth movements. Children are enrolled in special military schools in many countries, or given military drill and indoctrination in regular school programs.

Armed opposition groups throughout the region have a long history of recruiting and using children, sometimes from outside the region. In Algeria and Egypt, Islamist opposition groups have been reported to recruit children below 15. While information is difficult to confirm, various Kurdish armed groups in northern Iraq, Iran and Turkey have used child soldiers as young as ten. Children have been used as soldiers or guards by Islamist groups, tribal militia and Qat farmers in Yemen. Over past decades there has also been extensive political and material support from the region to governments and armed groups that have exploited children as soldiers, including in Uganda/Sudan, Lebanon, Chechnya and Afghanistan.

Asia and the Pacific

There has been widespread and considerable child participation in armed conflicts across Asia and the Pacific, with tens of thousands of children recruited, sometimes forcibly, into governmental armed forces, paramilitary groups or militia and non-governmental armed groups. The worst affected countries have been Afghanistan, Myanmar, Sri Lanka and, in the recent past, Cambodia.

Myanmar has one of the highest numbers of child soldiers in the world, both within governmental armed forces and non-governmental armed groups. Some children, often under 15 years of age, are attracted by the prestige and power of the military, but many others have been forced to join. Orphans and street children are particularly vulnerable. Through economic circumstance and tribal ties, children have also joined ethnic minority armed groups pitted against the Burmese military.

Sri Lanka has seen many thousands of children used as soldiers by the armed opposition group, the Liberation Tigers of Tamil Eelam (LTTE). The LTTE has in the past mobilised special battalions of teenage girls and boys, some as young as ten years old. In October 1999, 49 children, including 32 girls aged between 11 and 15 years of age were among 140 LTTE cadres killed in a battle with the security forces at Ampakamam in the north. Despite international
commitments to stop the use of child soldiers, there were reports throughout 2000 of renewed
recruitment drives and military drilling in schools in LTTE-held areas.

In Afghanistan, a generation of children have grown up under arms – first as members of the
resistance to Soviet forces, later as members of Afghanistan’s many warring factions. The Taleban
movement which today controls much of Afghanistan’s territory and machinery of
government continues to recruit young men trained and indoctrinated in Islamic schools or
madrasas in neighbouring Pakistan. In 2000 there were also reports of escalating child
recruitment by anti-Taleban forces in the north of the country.

During Cambodia’s past civil war, there was widespread use of children, including girls, in
combat by both the governmental armed forces and the Khmer Rouge. Cambodia today faces a
major challenge with the demobilisation, rehabilitation and reintegration of former child soldiers.

Children have also participated with armed groups in the ongoing lower-intensity conflicts across
India, Nepal, the Philippines, Indonesia and, in the recent past, Papua New Guinea and Solomon
Islands. Children were mobilised as part of pro-Indonesian militias in the lead up to the popular
consultation on East Timor’s independence in September 1999; while the pro-independence
armed group FALINTIL once recruited children, East Timor’s new national council has set 18 as
the minimum age for recruitment to the new nation’s military forces.

For their part, Australia and New Zealand follow the lower standard of their western alliance
partners, recruiting at 17 (16 in exceptional cases in Australia). China appears to conscript and
accept volunteers, including girls, at the age of 17. While Japan claims not to recruit below 18, it
does accept youth cadets into its Self Defence Force for technical training from age 15.

**Latin America**

Although the incidence of child soldiering has reduced in Latin America as conflicts come to an
end across the region, thousands of children under 18 years of age continue to fight with both
state and non-state armed forces or groups. The countries most affected by this problem have
been Colombia and Peru, although large numbers of children are serving in the Paraguayan
armed forces and problems persist in Mexico. The reintegration of former child soldiers in El
Salvador, Guatemala and Nicaragua continues to pose major challenges.

Most Latin American States set 18 years or more as the minimum age for recruitment into the
armed forces, whether voluntary or through conscription. Cuba is the only country in the region
legally to conscript under-18s, although several countries allow voluntary recruitment at 16.
Domestic legislation is not always applied in practice, however, and in several countries –
notably Paraguay and Peru – there are reports of underage recruitment to the armed forces.
Further, conscription laws are often applied in a discriminatory manner, targeting in particular the
poor and minorities.

An almost universal feature of armed forces across the continent is the brutalisation of the
recruits, especially young conscripts. In Argentina, abuse of recruits led to the ending of
conscription, while problems are regularly reported in Bolivia, Chile, Cuba, Paraguay, Peru and
Venezuela. As noted above, 56 under-18s died during their military service in Paraguay, six of them under the age of 18 in 2000 alone.

Government-aligned militias and paramilitaries have a long history of recruiting children during the civil wars that have beset the region. In Colombia, for instance, up to 50 per cent of some paramilitary units have been under 18.

Military schools are also a common feature across Latin America, enrolling tens of thousands of teenagers each year. In some countries such as Chile, students are considered members of the armed forces.

Armed opposition groups in the region have also been responsible for the recruitment and use of child soldiers. In Colombia, the Armed Revolutionary Forces of Colombia (FARC) has stated that its minimum age of recruitment is 15 and the National Liberation Army (ENL) has denied recruiting children under 16, but both groups are known to have recruited younger. The FARC has even recruited children over the border with Venezuela where it runs some activities. In Peru, the leftist Sendero Luminoso (Shining Path) movement was believed to have forcibly recruited several thousand children from indigenous communities in areas under its control before its eventual disintegration.

**Europe, USA, Canada, Russia and Central Asia**

The problem of child soldiers is not confined to situations of armed conflict in the so-called ‘developing’ world. Some of the most industrialised countries of Europe and North America, with some of the most sophisticated armed forces in the world, continue to accept voluntary recruits at the age of 17, in some cases as young as 16. A Coalition survey of the Organisation for Security Cooperation in Europe (OSCE) found that more than half of all OSCE member States accept under-18s into their armed forces.

Alone among European States, the United Kingdom routinely sends 17-year-olds into combat – even though they are not allowed under domestic legislation to drink, vote in elections, or even join the police force. British child soldiers were killed in the Gulf War as well as the Falklands conflict, and some 50 under-18s served among the British contingent serving in the KFOR peacekeeping force in Kosovo (despite the ban on under-18s in UN peacekeeping forces). Between March 1998 and March 1999, 36.38 per cent (or 9,466 recruits) of the total annual recruits were under 18. Although the UK has now signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, it has refused to raise its minimum recruitment age and has entered an interpretive ‘declaration’ that refuses to guarantee the non-deployment of under-18 recruits.

Recent US military practice has been to assign soldiers to units, including combat units, after completion of basic and technical training. Any soldier who is still 17 after completion of his or her training may therefore be assigned to a combat unit and deployed into combat operations. The United States has acknowledged that 17-year-old soldiers served in US operations in the Gulf War, Somalia and Bosnia. In June 1999, the Pentagon reported that less than 100 17-year-olds were serving in combat units at that time, primarily in the Balkans region.
Despite being the first country to ratify the new Optional Protocol, Canada continues to accept voluntary recruits at 16 (although it has passed legislation to prohibit their deployment).

The Russian Federation upholds 18 as the minimum age for all military recruitment, although there are disturbing reports about the attachment of young orphans and street children to military units and camps. The five Central Asian states – Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan – maintain conscript armies with a minimum age of 18. Draft evasion and desertion are widespread, partly due to poor conditions, abuse and ill-treatment within the military. Most of these countries are now embarking on reform programs that will downsize and professionalise their military forces with increased emphasis on voluntary recruits. Islamist opposition groups in the region are reported to use child soldiers.

Children have participated in several European conflicts in recent years, mostly with armed opposition groups but sometimes with government-aligned paramilitaries. In Bosnia-Herzegovina, Chechnya, Nagorno-Karabakh, south-east Turkey, Kosovo, possibly in Daghestan and the Former Yugoslav Republic of Macedonia, children have spied, conveyed messages, carried weapons and ammunition, and, inevitably, killed and been killed. Children have been recruited from second countries in Europe and North America by Kurdish and Kosovar armed groups, and possibly by forces involved in conflicts elsewhere.

**TOWARDS A GLOBAL BAN ON CHILD SOLDIERS**

The past few years have seen some major breakthroughs at the international level towards a global ban on the use of children as soldiers.

The Convention on the Rights of the Child, adopted in 1989 and today almost universally ratified, generally defines a child as “every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier” (Article 1). However, it set the lower age of 15 in relation to the military recruitment and participation of children in armed conflict, while calling on states recruiting under 18 to give priority to the eldest (Article 38).

From 1993, efforts were made by the UN Committee on the Rights of the Child and under the auspices of the UN Commission on Human Rights to strengthen this prohibition on the use of children as soldiers. New momentum was given to this debate by the landmark study on children and armed conflict prepared by Graca Machel for the United Nations in 1995. The UN Secretary-General, UNICEF, the UN High Commissioner for Human Rights, the Special Representative of the UN Secretary-General for Children and Armed Conflict, together with many governments, regional bodies and non-governmental organisations called for the prohibition of all forms of military recruitment and participation of children under the age of 18 years (what became known as the “straight-18” position).

After many years of negotiations, on 25 May 2000, the United Nations General Assembly adopted by consensus the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. The new Optional Protocol helps to correct this anomaly by **raising from 15 to 18 years the minimum age for direct participation in hostilities, for compulsory recruitment and for any recruitment by non-governmental armed**
groups. It also calls on states to raise the minimum age and implement strict safeguards for any voluntary military recruitment under 18.

While it falls short of the “straight-18” position, the Optional Protocol represents a significant step forward towards a global ban on child soldiers. It also builds upon a number of other significant developments in international law:

- The Rome Statute of a permanent International Criminal Court (ICC) defines “conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities” as a war crime when committed in either an international or non-international armed conflict (Article 8);

- International Labour Organisation (ILO) Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour, which entered into force in November 2000, defines a “child” as all persons under the age of 18 (Article 2) and includes “...forced or compulsory recruitment of children for use in armed conflict” among the worst forms of child labour (Article 3);

- the African Charter on the Rights and Welfare of the Child, which entered into force in November 1999, prohibits the recruitment or direct participation in hostilities or internal strife of anyone under the age of 18 (Article 22);

- the UN Security Council, in Resolutions 1261 and 1314, the UN General Assembly, the UN Commission on Human Rights, the Organisation for African Unity, the Organisation of American States, the Organisation for Security and Cooperation in Europe and the European Parliament have all condemned the use of children as soldiers;

- the Organisation of the Islamic Conference has called for the non-recruitment of (refugee) children in any armed conflict; His Holiness Pope John Paul II has prayed for an end to the use of child soldiers.

The key provisions of the Optional Protocol and these other international standards are outlined in more detail in Appendix Four of this report.

*** START BOX

**Why prohibit military recruitment under 18?**

The Convention on the Rights of the Child generally defines a child as any person under the age of 18 (Article 1). In the vast majority of countries, national laws set 18 as the voting age because it marks the formal transition from childhood to adulthood and the legal and moral responsibilities which come with it. The same psychological maturity should therefore be required for making a decision to join the armed forces.

Article 32 of the Convention on the Rights of the Child requires States to protect children from “any work that is likely to be hazardous or to interfere with the child’s education”. Military
service can jeopardise the health and safety of children. Some aspects of recruits' training - particularly live-ammunition exercises and physical endurance programs – can lead to death, injury and trauma.

Power relationships in the military often leave young recruits vulnerable to bullying, harassment, abuse and sometimes even rape.

Voluntary recruitment is often a choice not exercised freely; it is rarely based exclusively on the volition of the child, but tends to be conditioned by factors beyond his/her control. The line between voluntary, compulsory and forced recruitment is often ambiguous in view of various environmental factors that may coerce children to ‘volunteer’. Children from the poorest, least educated and most marginalised sectors of society are often encouraged to join the armed forces as an economic and employment alternative.

Once recruited, children are members of the armed forces. International humanitarian law, which includes the Geneva Contentions of 1949 and their Additional Protocols of 1977, makes a fundamental differentiation between "civilians" and "combatants". Members of the armed forces are combatants under international humanitarian law, which means that they can lawfully kill and be killed, including when they are under 18 years of age. This could lead to situations where a person under 18 is prohibited from participating in hostilities but is nevertheless a lawful target by virtue of the fact that he or she is recruited and therefore a member of the armed forces.

In many countries birth registration is inadequate or non-existent and children do not know how old they are. A minimum age of 18 can be more effectively enforced by recruiters assessing age on the basis of physical development.

The Optional Protocol, together with other developments in the international legal framework, reflects the strong international consensus against the use of children as soldiers. The use of children as weapons of war is like the use of landmines or chemical and biological weapons – simply unacceptable in any circumstances.

Universal ratification of the Optional Protocol will lay the basis for a global ban on the use of child soldiers, backed by effective legal and programmatic measures on the ground. It would build upon the near universal ratification of the Optional Protocol’s parent Convention on the Rights of the Child.

At time of publication, 79 states have signed the Optional Protocol, four have ratified (Canada, Bangladesh, Sri Lanka and Andorra) and many others are in the process of doing so. The Optional Protocol requires ten ratifications to come into force.

The UN General Assembly, the UN Security Council and the Secretary-General have called on all states to sign and ratify the Optional Protocol without delay. This call was echoed by ministers participating in the International Conference on War-Affected Children held in Winnipeg in September 2000. A series of regional conferences organised by the Coalition over the past two years have reinforced this call (see Appendix Five for conference declarations).
The Coalition to Stop the Use of Child Soldiers is campaigning for all states to sign and ratify the Optional Protocol without reservations and setting at least 18 as the minimum age for all forms of military recruitment. This ratification campaign has been endorsed and supported by the Special Representative of the UN Secretary-General for Children and Armed Conflict, the UN High Commissioner for Human Rights and UNICEF.

Most significantly, and as borne out in this report, a majority of countries today do not recruit children into their military forces below the age of 18. Many countries are taking this opportunity to review their current military legislation and practice and raise the minimum age for military recruitment to at least 18. Even some non-state armed groups, of every description and from every part of the world, have made international commitments to abide by this standard. For its part, the United Nations has set at least 18 and preferably 21 as the minimum age for civilian police and military observers on UN peacekeeping operations, one of the primary functions in which many armed forces are now engaged.

The Coalition hopes that this report, the first ever global survey of its kind, will generate new understandings of the dimensions of this problem and spur new efforts at the international, regional and national level for the protection of children from this abuse.
Coalition to Stop the Use of Child Soldiers

The Coalition to Stop the Use of Child Soldiers was formed in June 1998 to advocate for the adoption of, and adherence to, national, regional and international legal standards (including an Optional Protocol to the Convention on the Rights of the Child) prohibiting the military recruitment and use in hostilities of any person younger than eighteen years of age; and the recognition and enforcement of this standard by all armed forces and armed groups, both governmental and non-governmental.

The Coalition was founded by six international NGOs – Amnesty International, Human Rights Watch, the International Save the Children Alliance, Jesuit Refugee Service, the Quaker United Nations Office - Geneva, and International Federation Terre des Hommes – and later joined by Defence for Children International, World Vision International, and regional NGOs from Latin America, Africa, Asia and the Pacific. The Coalition has also established partners and national coalitions which are engaged in advocacy, campaigns and public education in nearly 40 countries (see separate section on National Coalition Activities). The Coalition has established and maintained active links with UNICEF, the International Red Cross and Red Crescent Movement, UNESCO, UNHCR, UNHCHR and the Special Representative of the UN Secretary-General for Children and Armed Conflict.

In just under three years the Coalition has generated considerable momentum towards its goal and is credited with having played an instrumental role in the adoption of the new Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts. Achievements of the Coalition include:

- Mobilising public pressure and political will to end the use of child soldiers and establish 18 as the minimum age for all forms of military recruitment and participation in armed conflict, both on the part of governments and armed groups;
- Organising 5 regional conferences which produced strong political declarations, increased media exposure, ongoing NGO networks and practical recommendations for action; each conference brought together governments, international agencies and NGO representatives and produced strong consensus declarations;
  i) African Conference in Maputo, Mozambique, April 1999, bringing together 250 participants including representatives of 25 governments from the region;
  ii) Latin American and Caribbean Conference in Montevideo, Uruguay, July 1999, bringing together 100 participants from 20 countries;
  iii) European Conference, Berlin, Germany, October 1999, bringing together 180 participants including representatives of 29 European governments;
  iv) Asia-Pacific Conference, Kathmandu, Nepal, May 2000, bringing together over 120 participants including representatives of 16 governments from the region;
  v) The Amman Conference on the Use of Children as Soldiers in the Middle East and North Africa region in Amman, Jordan in April 2001 bringing together over 110 participants, including representatives of 15 governments from the region.
- Prepared research reports on more than 170 countries covered in this report, detailing military recruitment laws, practice and (where appropriate) the use of child soldiers in conflict by both governments and non-state actors;
Published advocacy documents, created a website and disseminated information to the media;
Lobbied for the inclusion of child soldiers in the ILO Convention 182 on the worst forms of child labour;
Lobbied successfully for intergovernmental and regional bodies such as the OAU, OAS, OSCE, European Union and G8 to take up this issue.

Beyond standard setting

One of the Coalition’s key goals is to achieve universal ratification of the new Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict -- with a clear majority of states setting a “straight-18” ban on ALL recruitment as well as participation of under-18s. In addition, the Coalition will be campaigning for ratification of ILO Convention 182, the ICC Statute and, where appropriate, the African Charter on the Rights and Welfare of the Child. The Coalition will also continue to promote this issue in regional bodies such as ASEAN, SAARC, OAU, OAS and OSCE.

The Coalition is building a holistic and integrated program of action in the following three areas:

- **Research and monitoring:** having completed this first ever global survey of the use of child soldiers, the Coalition will build a global monitoring and reporting system that can keep research up to date and feed into UN bodies and ongoing campaigns; the Coalition will also undertake in-depth research on particular countries and themes;

- **Campaigning and advocacy:** a global campaign for ratification of the Optional Protocol and necessary legislative change; international campaigning actions focused on particular countries or non-state actors; ongoing advocacy within UN system, donor agencies and regional bodies;

- **Programs and Capacity building:** the development of an inter-agency network for documenting and disseminating experience and best practice; training and capacity building activities for NGOs in priority countries.

For more information on the Coalition and its activities, please visit [www.child-soldiers.org](http://www.child-soldiers.org)
National Coalition Activities

Since its formation in 1998, the Coalition has established partners and national coalitions in nearly 40 countries. These local campaigns have been organised in different ways, in some places formally constituted in others through loose networks of organisations and individuals. They bring together international, regional and local human rights and children's rights non-governmental organisations, humanitarian and developmental agencies, peace and disarmament groups, veterans' associations and youth movements, teachers and students, religious groups and trade unions, academics and other interested individuals. Together we number more than 500 organisations. These committed organisations and individuals have been the very heart of the Coalition's campaign and a critical factor in its success.

National coalitions and partners share the Coalition’s goal of stopping the use of children as soldiers - preventing their recruitment and use, securing their demobilisation, and ensuring their rehabilitation and reintegration into society. In each country, they have organised tailored campaigns involving advocacy with governments and armed groups, media work and public education and awareness activities.

Their primary goal has been to secure signature, ratification and effective implementation of the Optional Protocol, without reservations and setting at least 18 as the minimum age for all forms of military recruitment. Many have helped to secure significant changes in their government's position on this issue, either during negotiations on the Optional Protocol or the review of national recruitment legislation. National coalitions have also joined in targeted campaigns and appeals directed to particular governments or armed groups.

National coalitions and partners have organised workshops, assisted with information gathering and research or the production, translation and dissemination of Coalition materials, and helped to mobilise resources for our work. Many have assisted with the production of this report.

Some of the highlights of activities in the past year include:

- The Coalition held a special ceremony at the UN Millennium Summit in September 2000, at which was attended by leaders, ministers and officials from more than 30 countries

- National Coalitions joined in special campaigning actions for the establishment of a special court in Sierra Leone that would try those who recruited children, the withdrawal of the UK’s declaration upon signature of the Optional Protocol, an end to the recruitment and ill-treatment of under-18s in the Paraguayan military, and the demobilisation of child soldiers in Ethiopia and Eritrea;

- Sustained lobbying by the US Campaign to Stop the Use of Child Soldiers helped to produce the significant shift in US policy which allowed the breakthrough in negotiations on the Optional Protocol in January 2000 and its subsequent signature by the Clinton Administration; the US Campaign continues to press for US ratification;
In Sierra Leone, NGOs took to the streets with a major demonstration calling for an end to the use of child soldiers; several Coalition partners in Sierra Leone are engaged in programs for the rehabilitation and reintegration of former child combatants;

The Colombian Coalition has actively promoted this issue, conducted research and monitoring, and held specialist workshops to develop techniques for prevention, rehabilitation and reintegration;

Members of the UK Coalition campaigned for a change in UK government policy on recruitment and deployment through letter-writing, petitions, children’s demonstrations, public meetings, and parliamentary initiatives;

In the Philippines, local NGOs organised a national consultation and workshop which fed recommendations on the demobilisation of child soldiers into peace negotiations between the government and armed groups; similar workshops are planned in other parts of Southeast Asia;

In Nepal, NGOs mounted street theatre performances to create awareness of the dangers of child recruitment and organised speaking tours to remote districts of the country;

In March 2000, students from more than 20 high schools in San Francisco marched from Union Square to City Hall to gain support for an international ban on child soldiers

The German national coalition gave active support to the Coalition internationally and maintained national level advocacy in support of a “straight-18” position; some of the organisations support programmes and partners working on the child soldier issue in war affected countries;

Indian NGOs are planning to hold a national consultation and workshop on child soldiers in mid-2001;

The Australian Coalition organised a major international conference on the use of child soldiers in Melbourne and has continued to press the government for ratification of the Optional Protocol and a change in recruitment policy;

In Italy, sustained campaigning saw the adoption of new legislation raising the minimum age of recruitment to 18 and government commitments to support the issue in international fora;

The Bangladeshi Coalition for Child Rights published brochures and the Bangladesh Development Partnership Centre conducted research on small arms and children in Bangladesh;

In Belgium, Coalition members campaigned actively for Belgian signature and ratification and to raise awareness through exhibitions, magazine articles and television programs, competitions, festivals and lectures to the armed forces;
• In Peru, Coalition partners organised a public event that drew together a thousand children's voices, signatures and flowers in a solidarity action with child soldiers around the world

• The Russian Coalition organised a collection of signatures for a petition to protect the human rights of children in Russia

• Indonesian NGOs held an information session for government ministers on the Optional Protocol

• In Ecuador, the Working Group on Children in Armed Conflict has campaigned actively and organised two successful workshops on the subject;

• In Japan, Coalition partners worked with the government to host a variety of international symposia on the issue of child soldiers; Amnesty International Japan chose children as the focus for its thirteenth anniversary celebrations.

• After a sustained campaign in Israel, the Israeli Defence Force announced that it will end the deployment of under-18s and stop accepting conscripts before their 18th birthday (but will continue to recruit 17-year-old volunteers).

For more information on Coalition activities, please visit our website www.child-soldiers.org or contact the coordinators listed in Appendix Six or the Coalition Secretariat:

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AFGHANISTAN

Because of the specific situation of Afghanistan, where the internationally-recognised government has actual control of only 10 per cent of the territory, the layout of this country entry is significantly different to that used for others. This has been done only for reasons of clarity and does not in any way reflect on the legal status of the different parties to the conflict.

- Population
  - total population: 21,923,000
  - under-18s: 10,740,000
- Compulsory recruitment age : not known
- Voluntary recruitment age : not known
- Voting Age for Government Elections : not applicable
- Child soldiers : indicated in all armed groups but numbers unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: Afghanistan ratified the Geneva Conventions in September 1956, but has not acceded to the Additional Protocols and has been through successive changes of regime since that time. An Interim Afghan Government ratified the Convention on the Rights of the Child (CRC) in 1994, but the Taleban authorities claimed to have annulled this in a general revocation of all international agreements.

- Children have been used as soldiers by all warring parties in Afghanistan’s two decade-old civil war. Forced and compulsory recruitment by the Taleban and Northern Alliance continues to be reported, despite international commitments to the contrary. Young recruits are drawn from within Afghanistan, the Afghan refugee diaspora and religious schools in Pakistan.

CONTEXT

Afghanistan has been shattered by two decades of war. The 1979 invasion of the country by the Soviet Union was met by armed resistance by a variety of factions, many sponsored by neighbouring countries and the West. Following the Soviet withdrawal in 1989, the Afghan Government was overthrown and replaced by an interim coalition government. This arrangement quickly broke down into civil war between different warring factions. All told, these conflicts have killed an estimated 1.7 million people, permanently disabled another 2 million, and driven more than 5 million from their homes.

The Taleban, a conservative Sunni Pushtun group, first emerged in 1994 in the south of the country and from madrasas or religious schools in Pakistan. After a series of military successes, the Taleban seized Kabul in late September 1996 and is now in control of about 90 per cent of Afghanistan. The Taleban have imposed a strict regime based on Sharia law in areas under their control. The Taleban government, however, has only been recognised internationally by three countries: Pakistan, Saudi Arabia and the United Arab Emirates.

Fighting against the Taleban is a coalition of former parties and commanders known as the ‘Northern Alliance’ or ‘United Front’ which today controls only the north-eastern provinces. The
Northern Alliance comprises forces of former Defence Minister Ahmad Shah Massoud, the Junbish-i Milli-yi Islami of General Dostum, the Shia party Hezb-i-Wahdat and other minor groups. It supports the claims of the ‘government’ led by former President Rabbani which continues to hold Afghanistan’s UN seat.

According to the United Nations Special Mission in Afghanistan (UNSMA), the Taleban and Northern Alliance have a typical strength of 30-40,000 fighters on each side. Both sides can mobilise approximately 80-100,000 soldiers during crisis periods, but these forces levels are difficult to sustain.¹

**National Recruitment Legislation**

Afghanistan’s 1990 Constitution did not specifically provide for compulsory or voluntary military service, but the status of this document is unclear given the contested nature of the Afghan state. (According to one source, the Constitutions of 1924,1931,1964 and 1976 set the age for conscription at 22 with military service lasting two years. In the 1980s, however, the former government lowered the conscription age from 22 to 18 under a state of emergency law.)²

*Taleban* representatives told a visiting Danish delegation in November 1997 that “all men aged over 18 can become soldiers” and that there is no conscription.³ In 1998, the Supreme Leader of the *Taleban*, Mullah Mohammad Omar, decreed that any followers who are too young and who are not yet growing a beard must leave his fighting militia. He warned that anyone violating this order would face severe punishment.⁴ While this directive relates recruitment to puberty and physical appearance in Islamic terms, it still allows the possibility of under-18 recruitment.

It is not known whether the Northern Alliance has any specific rules governing the minimum age of recruitment into these armed forces. During the 1999 UN Security Council debate on children in armed conflict, the Afghan representative (who represents the ‘government’/Northern Alliance which still holds Afghanistan’s UN seat) declared that his country “shared the idea of a new peace and security agenda for children and women, ending the use of children as soldiers, and the provision of better protection for children and women in situations of armed conflict.”⁵

**Recruitment practice**

Children have been heavily involved in the 20-year-old war in Afghanistan. Two generations of children have grown up under arms – first as members of the resistance to Soviet forces, later as members of Afghanistan’s many warring factions. Research conducted in 1995 on the situation in Afghanistan for the UN Study on the Impact of Armed Conflict on Children (the ‘Machel Study’) found that the youngest child soldier was 13 years old (though did not mention for whom he was fighting). Other sources have claimed that children as young as 11 were members of the various armed groups.⁶

Even those children who have not served as armed fighters have been subjected to other forms of militarisation. In schools both inside the country and refugee camps, textbooks and teaching methods have used images of tanks, guns and bullets in mathematics and reading classes. In their communities the widespread availability of small arms has promoted a “kalashnikov culture” that has shaped the worldview of children.
A 1999 survey conducted by the ICRC found that 89 per cent of Afghan respondents believed that no one should take up arms for combat before the age of 18. Moreover, 76 per cent were in favour of a 20-year minimum age, and 19 per cent were in favour of 21 years as the minimum age for participation in armed conflict.\(^7\)

**Northern Alliance**

While there is little information on recruitment practice within the Northern Alliance, children have been reported in their ranks, particularly during recent years as their military situation has become more pressed. During a visit to Pakistan in November 2000, Coalition representatives were told by reliable sources with access to the northern areas of major new recruitment drives (forced and voluntary) in the Panjshir Valley and Badakhshan as forces led by Massoud defended positions against a major Taleban offensive. (Observers note that Massoud has traditionally relied on his popular support base in Panjshir and that increased levels of recruitment in Badakhshan reflect increased difficulties in maintaining force levels.)

**The Taleban**

There have been many reports of child and adolescent recruitment by the Taleban although no estimates of total numbers are available.\(^8\) When they first became party to the civil war in 1994, the Taleban recruited mainly among young Afghan refugees attending religious schools in Pakistan. (The term Taleban signifies ‘students’.) Progressively, as the conflict has receded in Taleban-held areas, recruitment takes place within Afghanistan, but the Taleban continue to draw recruits from networks of madrasas in Pakistan sponsored by various Islamist parties and groups. Where once these institutions were confined largely to the border regions, today they are spread throughout the country (even in urban centres of Punjab and Sindh) and not only draw from the Afghan refugee diaspora. The Taleban (like other Afghan factions before it) has also been joined by (usually older) fighters from Middle East countries and elsewhere.

According to some NGO staff in Pakistan, no girls have been recruited by the Taleban, but there have been reports of forced marriage of girls from Shamali and Mazar.\(^9\)

Taleban representatives told a Danish Government fact-finding mission in November 1997 that there was no conscription and recruitment was on a voluntary basis only. Recruitment campaigns were carried out in which local mullahs of shura heads would deliver rousing speeches to attract recruits. The Taleban denied that village heads were required to supply quotas of “volunteers” or buy exemptions from conscription. It was claimed that Taleban soldiers were not paid beyond their keep and that there was no set length of service; soldiers were reportedly free to leave their units although anyone that deserts in combat could face detention or flogging. The Deputy Governor of Jalalabad stated that there was no actual enrolment of soldiers; commanders knew who was in their units but there was no centralised roll.

NGOs and other governments have continued to report compulsory recruitment by the Taleban within Afghanistan, however. An Afghan aid worker based in Pakistan stated that “each land-owning family was required to provide one young man and 2.4 million Afghanis (about USD 500) in expenses. Each draftee can expect to spend two months fighting every 6 to 12 months.”\(^10\) The Danish fact-finding mission in 1997 was also told that local communities were told to supply
a given number of able-bodied men, whom they would be responsible for selecting themselves or buy an exemption for the equivalent of USD 200-300 per person. UN sources have indicated that recruitment to the Taleban is usually voluntary, with occasional conscription when additional forces are needed.\textsuperscript{11}

Taleban recruitment is often cyclical, with large scale recruitment drives associated with significant defeats or major offensives. For instance, Samiul Haq, who runs two large madrasas in Pakistan boasted that most of his Pakistani and Afghan students had joined the Taleban after defeats in the north in May 1997. The same madrasas allegedly provided the Taleban with thousands of new Afghan and Pakistani recruits after the final capture of Mazar-i-Sharif in August 1998.\textsuperscript{12} Madrasas sponsored by networks which support the Taleban will periodically close (eg for holidays) and send students for military service (presented as a form of jihad and, therefore, part of their religious obligation and education). Many of these students return after one or two months ‘experience’ and are not used on the frontline but rather to police urban centres and checkpoints, thus freeing more experienced manpower for the front. (It has been suggested that this is one reason journalists and other visitors observe an apparently higher incidence of child involvement in Taleban forces.)\textsuperscript{13}

Amnesty International reported one such case of a man who filed a petition in the Sindh High Court in Karachi, Pakistan, after his 13-year-old son was reported missing while he was studying in the local Jamia Islamia school. The father accused the principal of the school of having sent his son to fight in Afghanistan without consulting the parents. The school finally admitted that the young boy left to fight in Afghanistan, supposedly of his own volition. The boy returned one month later saying that he has been persuaded by the nazim of the school to go to Afghanistan. Some 600 other juveniles were reportedly taken in buses to Afghanistan on the same day. The father withdrew his petition after the Pakistan police registered a criminal case, although no investigation was made and no one was arrested.\textsuperscript{14}

In July 1999, it was reported that between 3,000 and 5,000 Pakistani recruits belonging to several Islamist parties and networks had arrived in Kabul; some were reportedly veterans of the conflict in Jammu and Kashmir while others had left madrasas for the summer holidays. In addition, a brigade of some 400 Arab fighters from several countries in the Middle East arrived under the control of Saudi dissident Osama bin Laden.\textsuperscript{15} In August 1999, a Taleban delegation visited all the main madrasas in Pakistan’s North-West Frontier Province appealing for students to join the Taleban’s holy war. It is estimated that up to 5,000 students left their schools. According to the UN, the students who joined the Taleban at that time were aged between 15 and 35. This new recruitment drive was organised following a major Taleban defeat and in anticipation of a new offensive in the north.\textsuperscript{16}

In 1999, after UNICEF warned that there were increasing numbers of child soldiers in the Taleban’s ranks\textsuperscript{17}, the UN Secretary-General, Kofi Annan, made a report to the Security Council in which he noted that the “Taleban offensive was reinforced by 2,000 to 5,000 recruits, mostly emanating from religious schools within Pakistan, many of them non-Afghans and some below the age of 14”.\textsuperscript{18} The Taleban reacted strongly to the report and insisted on taking UN officials to the frontline to see for themselves that the claim was untrue. On 1 December 1999 Erick de Mull, the head of the UN’s humanitarian mission in Afghanistan, visited the front-line and reported no evidence of children being used to fight; the only child he saw was a cook.\textsuperscript{19}
In February 2000, the Pakistan’s Interior Minister claimed that “only one per cent” of the madrasas in Pakistan sent their students for training in Afghanistan. In April 2000, he warned that sectarian parties were “spreading poison” and “polluting the minds” of children: “All their madrasas, inappropriate literature, weapons and their activities will be stopped.” The Pakistan Government was reportedly working on a draft law to regulate and monitor these schools, but progress was unclear and stiff opposition was anticipated.

See also Pakistan country entry for information on recruitment to the Afghanistan conflict.

See also Pakistan country report.

1 Danish Immigration Service, Fact-Finding Mission to Afghanistan, July 1998; www.udlst.dk
3 UNSMA cited in Danish Immigration Service report, op cit.
4 “Row over Taliban child soldier claim”, BBC News, 01/12/99.
6 RB database quoting The Scotsman, 17/12/97, see http://www.rb.se.
9 Information provided to CSUCS by reliable sources in Pakistan who request confidentiality.
10 “Young flee to avoid Taliban conscription”, The South China Morning Post, 4/05/99.
11 Danish Immigration Service, op cit
12 The Dar ul-Uloom Haqania in Pakistan’s North-West Frontier Province and the Jamia Uloom-ul-Islamiya in Karachi; Rubin, B. R. “Who are the Taliban?”, Current History, 02/99
13 Information gathered by CSUCS during visit to Pakistan, 11/2000.
14 Amnesty International, Children in South Asia securing their rights, ASA 04/01/98, April 1998.
20 Baruah, A., “Pakistan bans display of arms”, The Hindu, 17/2/00.
ALBANIA

REPUBLIC OF ALBANIA

- Population:
  - total: 3,113,000
  - under-18s: 1,102,000
- Government armed forces:
  - active: 48,000
- Compulsory recruitment age: 18 or 19
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API +II; ILO 138

- It is not known whether there are any under-18s in government armed forces due to insufficient information on minimum voluntary recruitment age. Children were alleged to have been involved in armed activity during the uprising in 1997. In addition, the Kosovo Liberation Army (KLA) reportedly recruited children under 18 for the armed conflict in neighbouring Kosovo.

CONTEXT

In March 1997 a violent anti-government uprising erupted, mainly in the southern part of the country. Opposition supporters were seemingly unorganised and much of the violence appeared to be of criminal rather than political nature. The public order situation improved during 1998. The armed forces of the Kosovo Liberation Army (KLA) had a number of bases in northern Albania and were alleged to have received training there, although the Albanian government denied actively supporting them. During 2000 the 450,000 Kosovar refugees who had sought refuge in Albania at the height of the Albanian crisis returned to Kosovo.

GOVERNMENT

National Recruitment Legislation and Practice
The new Constitution approved on the 28 November 1998 states in Article 166 (part fifteen) that: "1. The Albanian citizens have the duty to participate in the defence of the Republic of Albania as provided by law. 2. A citizen who, for reasons of conscience, refuses to serve with weapons in the armed forces is obliged to perform alternative service, as provided by law." Conscription exists both into the armed forces and paramilitary forces. According to one source, all men between the ages of 19 and 55 are liable for military service and subsequent reserve duties. Another source indicates all Albanian men and women over the age of 18 are liable for military service, the length of which is one year.

It is unclear to what extent conscription is still being enforced in practice as the armed forces are in the process of being reconstituted. In November 1998 a reduction in military spending and a
move towards a professional army was proposed. There are no provisions allowing conscientious objectors to perform unarmed or civilian service. Exemptions can reportedly be obtained for the sum of US$4,000 which is well beyond the means of most young men.  

**Military Training and Military Schools**

It is believed that the minimum age for entry into military schools in Albania is 14 years.

**OPPOSITION**

**Child Recruitment**

During the uprising of 1997, it was reported that children as young as 10 were among the looters and seen carrying arms, however it is unclear to what extent children below 15 actually took part in armed political violence. During the uprising it was claimed that an opposition group 'Committee of National Salvation', based in Girokaster, had called upon all children under 18 years of age to surrender their weapons.

It has been reported that the KLA recruited soldiers, including children, on Albanian territory during the Kosovo crisis. (See Federal Republic of Yugoslavia and Former Yugoslav Republic of Macedonia entries also).

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25 http://www.urich.edu/~jpjones/confinder/Alb1998.htm#P15
27 “Out of the margins the right to conscientious objection to military service in Europe”, AI 1997.
28 “Out of the margins…”, AI, 1997 op cit.
29 Information provided by Natasa Dokovska, Journalists for the Rights of Women, Children and the Environment, FYROM to CSC
30 RB, http://www.rb.se
ALGERIA

THE PEOPLE’S DEMOCRATIC REPUBLIC OF ALGERIA

- Population:
  - total: 30,774,000
  - under-18s: 13,530,000
- Government armed forces
  - active: 124,000
  - reserves: 150,000
  - paramilitary: 181,200
- Compulsory recruitment age: 19
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: indicated in paramilitary and armed opposition groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138 + 182; ICC

There are no indications of under-18s in the government armed forces, but there have been reports of child participation in paramilitary ‘Legitimate Defence’ groups. Armed opposition groups are widely reported to have children in their ranks.

CONTEXT

Following rioting in October 1988, Algeria's one-party State initiated a democratisation programme and adopted a new constitution in 1989. The Islamic Salvation Front (Front Islamique du Salut or FIS) won ensuing elections in 1990 and 1991 but was banned by the government. Algeria was subsequently engulfed in civil conflict.

Following a secret agreement negotiated with the army in 1997, the AIS (the Islamic Salvation Army, the armed wing of one branch of the FIS) declared a unilateral cease-fire in October 1997. The LIDD (Ligue Islamique pour le Dawa et le Djihad – Islamic League for Preaching and Combat) joined the cease-fire shortly after. A law on Civil Harmony (Concorde Civile – Law No 99-08) was passed in July 1999 exempting from prosecution or limiting penalties under certain conditions for members of armed groups who surrendered within six months. In addition, members of the AIS and LIDD armed groups were granted a Presidential amnesty exempting them from prosecution without exclusion in January 2000 (Presidential Decree No 2000-03). Other armed opposition groups have continued fighting, however.

GOVERNMENT

National Recruitment Legislation and Practice
The minimum age for compulsory recruitment is 19 according to Article 1 of Edict 74-103 of 15 November 1974. Military service is compulsory for all men; women may join the air force on a voluntary basis. Military service currently lasts 18 months, divided into six months of military training and 12 months of active service. After completing service soldiers must remain available to the Ministry of Defence for five years and may be recalled at any time. Thereafter, they form part of the reserve forces for a further 20 years.

Conspects can postpone service until they are 27 years old in order to complete studies. Exemptions are possible in peacetime under certain circumstances — for medical or psychological reasons, when a brother is already serving, and for sole family breadwinners as well as the sons of heroes and martyrs from the war of independence.

At the end of 1999, the Ministry of Defence announced that those over 27 years of age who had not performed military service, including those who had deferred or evaded the draft, would be eligible for exemption. Applications were to be considered on a case-by-case basis, although it was not clear exactly which categories of applicants would benefit from the scheme.

**Child Recruitment by Government-allied Paramilitary Groups**

Executive Decree 97-04 of January 1997 officially established (two years after their actual creation) 'Legitimate Defence Groups' (Groupes de défense légitime) and determined the conditions under which they are operate. Constitution of these groups is subject to authorisation of the public authorities and a joint order of the ministries of Defence and Interior. Leaders of these groups are sometimes, but not always, law-enforcement officers. According to the law, members do not receive any remuneration, but in practice, leaders and members of some Legitimate Defence Groups have received salaries (and have publicly complained when payments have not been made). The Legitimate Defence Groups are supplied with arms by the government (Article 8, decree 97-04) and are required to wear distinctive uniforms. Many reports suggest that the formation of these groups has led to a 'privatisation' of the war and that the government is unable to control their actions. It has been reported that in many parts of the country the Legitimate Defence Groups have recruited young people into their ranks.

According to government officials, enlistment is on a voluntary basis; while no age criteria are explicitly mentioned in the Decree, the same recruitment rules are applied as for other security forces; further, the minimum age for carrying firearms in Algeria is 19 years.

In addition, 'communal guards' were created under Executive Decrees 96-265 and 96-266 of August 1996 to defend public order. According to Chapter 1, Section 1, Article 21 of Decree 96-266: "Communal guards are recruited amongst candidates of at least 19 years of age who have gained the best marks in tests."

**OPPOSITION**

There are three main opposition groups in Algeria: the Islamic Salvation Army (AIS), the armed wing of the FIS which ceased fighting in October 1997 and formally dissolved in January 2000; the Armed Islamic Group (GIA or Groupes Islamiques Armés) a collection of armed groups whose leadership and composition remain unclear; and the Salafist Group for Preaching and Combat (GSPC).
Child Recruitment and Deployment

It has been reported that children and youth have actively participated in the different armed opposition groups. The Psychological Institute in Algiers has claimed that young people fighting for the Islamist groups are not driven by religious motives but rather by frustration at broader economic and social problems.

- The Islamic Salvation Army (AIS): 4,000

The Court of Algiers ordered the dissolution of the FIS in March 1992. Armed Islamist groups began to form in the following months, notably the MIA (Mouvement Islamique Armé), whose members later joined the AIS or GIAs. The AIS was created in 1994 to serve as the armed wing of the Front Islamique du Salut and operated in the east and west of Algeria, focusing its attacks mainly against military and security force personnel.

A journalist who secretly visited an AIS camp in 1997 reported the presence of boys, some as young as 15, among the movement's soldiers. One of the boys claimed to have killed seven men during the election week: "Two boys described themselves as assassins. Armed with sawn-off shotguns, they stalk security men in public places, firing at point-blank range and disappearing into the crowd."

- The Armed Islamic Group (Groupe Islamique Armés — GIA): 1,500

The GIA began its violent campaign in 1993. It is alleged to have been responsible for civilian massacres, hijacking an Air France flight in 1994 and bombings in France. Algerian expatriates, many of whom reside in Europe, provide some financial support to the group.

A witness living in a small district of Mitidja, a GIA-controlled area, said: "It was incredible — kids with a Kalashnikov on their shoulder in every street. They check the papers of people going by and watch who's coming in and who's leaving the town. You see them, backs to the wall, with a pistol in their hands, chatting. They're maybe not even 18 years old. People don't go out to walk about any more."

Another source has claimed that the GIA uses young boys, mainly in their early teens, to plant bombs and carry out surprise attacks. A young woman from one of the Algerian villages where massacres had taken place said that all of the killers were boys under 17. Some boys who seemed to be around the age of 12 decapitated a 15-year-old girl and then played 'catch' with her head.

- The Salafist Group for Preaching and Combat: less than 500

Unlike other armed groups in western Algeria, the Salafists are said to confine their attacks to military targets. Nothing is known about child involvement in the activities of this group.
IISS estimates strength of Legitimate Defence Groups at 100,000; according to Bruno Etienne (Le Figaro) their size is as high as 180,000, 31/8/97.

Information provided by Amnesty International; see also “Sour Cherry”, The Economist, 15/2/01

Ordonnance 74-103 of 15/12/74, Journal Officiel de la République Algérienne; Brett, Rachel and McCallin, Margaret, Children: The Invisible Soldiers, RB, Stockholm 1998, Appendix A.

Démocratique et Populaire, 10/12/74.

Article 1 of Law No. 89-19 of 12/12/89.


Article 98 of the National Service Act.

Articles 90 to 104 of the National Service Act.

Information provided to CSC by Amnesty International

Decree 97-04 “fixant les conditions d'exercice de l'action de légitime défense dans un cadre organisé”.

Information provided to CSC by Amnesty International


Ibid.

Communication to CSC from Embassy of Algeria, London, 9/05/01

Ibid

Peter Strandberg, freelance journalist, cited by RB, http://www.rb.se

Horeman and Stolwijk op cit.

see FIS Section, Federation of American Scientists, http://www.fas.org/irp/world/para/fis.htm

FIS website: http://www.members.aol.com/alFis/ribat/a.htm

Federation of American Scientists – FIS op cit.

Dennis M., Newsweek, 30/6/97

IISS

Martinez op. cit.

Information received from reliable source that requests confidentiality.

"Les orphelins d’Algérie", Temps présent, Swiss Television, 29/1/98, unofficial translation.

Ibid
ANDORRA

PRINCIPALITY FOR ANDORRA

- Population:
  - total: 75,000
  - under-18s: 15,000
- Government armed forces: nil
- Compulsory recruitment age: not applicable
- Voluntary recruitment age: not applicable
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; ratified on 30 April 2001; supports “straight-18” position
- Other treaties ratified: CRC, GC

There are no indications of under-18s as the country has no armed forces. Andorra is the fourth country to ratify the CRC-OP-CAC and has stated its strong opposition to all forms of recruitment under the age of eighteen.

GOVERNMENT

National Recruitment Legislation and Practice
Article 38 of the 1993 Constitution under chapter VI (Duties of Andorran nationals and of aliens) states: “The State may create by law types of community service to pursue tasks of general interest.” Andorra has no defence force other than a ceremonial unit and depends on neighbouring Spain and France for external defence. The national police, under effective civilian control, have sole responsibility for internal security. The recruitment age for the Andorran police force is between 19 and 35 years of age.

DEVELOPMENTS

International Standards
Andorra signed the CRC-OP-CAC on 7 September 2000 and became the fourth country to ratify the instrument in April 2001. Andorra supports the “straight-18” position. In its binding declaration upon ratification, the government stated that the recruitment of children under the age of 18 should not be permitted under any circumstance.

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58 Information provided by fax by the Ministry of Foreign Relations from Andorra to CSC on 19/4/01
60 http://www.policia.ad/english/organis/units_groups.html
61 Communication from the Ministry of Foreign Affairs to CSC on 474/01; The same position was stated by Andorra when ratifying the Convention on the Rights of the Child.
ANGOLA

REPUBLIC OF ANGOLA

- Population:
  - total: 12,479,000
  - under-18s: 6,749,000
- Government armed forces:
  - active: 107,500
  - paramilitary: 10,000
- Compulsory recruitment age: 17
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: indicated - some 7,000 in government and opposition armed groups
- CRC-OP-CAC: not signed
- Other Treaties Ratified: ACRWC; CRC; GC/API; ICC
- Children have been recruited and used as soldiers throughout the Angolan conflict by all forces involved. In 1998 the UN reported that "Between 1980 and 1988, in Angola, every third child has been involved in military operations and many have fired a gun at another human being." The demobilisation of some 8,500 registered child soldiers in accordance with the 1994 peace agreement has progressed slowly, with more than half that number deserting the quartering areas and only 2,925 children demobilised to date. It is estimated that with the resumption of armed conflict since 1998 some 7,000 child soldiers are currently participating in the conflict, with forcible recruitment of children increasing during 2000.

CONTEXT

The Popular Movement for the Liberation of Angola (MPLA) has governed Angola since its independence from Portugal in 1975 but faced internal conflict with competing political movements, in particular the National Union for the Total Independence of Angola (UNITA), despite various peace agreements over the years. A 7,200-strong UN peacekeeping force (MONUA) was established in April 1997 but ended in January 1999 following the shooting down of UN-chartered aircraft. Conflict has continued throughout the country, but in November 2000 the government offered an amnesty to UNITA fighters. The UN Security Council has sought to enforce sanctions against UNITA.

Both Namibia and Zimbabwe have reportedly sent troops backing the Angolan armed forces. The Zambian government, has denied allegations of support to UNITA. Angola has also sent troops to the Democratic Republic of Congo to support President Kabila.

GOVERNMENT

National Recruitment Legislation and Practice
Article 152 of Angola’s 1992 Constitution stipulates that “The defence of the country shall be the right and the highest indeclinable duty of every citizen.” Law 1/93 made military service compulsory for all men between age 20 and 45. Women between the ages of 20 and 45 could also be called up, but were not actually recruited. In November 1998 the Council of Ministers approved the compulsory conscription of Angolans born in 1981, thus lowering the minimum age for conscription to 17 years.
One factor complicating military registration is the very low rate of birth registrations in Angola. Only about five per cent of children have their birth registered.\textsuperscript{70} The 1996 Decree of application on military service (Decree No. 40/96 of 13 December 1996) established a minimum age of 18 for the voluntary recruitment of men and age 20 for women.\textsuperscript{71}

**Child Recruitment**

The UN estimates that at least 3,000 children are among the ranks of the Angolan Armed Forces (FAA).\textsuperscript{72} Forced recruitment of youth (‘Rusgas’), some as young as 14, continued after the 1993 law on military service. The legalisation of the conscription of 17-year-olds in 1999 further increased the recruitment of minors. Young men were reportedly gathered near Luanda Airport to register after the Minister of Defence launched a military census of male Angolans born between 1 January 1979 and 31 December 1981.\textsuperscript{73} As the recruitment drive failed to reach its quota, government forces increasingly resorted to “press-ganging” youths, often in nocturnal round-ups. Soldiers and police rounded up men and boys – reportedly including many under the age of 18 - who were sent to military bases throughout the country.\textsuperscript{74} However, some very young children initially recruited were reportedly “thrown back” by receiving military commanders and desertion rates for these children were high – although their fate remains unclear.\textsuperscript{75}

"I didn’t want to join the Army, they [FAA] made me join". Francisco, age 17, explains how soldiers burst into his home on a night three years earlier in the interior province of Bie and took him away. "All these years, all I have wanted to do is go home. Now finally, I am going back to Bie to see my family and work with my father on his farm."

(Fleming, J., Christian Science Monitor, 2 February 1997)

The US State Department reported in 2001 that since the first official demobilisation of child soldiers in 1997 “the government has not brought significant numbers of children back into the armed forces”, but that “some children have been caught up in forced recruitment campaigns”. In 2000, recruitment of children occurred throughout the country, particularly rural areas and in some suburbs of Luanda, often targeting poor communities, unemployed young men, and internally displaced persons. Military commanders have been known to pay police officers to find new recruits, while authorities have accepted payment in return for draft exemption. The government denied that forced recruitment was taking place.\textsuperscript{76}

Additionally, government forces have been accused of recruiting Angolan refugees in Namibia as well as Namibian youths. Angolans arrested by the Namibian government and handed over to Angolan authorities were reportedly subject to human rights abuses including forced recruitment.\textsuperscript{77} Angolan government forces were also charged with recruiting large numbers of Namibian children some as young as 14 or 15 including girls. The children, who often have not finished their education, are promised high pay. The National Society for Human Rights reported in January 2000 that this recruitment of Namibian mercenaries had been occurring for five years. The main recruitment centre for the Angolan forces is located in Calais, in easy proximity to the Namibian border. Preliminary training is allegedly conducted on Namibian soil at the Elizabeth Nepembe Military Base.\textsuperscript{78} The Namibian government has denied these accusations.
OPPOSITION

Child Recruitment and Deployment

- Union for the Total Independence of Angola (UNITA)

The Union for the Total Independence of Angola (UNITA) is the most prominent armed group fighting the MPLD government. Article 61-2 of the Draft Constitution of UNITA, 1990, states that "military service is compulsory for every Angolan citizen who is over 18." (unofficial translation). However, UNITA is well known to recruit children under 18, sometimes forcibly and to target children for brutal attacks, forced recruitment and sexual slavery.

The United Nations Observer Mission in Angola (MONUA), the UN Office for the Coordination of Humanitarian Affairs (OCHA), UNICEF, Amnesty International and the US Department of State have all reported the continued recruitment of children by UNITA forces since 1998. Despite demobilisation processes which began in 1996 it is estimated that there are at least 3,000 child soldiers in UNITA forces (c. 20,000). By 2000, the resurgence of conflict appeared to have been accompanied by an increase in the forcible recruitment of children.

In 1998, the Inter-African Network for Human Rights and Development and Human Rights Watch accused UNITA of abducting Angolan children and young men and women between 13 and their early 30s living in border towns of Cazombo and Lumbala Nguimbo. In 1999, there were reports of children between the ages of 12 and 18 being abducted, for example in a case involving some 80 children in Mbanza Congo in January and February.

HRW reported that in 2000 “Conscription of children continued to be commonplace with boys and girls as young as ten seized and trained as soldiers by the rebels.” According to the US State Department, UNITA continued to forcibly recruit or even abduct children throughout the country’s disputed territory. Recruits were taken to isolated military camps for military service and forced labour and subjected to psychological stress and extreme hardships; those who attempted to desert were executed. Women, many as young as 13 years old, were forcibly recruited to serve as porters and camp followers, and reports of sexual assault were widespread and credible. Females were also abducted for use as sex slaves. Additionally, in January 2000 there were reports of UNITA forces recruiting Namibian children.

Paido: "I was walking with two girls. And they called me. I was too close to them, so I couldn’t run. Even though my identification card said I was underage — and that was true — I was big, they insisted I was old enough, and they grabbed me and took me to a police station. It was full of kids. (...) When they capture you they immediately send you to the provinces for training, far away where you don’t know anyone. I was very lucky. A neighbour saw me being taken and told my mother. My uncle is a policeman, and he talked to the station commander. When the rest of the guys were loaded on the trucks, my uncle got me out.”

In November 2000, the Representative of the UN Secretary-General on Internally Displaced Persons reported that kidnapping and trading of children, as well as forced conscription of children and adults as porters by UNITA forces were causing displacement. Angolan refugees in Zambia were also at risk. The UN Monitoring Mechanism reported to the UN Security Council that in the Nangweshi refugee camp, where some 13,000 Angolans reside, there is a “risk of forced recruitment of minors and… likelihood that the camp is also being used as a safe haven for UNITA soldiers”. The UN High Commissioner for Refugees accordingly planned to move the camp away from the Angolan border.

- **The Front for the Liberation of the Cabinda Enclave (FLEC)**

This opposition group (estimated strength 600) split into many factions which currently operate within the Cabinda enclave: the FLEC-FAC (FLEC-Cabindan Armed Forces) and the FLEC-Renovada. FLEC-FAC has also been accused of recruiting children, some as young as eight years old and some 30-40 per cent girls. A similar situation is believed to exist in the breakaway FLEC-Renovada.

- **The Democratic Consciousness: Platform for Renaissance and Plural Understanding**

This group formed from a split within UNITA in August 1998. About 4,000 UNITA soldiers from the breakaway faction deserted and surrendered their weapons to the Angolan authorities.

**DEVELOPMENTS**

**Demobilisation**

A total of 8,500 child soldiers from government and opposition forces have been registered for demobilisation since 1996. This figure greatly underestimates the scale of the problem since many soldiers recruited as children had reached age 18 by the time of registration. Additionally, in March 2000 the UN Security Council noted that disarmament, demobilisation and reintegration processes in Angola inadvertently excluded some children, particularly girls, by making the surrender of weapons the criterion for eligibility in the programmes.

The demobilisation of children has been facilitated by UNICEF and the Christian Children’s Fund (CCF), which operate a “Reintegration of Underage Soldiers” programme in Angola. The programme locates relatives, arranges transportation and reunites child soldiers with their families. They also work to identify appropriate school and job training opportunities, and prepare local communities to accept former child soldiers. Most community-based work is conducted by “Catequistas”, trained local church people who provide psychosocial assistance appropriate to local beliefs and practices. To date the programme has reported that 83 per cent of 2,925 child soldiers in UNITA controlled areas have been demobilised and returned home.

Studies of indigenous healing of war-affected children in Angola have found that the involvement of traditional healers and customs often provide crucial methods of reintegrating child soldiers back into their communities. Researchers observed that traditional healing consists “principally of purification or cleansing rituals, attended by family members and the broader community,
During which a child is purged and purified of the ‘contamination’ of war and death, as well as of sin, guilt, and avenging spirits of those killed by a child soldier”. For example in one village the child must enter a small hut bringing with him the clothes and objects used during the war; the hut is set on fire and the child is helped out by a relative, while the material remainders from the war are left to burn. Researchers have observed such methods to be effective psychosocial therapies, at least in the short-term.  

62 Pino Arlacchi, Executive Director, UN Office for Drug Control and Crime Prevention, Opening address to the Conference on Establishing the Rule of Law in Post-conflict Situations, Vienna, Austria, 26/6/98.
67 Text available at: http://www.angola.org/reference/constitution
68 Horeman and Stolwijk op. cit.
71 Other sources have claimed the minimum age for voluntary recruitment is in fact 15 years.
74 AI Report 2000
82 AI, op. cit.
83 US State Department op. cit.
84 RB Children of War Newsletter, No 1/00, 3/00, Africa News, 2/200.
87 Both number about 1,500-2,000. Balencie and de la Grange op. cit.
88 Africa Confidential, 11/4/97; figures on girls according to freelance journalist Peter Stranberg.
92 Wessells M., Child soldiering as child labour, Christian Children’s Fund.
ANTIGUA AND BARBUDA

- Population:
  - total: 67,000
  - under-18s: 24,000
- Government armed forces:
  - active: 150
  - reserve: 75
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Child Soldiers: unknown
- Other treaties ratified: CRC;GC/API+II

- It is not known if there are under-18s in Antigua and Barbuda small armed forces due to insufficient information regarding voluntary recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
In Antigua and Barbuda security forces consist of a police force and a small defence force. The police are generally organised and supervised according to British law enforcement practices. There is no conscription into security forces, therefore recruitment is on a voluntary basis only. The minimum age for voluntary recruitment is not known.

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94 Library of the US Congress op. cit.
95 Radda Barnen (Swedish Save the Children) Website.
ARGENTINA

ARGENTINE REPUBLIC

- Population:
  - total: 36,577,000
  - under-18s: 12,199,000
- Government armed forces:
  - active: 71,100
  - paramilitary: 31,240
- Compulsory recruitment age: No conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 15 June 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138; ILO 182.

- There are no reports of under-18s in government armed forces. However when in force, conscription law permits the recruitment of 17-year-olds.

GOVERNMENT

National Recruitment Legislation
The law on voluntary military service, which entered into force on 5 January 1995, provides that military service is to be performed by volunteers (men or women), who must be between 18 and 24 years of age. The law further requires parental authorisation for recruits below 21 years of age. Pursuant to article 20, individuals may choose to perform an alternative social service on the grounds of “profound religious, philosophical or moral reasons”.

Article 19 permits the Government, with the approval of the National Congress, to reintroduce conscription in exceptional circumstances. If such a decision is taken Argentine citizens may be conscripted for a maximum of one year, beginning from the year of their 18th birthday, thus recruits may be 17. The previous Law on Compulsory Service would govern such recruitment.

Military Training and Military Schools
Argentina has military schools with students below 18 years. According to officials, “[t]he last two years of military high school… during which pupils generally reach the age of 16 include military instruction for pupils as part of the curriculum, but no provision is made for their participation in armed conflicts.” Non-commissioned officers must be at least 16 to join training institutes, while commissioned officers must be at least 18. No provision is made for their participation in armed conflict.

DEVELOPMENTS

International Standards
Argentina signed the CRC-OP-CAC on 15 June 2000 and supports a “straight-18” position.

96 Law No.24.429 Servicio Militar Voluntario
97 Article 20 et sec. of Law No.24.429.
98 Law No.17.531.
UN Doc. A/55/291, 8/1298.
ARMENIA

REPUBLIC OF ARMENIA

- Population:
  - total: 3,525,000
  - under-18s: 1,101,000
- Government armed forces:
  - active: 41,300
  - reserves: 210,000
  - paramilitary: 1,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

There have been reports of the forced recruitment of refugee children from Azerbaijan into the Armenian army despite legal minimum age requirements of 18 for both compulsory and voluntary recruitment. The Committee on the Rights of the Child meeting in January 2000 recommended that the government take special protection measures for children affected by armed conflict and refrain from conscripting children into its armed forces.

CONTEXT

Armenia has been in a state of undeclared war with Azerbaijan since 1988 over claims to the autonomous republic of Nagorno-Karabakh. The Armenian government has always denied any direct military involvement in the Nagorno-Karabakh conflict, although Armenian troops have clearly engaged in the conflict. Peace negotiations have taken place within the framework of the Minsk group, but the conflict has not been resolved.

GOVERNMENT

National Recruitment Legislation and Practice

The legal basis of conscription is the 1991 Law on Military Duty, Article 1 of which states: "Military service on the territory of the Republic of Armenia constitutes the duty of the citizens of the Republic of Armenia." All men between the ages of 18 and 27 are liable for military service. The length of service is two years. Postponement is possible for students at state-run institutions, up to the age of 26 (article 28 of the 1991 Law). All men aged 16 to 18 may receive pre-draft instructions, whereby they are informed that they are registered on the call-up lists and must undergo a medical examination. According to the authorities, actual call-up for military service does not take place before the age of 18. The law provides that conscripts must receive a written request to attend the medical examination and, immediately prior to call-up, a reminder stating the exact time and location to which they are required to report. According to UNICEF, the Law on Military Duty states 18 years as a minimum age for voluntary enlistment.
Conscription of those over 18 has been widely criticised for failing to meet international human rights standards. Illegal conscription methods, for instance press-ganging and manhunts, as well as bribery and corruption, have been reported in the past. Draft evasion and desertion are widespread due to ill-treatment and poor conditions in the armed forces, with several deaths of young conscripts reportedly resulting from physical abuse. There is no civilian alternative to military service.

**Child Recruitment**

Recruitment of children under 18 has been reported to occur in practice. The Committee on the Rights of the Child, at its January 2000 session, raised questions regarding reports of refugee children from Azerbaijan being forced to join the Armenian army. The delegation responded that Armenian children in Nagorno Karabakh had been known to take up arms against Azerbaijan “in defence of their territory” but that there were no reports of children participating in armed conflict at the present time and that furthermore Armenian law clearly stipulated a minimum age of 18 for recruitment. The Committee recommended that Armenia should refrain from conscripting children into the armed forces and should take special protection and rehabilitation measures for children affected by armed conflict.

**Child Involvement in Military Training**

Age of admission to military training schools is another area of concern, with one source stating this to be 14 years and another source citing 16 years.

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101 Horeman and Stolwijk, op. cit.; information provided by UNICEF, 18/8/99.
103 Horeman and Stolwijk op. cit.
104 UNICEF, 18/8/99, op. cit.
105 Horeman and Stolwijk op. cit.
107 Military officials responsible for conscription have allegedly detained family members, illegally and arbitrarily, in order to force young men to report for conscription (AI, Armenia: Comments on the Initial Report submitted to the United Nations Human Rights Committee, EUR 54/05/98, 9/98; US Department of State, Armenia Country Report on Human Rights Practices for 1998, 2/99) Bribes ranging from US$3,000 to US$10,000 (beyond the financial reach of most Armenians) are reportedly used to obtain exemption from military service (Horeman and Stolwijk op. cit.).
108 In 1993-1994, 90 per cent of eligible conscripts reportedly failed to respond to call-up (Horeman and Stolwijk op. cit.).
109 HRW Report 1999; also AI Armenia comments op. cit.
110 UN press release, Committee on the Rights of the Child concludes review of status of children’s rights in Armenia, 20/1/00, HR/CRC/00/15 and also UN document reference CRC/C/794.
111 Horeman and Stolwijk op. cit.
112 UNICEF, 18/8/99 op. cit.
AUSTRALIA

- Population:
  - total: 18,705,000
  - under-18s: 4,687,000
- Government armed forces\(^{113}\)
  - active: 51,018
  - active reserves: 27,300
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces - 890 in government armed forces in 1999-2000
- CRC-OP-CAC: not signed
- Other treaties ratified: GC; CRC

There are indications of under-18s in government armed forces as there is no minimum age for voluntary recruitment in legislation. In practice the Australian Defence Forces recruit at 17 and in exceptional cases 16. A projected expansion of troop numbers, combined with recruitment and retention problems, is likely to ensure this policy continues. Guidelines have been issued to prevent the deployment of personnel under 18, but some under-18s were deployed with Australian peacekeeping forces to East Timor. Recent cases of bastardisation and ill-treatment in the armed forces raise concerns for young recruits.

GOVERNMENT

National Recruitment Legislation
Apart from a general defence provision there is no reference in the Constitution or national legislation providing for conscription in peacetime. Compulsory military service was abolished in December 1972 by administrative action, and was reflected in the National Service Termination Act one year later. Accordingly, military recruitment is carried out on a voluntary basis as provided for in Article 34 of the 1903 Defence Act,\(^{114}\) Article 24 of the 1910 Naval Defence Act,\(^{115}\) and Article 4E of the 1923 Air Force Act.\(^{116}\) No minimum age is specified in any of these laws.

In a reply to a parliamentary question on 23 March 1999 the junior Minister for Defence stated that 17 is the minimum age for recruitment into the Australian Defence Forces and in the reserves, "[h]owever, an age waiver may be given if an applicant is deemed to have the maturity and potential suitability to adjust to Service life."\(^{117}\) According to the official website of the Australian Defence Force, volunteers may enter the Australian Regular Army, the Royal Australian Navy and the Royal Australian Airforce at the age of 17 through a number of programmes. Members of the Active Reserve in any of the three services must be between 17 and 35 years of age. In the case of the Army Reserve, under-18s must have the written consent of their parents or legal guardians. A birth certificate is required as evidence of the date of birth.\(^{118}\)

The 1903 Defence Act allows for the introduction of conscription in wartime. Part IV of the Defence Act provides that in such a situation, the Governor-General may, by proclamation, call upon persons to serve in the Defence Force in accordance with the Defence Act for the duration
of the war. However, since the adoption of the Defence Legislation Amendment Act 1992 conscription cannot be carried out without prior approval of both houses of Parliament.\footnote{119}

In the event of conscription, all persons between 18 and 60 years of age who have resided in Australia for more than six months are liable for military service. Exemption is possible for medical reasons, conscientious objection or for members of certain professional bodies.

**Child Recruitment**

In 1998 the government reported that in practice no one under age 17 is recruited into any of the three services.\footnote{120} But given the absence of legislation setting a minimum age for voluntary recruitment, this policy is not hard and fast. An Australian Army official confirmed in 1999 that: "There is one exception for the enlistment age rule and that is for young school-leavers seeking entry into the Australian Defence Force Academy to undertake university and officer training studies. Because there is only one entry per year and because of the variation in school-leaving age across Australia, a very small number of cadets are not yet 17 when they arrive at the Academy. The exemptions are positively given and for example only four of this year's intake of 150 were not yet 17 on arrival, and all have since reached the milestone. In any case, persons below the age of 18 need written consent from parents or guardians."\footnote{121}

At the end of 1997, the government reported 925 personnel under the age of 18 within the armed forces, 18 per cent of whom were female.\footnote{122} In March 1999, there were 295 uniformed personnel under the age of 18 years in the Australian Defence Force.\footnote{123}

In 1999-2000 financial year the number of ADF recruits was 25% (more than 1,300) short of the target figure. That year there were 115 under-18 female recruits and 4,453 under-18 male recruits, comprising a total of 5,235 or 17% of all ADF recruits.

**Table 1: Number of ADF recruits below age 18 in 1999-2000**\footnote{124}

<table>
<thead>
<tr>
<th></th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Army</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recruits all ages</td>
<td>348</td>
<td>2839</td>
<td>3187</td>
</tr>
<tr>
<td>Recruits under 18</td>
<td>67</td>
<td>558</td>
<td>625</td>
</tr>
<tr>
<td>Per centage of under-18 recruits to total recruits</td>
<td>19%</td>
<td>20%</td>
<td>20%</td>
</tr>
<tr>
<td><strong>Navy</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recruits all ages</td>
<td>210</td>
<td>682</td>
<td>892</td>
</tr>
<tr>
<td>Recruits under 18</td>
<td>35</td>
<td>123</td>
<td>158</td>
</tr>
<tr>
<td>Per centage of under-18 recruits to total recruits</td>
<td>17%</td>
<td>18%</td>
<td>18%</td>
</tr>
<tr>
<td><strong>Air Force</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recruits all ages</td>
<td>224</td>
<td>932</td>
<td>1156</td>
</tr>
<tr>
<td>Recruits under 18</td>
<td>13</td>
<td>94</td>
<td>107</td>
</tr>
<tr>
<td>Per centage of under-18 recruits to total recruits</td>
<td>6%</td>
<td>10%</td>
<td>9%</td>
</tr>
<tr>
<td><strong>ADF Totals</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recruits all ages</td>
<td>782</td>
<td>4453</td>
<td>5235</td>
</tr>
<tr>
<td>Recruits under 18</td>
<td>115</td>
<td>775</td>
<td>890</td>
</tr>
<tr>
<td>Per centage of under-18 recruits to total recruits</td>
<td>15%</td>
<td>17%</td>
<td>17%</td>
</tr>
</tbody>
</table>
Children of a younger age may participate in cadet forces established for each of the three services, often as a prelude to military recruitment, but are not considered members of the armed forces. The current rules governing cadet forces are the Cadet Forces regulations of 1977. Section 7(1) of these regulations establishes a minimum age of 12½ for joining the cadet forces, with parent’s or guardian’s permission. In total the Australian Services Cadet Scheme comprises 25,000 members in 417 units throughout Australia.

The ADF spends $24 million annually on the cadet scheme and plans to increase this to $30 million in 2002 in order to increase the number of cadets. 22% of ADF full-time personnel and 25% of reservists begin their association with the ADF through cadets. Former cadets also remain in the services for comparatively longer periods, and a high proportion reach senior rank.

A new Defence Paper (December 2000) places continued emphasis on the Australian Services Cadet Scheme (ASCS) to encourage and prepare children for military careers: “The Government’s vision for the ASCS is to provide opportunities for all young Australians [aged 12½ and above] to obtain comprehensive personal challenges and growth, enhanced self-esteem and self-discipline, and adventurous enjoyment in a military setting.”

Child Deployment in hostilities
The Chief of the Defence Force (CDF) issued a directive on 31 May 1999 which formalised a practice of not using members under 18 years old in hostilities. The CDF’s directive stated that the ADF will take all feasible measures to ensure persons under 18 years old do not engage in conflict. To ensure this:

- Members under 18 years old may not deploy with a unit called out for hostilities;
- Members under 18 years old should not be deployed to an area where hostile action is likely; and
- If a member under 18 years old is unexpectedly caught up in hostilities, that member is to be taken to a safe area without undue delay.

Evidence emerged, however, of cases of under-18s being deployed with Australian forces in East Timor in September 1999. ADF personnel are currently deployed in East Timor, Bougainville and the Solomon Islands.

RELATED ISSUES

The Crimes (Foreign Incursions and Recruitment) Act 1978 prohibits Australian citizens or residents from preparing for, or engaging in, hostile activities in foreign countries. The Act also aims to prevent, subject to limited exceptions, the recruiting in Australia of individuals to service in or with the armed forces of foreign States, and applies to the activities of both adults and children.

In the past year, ill-treatment and illegal punishments against at least 30 soldiers in 1997-1998 serving with the Australian parachute battalion, the 3rd Royal Australian Regiment (3RAR) were exposed, raising concerns about the welfare of 17 year-old recruits within the army. The army
responded by instituting training against ‘bastardisation’ activities and a telephone hotline for complaints. Charges were laid against one officer and 10 other ranks of the 3RAR under the Military Discipline Act. A federal parliamentary committee is separately investigating allegations of rape, assault and racial vilification in the military. It was also revealed that soldiers in 3RAR had been involved with neo-Nazi and other extreme right-wing political groups.

**DEVELOPMENTS**

**International Standards**

Australia has not yet signed the CRC-OP-CAC. The Minister Assisting the Minister for Defence informed the Australian Coalition to Stop the Use of Child Soldiers on 10 January 2001 “the Government is now giving serious consideration to signing the Optional Protocol and agreement has been reached at the level of officials to recommend to Ministers that Australia sign the Protocol.” The letter stated that “The final text [of the Optional Protocol] is consistent with Australia’s position” indicating that Australia will continue to maintain 17 as the minimum age for voluntary recruitment into the Australian Defence Forces.

**Future Military Plans**

On 6 December 2000 the government published a paper on the future of the Australian Defence Force (ADF) over the next decade, which recommends an increase in the size of the Australian Defence Forces from 51,500 to 54,000 by 2010. Given the difficulties already experienced in retaining members of the ADF, these plans mean the government is likely to continue to accept 17 year old recruits in the foreseeable future. The Defence Paper acknowledges the greater maturity required of personnel in peacekeeping operations.

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114 Defence Act 1903, Act No. 20 of 1903 as amended.
115 Naval Defence Act 1910, Act No. 30 of 1910 as amended.
119 Section 60 (5) of the Defence Act.
120 Communication from the Australian Department of Defence, Canberra, to QUNO, 5/1/98.
122 Australian Department of Defence Canberra, 5/1/98 op. cit.
123 Question on Notice, 23/3/99 op. cit.
124 Letter from Brad Fallen, Defence Adviser, Officer of the Minister for Veteran’s Affairs and Minister Assisting the Minister of Defence, to Australian Coalition to Stop the Use of Child Soldiers, 26/3/01.
125 For more information see the Australian Services Cadet Scheme's web site: <http://www.dod.gov.au/ascs>. Section 62 of the Defence Act 1903 states that there shall be an Australian Cadet Corps; Section 38 of the Naval Defence Act 1910 provides for the Naval Reserve Cadets; and Section 8 of the Air Force Act 1923 establishes the Air Training Corps.
126 Section 62(4) of the Defence Act 1903; Section 38(4) of the Naval Defence Act 1910; Section 8(4) of the Air Force Act 1923.
127 Section 7(1) of the Cadet Forces Regulations.
130 Bantick, C., op. cit.
132 Correspondence from The Hon Bruce Scott, Minister Assisting the Minister for Defence, to Melanie Gow, 3/12/99.
133 Information provided by World Vision Australia, 12/4/00.
134 Brad Fallen op. cit.
AUSTRIA

REPUBLIC OF AUSTRIA

- Population:
  - total: 8,177,000
  - under-18s: 1,705,000
- Government armed forces:
  - active: 42,000
  - reserves: 75,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 17
- Voting age (government elections): 19
- Child soldiers: indicated in government armed forces; 594 17 year olds in 1998
- CRC-OP-CAC: signed on 6 September 2000; does not support "straight-18" position.
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138

There are indications of under-18s in government armed forces as voluntary recruitment at 17 years of age is possible with parental consent. New legislation has been passed prohibiting direct participation in hostilities of those who have not reached 18.

GOVERNMENT

National Recruitment Legislation

Article 9 (a)(3) of the Constitution states that "[E]very male Austrian citizen is liable for military service. Whoever refuses to fulfil his defence obligation on the grounds of reasons of conscience and is exempted from it, is to render alternative service [Ersatzdienst]. Details will be determined by law". The legal basis for conscription is the 1990 Defence Law according to which every male citizen is liable for military service from the age of 17. However, a man cannot be called up for military service before he turns 18. Voluntary recruitment on the other hand is possible from the age of 17. This minimum age was originally initiated for children who graduate from high-school at the age of 17 years instead of 18 or who finish vocational training before 18.

Until recently, if a person between 17 and 18 was recruited, the approval of the legal representative was not required. This legislation was changed with effect of 1 January 2001 when the Austrian Parliament passed an Amendment to the Defence Act. Now, voluntary service is only allowed with the explicit consent of the legal representative. As stated in the official annotations to the Bill, the intention of this amendment was to bring national legislation into line with international standards, with ratification of the Optional Protocol to the CRC-OP-CAC by Austria already pending. The Amendment also brought legal clarification by explicitly declaring that "direct participation in hostilities in the course of military action of soldiers not having completed 18 years of age is not allowed." However, the Amendment did not raise the age of voluntary enlistment to 18 (see below for more information on the Bill).

Military service lasts 8 months. Recent reforms have impacted negatively on the possibility of doing alternative service. In 1998, women were allowed for the first time to join the armed
forces. Ministry officials confirmed that girls may join the armed forces at the age of 17, as indicated on the official website of the Ministry of Defense.

**Child Recruitment**
Recent years have seen a significant increase in under-18s volunteering for the armed forces. A Ministry of Defense official stated that the average number of under-18s who volunteer each year is 400-430. Indeed, during the last nine years, the number of recruits under age 18 has more than doubled and the percentage of underage recruits in the armed forces has almost tripled.

<table>
<thead>
<tr>
<th>Year</th>
<th>Compulsory recruitment</th>
<th>Voluntary recruitment of 17 year-olds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>42,360</td>
<td>271</td>
</tr>
<tr>
<td>1991</td>
<td>40,242</td>
<td>247</td>
</tr>
<tr>
<td>1992</td>
<td>40,986</td>
<td>324</td>
</tr>
<tr>
<td>1993</td>
<td>40,741</td>
<td>444</td>
</tr>
<tr>
<td>1994</td>
<td>37,203</td>
<td>518</td>
</tr>
<tr>
<td>1995</td>
<td>31,635</td>
<td>447</td>
</tr>
<tr>
<td>1996</td>
<td>33,166</td>
<td>446</td>
</tr>
<tr>
<td>1997</td>
<td>34,050</td>
<td>555</td>
</tr>
<tr>
<td>1998</td>
<td>33,930</td>
<td>594</td>
</tr>
<tr>
<td>1999/2000</td>
<td>no final data</td>
<td></td>
</tr>
</tbody>
</table>

As of January 2001, there were a total of 150 women in the armed forces, compared to 135 in 2000. According to the Federal Ministry for Foreign Affairs in September 1999, no females under the age of 18 had ever applied for military service.

**Military Training and Military Schools**
Military schools in Austria provide education for officers but admission is not possible below the age of 18. There is a high-school with special focus on military training in which pupils may be under 18, but a military career is not mandatory upon graduation.

**DEVELOPMENTS**

**International Standards**
Austria signed the CRC-OP-CAC on 6 September 2000 but does not support a “straight-18” position. Upon ratification of the UN Convention on the Rights of the Child, Austria made a declaration which states that "Austria will not make any use of the possibility provided by Article 38, paragraph 2, to determine an age limit of 15 years for taking part in hostilities as this rule is incompatible with Article 3, paragraph 1, which determines that the best interests of the child shall be a primary consideration".

A parliamentary resolution adopted unanimously in May 1999 called on the government to support international efforts to stop the use of child soldiers, but stopped short of declaring a “straight-18” position.

137 Blaustein A. P. and Flanz, G. H., Constitutions of the countries of the world, Oceana Publications, New York.
139 Article 16.
140 Article 15 (1).
141 Article 15 (2).
142 Letter of the Federal Ministry for Foreign Affairs, Vienna, to the CSC, 16/9/99.
143 See for previous legislation the initial report of Austria to the Committee on the Rights of the Child, UN Doc. CRC/C/11/Add.14, 26/6/97, para. 435.
145 (New) Article 65c.
146 See http://www.parlinkom.gv.at/pd/pm/XXI/I/xis/003/100300_.html.
147 (New) Article 47 (2).
149 "Amnesty International wird zukünftig keine Zivildiener aufnehmen", Der Standard, 10/7/0.
150 In accordance with Article 46a of the 1990 Defence Law.
151 Ministry's web site at http://www.bmlv.gv.at/karriere/frauen/information.shtml; confirmed by a Ministry official, telephone call on 26/2/01.
152 Ibid.
153 Information provided by Ministry official on 26/2/01.
155 Federal Ministry for Foreign Affairs, 16/9/99, op. cit.
156 Federal Ministry for Foreign Affairs, 16/9/99.
AZERBAIJAN

AZERBAIJANI REPUBLIC

- Population:
  - total: 7,697,000
  - under-18s: 2,717,000
- Government armed forces:
  - active: 72,100
  - reserves: some 575,700
  - paramilitary: 15,000+
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Child soldiers: none indicated in government armed forces; indicated in opposition armed forces
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: CRC;GC; ILO 138

Although military training and registration for military service under 18 are areas of concern, there are no reports of government recruiting under-18s. Recruitment and use of child soldiers (some as young as 14) by opposition forces in Nagorno-Karabakh have been reported.

CONTEXT

Since 1988 there has been an ongoing conflict with Armenia over Nagorno-Karabakh, a breakaway republic which falls within Azeri territory but is under the military control of Armenia. As a result of the conflict Azerbaijan has approximately a million refugees as well as a large number of internally displaced people. In 1999, the cease-fire was reported to be holding with the possibility of the peace process entering a more promising phase (see also Armenia entry).

GOVERNMENT

National Recruitment Legislation and Practice
The legal basis for conscription is contained in the 1991 Law on Armed Forces (as amended by decrees in 92 and 93) and the 1995 constitution (art 76.1) states: "The defence of the homeland is the duty of every citizen. Citizens shall serve in the armed forces according to the order specified by law." The Government has stated that the minimum age for service in the armed forces is currently 18 years. The maximum age for military service is 27 with the length of service expected to be two years. According to one source, during situations of armed conflict all women between the ages of 18 and 45 are also liable for military service. President Heydar Aliyev signed a decree on 26 June 1999 activating conscription for males born in 1981 and aged 18.

Male citizens who have turned 17 years of age are registered in the local enrolment offices. The Azerbaijani government has stressed that while 17 year olds are registered they are not eligible for actual recruitment or participation in armed conflict under 18.
During the Nagorno-Karabakh conflict in 1993 and 1994, there were reports of forced recruitment by the armed forces as legal recruitment procedures failed to attract sufficient recruits. Draft evasion and desertion remain high.168

**Military Training and Military Schools**

Military schools are open to those over 17 years of age according to UNICEF, and based on information provided by the Ministry of Defence. It is further claimed that "students of military schools are considered as temporary real military servants".169 In 1997, a Save the Children representative visited a boarding school outside Baku and subsequently reported that there were children from age 7 and upwards wearing uniform and receiving military training.170

**OPPOSITION**

The self-defence forces of Nagorno-Karabakh, called Fank, were created in 1992 and they are distinct from the Armenian regular armed forces. In the early 1990s these forces had a mainly defensive character, but their operational scope is now reported to have expanded.171 In 1998, they were said to number 25,000 people of which 13,000 were local conscripts and 12,000 were volunteers coming from Armenia and the diaspora (mainly from Russia and Georgia).172

**Child Recruitment**

Some sources say that 17 years is the minimum age for recruitment in a "a form of conscription... imposed by the self-proclaimed ‘Armenian republic of Nagorno-Karabakh’".173 According to another source, conscription is indeed compulsory but only for men aged between 18 and 45 years.174 Some reports suggest the participation of children as young as 14 but it is unconfirmed whether this was with Karabakhi or Armenian forces.175

**DEVELOPMENTS**

**International Standards**

Azerbaijan signed the CRC-OP-CAC on 8 September 2000 and has signalled its support for the “straight-18” position.

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158 AI Report 2000
159 Ibid.
160 Blaustein and Flanz op. cit.
164 Horeman and Stolwijk, op. cit.
166 Information received from UNICEF, 16/6/99.
168 Horeman and Stolwijk op. cit.
169 Horeman and Stolwijk op. cit.

Balencie, and de La Grange op. cit. p. 1325.


Balenci and de La Grange, op. cit. p. 1325.

There has also been photographic evidence of the participation of a 14-year-old soldier guarding the land corridor between Armenia and Nagorno-Karabakh in 1995 but it is not certain that the boy belonged to Karabaki forces. 23. Institute of Peace and Conflict Studies, Armed Conflict Report 1995, Project Ploughshares, Waterloo, Ontario, quoted by RB, http://www.rb.se.
BAHAMAS

COMMONWEALTH OF THE BAHAMAS

- Population:
  - total: 301,000
  - under-18s: 108,000
- Government armed forces:
  - active: 860
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- It is not known if there are any under-18s in government armed forces due to lack of information about the minimum recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
Recruitment for the Royal Bahamas Defence Force (RDBF) is on voluntary basis only. No information is available on the minimum age of recruitment. Basic training for marines takes place at the Coral Harbour base. Marines and officers are trained in Canada, the United Kingdom and the United States.

See [http://www.nisbco.org/Report_Americas.htm](http://www.nisbco.org/Report_Americas.htm), website of the Centre on Conscience & War – NISBCO.
BAHRAIN

THE STATE OF BAHRAIN

- Population:
  - total: 606,000
  - under-18s: 214,000
- Government armed forces:
  - active: 11,000
  - paramilitary: 10,150
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): unknown
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ICC

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
The Constitution of Bahrain states in article 30, “Military service is an honour for the citizens and regulated by law.” 177 Conscription has never existed in Bahrain since its independence in 1971, nor is it likely to be introduced in the future. The minimum age for voluntary recruitment into the Bahrain Armed Forces is 18.”178

177 Bahrain’s Constitution, www.uni-wuerzburg.de/law/ba
BANGLADESH

PEOPLE'S REPUBLIC OF BANGLADESH

- Population:
  - total: 126,947,000
  - under-18s: 55,733,000
- Government armed forces:
  - active: 137,000
  - paramilitary: 55,200
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated - some 3% of government armed forces are under 18 (3,374 in 1999); 179 children are also used by armed opposition groups and criminal gangs.
- CRC-OP-CAC: signed 6 September 2000; ratified 6 September 2000; does not support “straight-18”
- Other treaties ratified: CRC; GC/API+II.

Although Bangladesh was one of the first countries to ratify the Optional Protocol, there are indications of children active in government forces as the minimum age for recruitment is only 16. The increasing criminalisation and militarisation of Bangladeshi children and the proliferation of small arms in the country is a matter of concern.

CONTEXT

Since 1976, indigenous peoples known as the Jumma in the Chittagong Hill Tracts (CHT) in south-eastern Bangladesh have been in conflict with Bengali settlers and the Bangladeshi security forces. A peace treaty was signed in December 1997 but implementation has proved slow and problematic and sporadic violence continues. There are a number of other armed groups operating in Bangladesh including groups from neighbouring countries.

GOVERNMENT

National Recruitment Legislation

Conscription has never existed in Bangladesh, although the 1952 Bangladesh Army Act reportedly allows for its introduction. According to information provided by the government, the minimum legal enlistment age in the Army is 16 years for soldiers and 17 years for cadet officers; in the Navy, 17 years for seamen and 16½ years for cadet officers; in the Air Force, 16½ years for both airmen and cadet officers.

At the Asia-Pacific Conference on the Use of Children as Soldiers in Kathmandu in May 2000, the Bangladeshi Government representative stated: “At present, the minimum age of recruitment is 16 with parental consent. However, after recruitment, servicemen and officers undergo a period of training varying from six months to two years.” Officer candidates attend a two-year officer-training course at the Bangladesh Military Academy at Bhatiary near Chittagong. Voluntary applications to join the armed forces are believed to be sufficient usually to achieve the requisite number of recruits.
Child Recruitment
It is difficult to obtain information about the total number of under 18 year olds in the armed forces. An estimated 3 per cent of personnel in the armed forces are under eighteen. Figures for 1999 show that there were 3374 recruits under 18 in the armed forces. Other sources point out however that there are only a small number of children under 18 actually serving as soldiers. Officers, because of the length of training, would be over 18 by the time they graduate.

Military Training and Military Schools
Military training involves 6 months in a training centre and 2 to 3 months in the respective unit or regiment. Under 18 year old recruits undergo the same training and on completion are required to perform duties like other soldiers. Recruits are not considered part of the armed forces until they have completed training. According to NGO sources, young people can join a Cadet College after completing 6th grade for education from 7th up to 12th grade. There are reportedly 10 such cadet colleges in Bangladesh, one exclusively for girls. Students follow the national curriculum but also receive military training. This training is voluntary and is restricted to elementary level only. After completing their studies, students are not obliged to join the army but generally do so.

OPPOSITION
Shanti Bahini (Peace Force) was created in 1972 after the independence of Bangladesh, initially as a political organisation (Jana Samhati Samiti). Its aims were to obtain greater autonomy for the CHT, the withdrawal of the Bangladesh Armed Forces, and the expulsion of the 400,000 Muslim Bengalis who had moved into the region. The Shanti Bahini was reportedly formally abolished in 1999 in the wake of the CHT peace settlement. Child soldiers have clearly participated in this conflict but few details are available. A report from 1997 asserted that “Jumma children have been tortured, forced to watch the torture of their parents, and forced to participate in torture,” but it is unclear if these activities were carried out within the framework of Shanti Bahini activities or those of other groups.

There are a range of other non-state actors active in the country, many of whom are believed to use children in armed activities. These include the armed cadres of political groups such as the UPDF in Chittagong, the mainstream political parties, left-wing activists, criminal syndicates, and some groups from nearby countries such as the Indian ULFA and Burmese Rohingya.

RELATED ISSUES
At the Asia-Pacific Conference on the Use of Children as Soldiers in Kathmandu in May 2000, NGO representatives expressed concern about the militarisation of children under 18 by political parties, student movements, religious organisations and private criminal gangs. An estimated 35-45,000 children are believed to be involved with criminal gangs engaged in arms and drug trading, toll collection, smuggling, prostitution and trafficking in women and children. Another major concern is the proliferation of small arms in the country. According to one survey in 2000, up to 42 per cent of illegal small arms in the country are in the hands of children under the age of
18. A recent update of this study shows that there are roughly between 50,000 and 60,000 illegal small arms in use in Bangladesh as of December 2000.

DEVELOPMENTS

International Standards
The Bangladeshi government signed and ratified the CRC-OP-AC but does not support a “straight-18” position. A declaration made at the time of ratification states that although under 18 year olds would be recruited into the armed forces, a number of safeguards were in place to check that such recruitment was voluntary. Furthermore, as two years compulsory training was required this ensured that under 18 year olds would not be assigned to combat units. The Bangladeshi government has played an active role internationally in promoting the CRC-OP-AC: at the July 2000 Security Council debate on children and armed conflict, the Bangladeshi delegation supported initiatives to declare “child-soldier free zones” in affected areas of the world.

Demobilisation
Some members of the Shanti Bahini have been integrated into police and paramilitary forces, but there is no separate programme for the rehabilitation of child soldiers in the Chittagong Hill Tracts. In addition, nearly 1,200 armed activists of several left-wing armed groups have surrendered to the current government. Some of them have been integrated into paramilitary forces but there is no specific rehabilitation programme for children. Some 24 members of the Shanti Bahini and 32 members of the armed left-wing groups who surrendered to the government have been killed by groups opposed to peace/surrender.

179 Communication from Dr. M. Masum, Jahangirnagar University to CSC on 24/4/01 and based on information provided by Major General Janil D. Ahsan, Director General, Bangladesh Institute of International and Strategic Studies.
180 Balencie and de La Grange, op.cit. p. 752.
181 According to section 7 of the Act, in times of emergency the government may declare that any individual or category of individuals are on active service. Horeman and Stolwijk op. cit.
182 Communication from the Permanent Mission of Bangladesh to QUNO, 17/11/97.
183 Statement by Bangladesh Government representative at Asia-Pacific conference on the use of children as soldiers, Kathmandu, May 2000. In a press conference after the release of the UNICEF Progress of Nations report in July 1999, the Bangladesh Finance Secretary and Health Secretary had claimed the minimum age for military recruitment was 18.
184 See unofficial web site on the armed forces: <http://members.xoom.com/banglatech/>.
185 Horeman, B. & Stolwijk, M., op. cit.
186 M. Masum op cit.
187 Bangladesh National Coalition. op. cit.
188 M. Masum op cit.
189 Information provided to Asia-Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000.
191 Research survey on small arms and children, Bangladesh Development Partnership Centre
192 According to the Daily Prothom Alo there are between 100,000 and 200,000 illegal small arms in the country, of which 50,000 are in Dhaka - Prothom Alo - November 14, 1998
193 UN press release, 26 July 2000
BARBADOS

- Population:
  - total: 269,000
  - under-18s: 71,000
- Government armed forces:
  - active: 610
  - reserve: 430
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: <18 with parental consent
- Child Soldiers: indicated
- Other treaties ratified: GC/API+II GC; CRC;

  There are indications of under-18s in the Barbados armed forces as volunteers under 18 are accepted with parental consent.

GOVERNMENT

National Recruitment Legislation and Practice
In Barbados security forces consist of a police force and a small defence force. The police are generally organised and supervised according to British law enforcement practices. There is no system of conscription into security forces, therefore recruitment is on a voluntary basis only.

Barbados has the largest security force of all Caribbean countries, with an approximately 1,200-strong police force, responsible for maintaining law and order, and a 610-strong Barbados Defence Force (BDF), which can be employed to maintain public order in times of crisis, emergency, or other specific needs. According to the Barbados Defence Act, the minimum age for voluntary recruitment into the armed forces is 18 years. But according to section 19 (2) of the Defence Act a recruitment officer can enlist a person under the age of 18 years in the regular forces where “consent to the enlistment has been given in writing by a parent or person in whose care the young person is held ”.

194 Library of the US Congress op. cit.
195 Radda Barnen (Swedish Save the Children) Website.
196 Human Rights Internet Website, www.hri.ca
BELARUS

REPUBLIC OF BELARUS

- Population:
  - total: 10,274,000
  - under-18s: 2,479,000
- Government armed forces:
  - active: 83,100
  - reserves: 289,500
  - paramilitary: 110,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other ratified treaties: CRC; GC/API+II; ILO 182

- It is not known if there are under-18s in government armed forces due to insufficient information regarding minimum voluntary recruitment age. The direct participation of children in armed conflict is prohibited in military law.

GOVERNMENT

National Recruitment Legislation and Practice
Article 57 of the Belarus Constitution states: “1. It shall be the responsibility and sacred duty of every citizen of the Republic of Belarus to defend the Republic of Belarus. 2. The procedure governing military service, the grounds and conditions for exemption from military service, and the substitution thereof by alternative service shall be determined by law.”

Article 14 of the Universal Military Duty and Military Service Act of October 1992 establishes 18 as the minimum age for conscription. The Belorussian armed forces are still largely a conscript army, with approximately half of its troops being conscripts. The length of military service is 18 months for high school graduates and 12 months for university graduates. The Belarus Coalition to Ban the Use of Child Soldiers has not received any reports of underage recruitment.

Article 29 of the Rights of the Child Act prohibits child participation in armed conflict, as well as the establishment of children’s military organizations or units of propaganda among children about war and violence.197

Military Training and Military Schools
It is possible to enter military school on a voluntary basis at the age of 17.198 The so-called “Suvorov” military school still exists in Belarus, financed by the Ministry of Defence. The minimum age for admission is 12. According to the Belarus Ministry of Defence, students do not receive a military education although they are provided with some instruction in military issues and wear uniforms. Students are not members of the armed forces and are not liable to deployment in an armed conflict. The years spent by students in the school do not affect the
length of their conscription after they reach the age of 18. Graduates are free to enter any university, including military colleges.\textsuperscript{199}

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\textsuperscript{197} Initial Report of Belarus submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/3/Add.14, 29 June 1993, para. 122. \\
\textsuperscript{198} Information provided by the Belarus Coalition to Ban the Use of Child Soldiers. \\
\textsuperscript{199} Ibid.
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BELGIUM

KINGDOM OF BELGIUM

- Population:
  - total: 10,152,000
  - under-18s: 2,114,000
- Government armed forces:
  - active: 39,250
  - reserves: 152,050
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: signed on 6 September 2000; supports “straight-18” position
- Other treaties ratified: CRC;GC/API+II;ICC; ILO 138

There are indications of under-18s in government armed forces as certain ranks may enlist voluntarily from the age of 16. Recent developments suggest that the Belgian government will adopt 18 as the minimum age for recruitment and deployment. Concerns remain about the status of under 18 year olds in military schools.

GOVERNMENT

National Recruitment Legislation
The Belgian armed forces have been a professional volunteer army since March 1995. Legislation passed in December 1992 suspended (not abolished) obligatory military service during peacetime.

However, although not currently applied, earlier Acts on the Militia of April 1962 have not been repealed and are therefore legally still in force. According to article 4 of these Acts, during peacetime registration was required during the year candidates turn 16, for call-up was required during the year candidates turn 19. Early call-up was also possible, in which cases recruits considered fit to serve were allowed to do so in the year they reached the age of 18. In wartime, Article 2(4) of the Acts states that "militiamen shall be part of the recruitment reserve from 1 January of the year in which they reach the age of 17, until the time when they are taken into the army or their military obligations come to an end. This reserve can only be called up in the event of war or a threat to the territory." In light of the fact that conscription legislation has only been suspended, children of 16 years of age could be recruited during wartime.

The Ministry of Foreign Affairs, in communication with the Coalition in 1999, stated that voluntary recruitment was possible from the age of 16. Information provided by Belgium to the Committee on the Rights of the Child in 1994 stated that those who were not candidates for non-commissioned officer rank were required to fulfil compulsory education, which would not typically occur until the end of the school year in which they turn 18. A candidate wishing to be a regular soldier must show completion, or near completion, of the first three years of
secondary education or equivalent. Officers were said to be accepted for training from the age of 17 and non-commissioned officers below the age of 16: "it is possible for candidates to follow a course of training before the age of 16. In such cases, they will be civilian pupils up to the age of 16, after which they will receive military training combined with the syllabus for full secondary education." Other sources including the UN Secretary-General in 1997 have suggested the minimum voluntary recruitment age is 18. Furthermore, in relation to the Optional Protocol, the Belgian government has clearly indicated its support for a minimum age of 18. Article 141 of a draft law recently submitted to Parliament by the Defence Minister reinforces the principle of non-engagement of those under 18 in conflict situations.

**Military Training and Military Schools**

In current practice under-18s are reportedly not sent into combat. Both boys and girls can enter the Royal Military Academy (École Royale Militaire) at the age of 17. One report from March 1999 stated that there were 2,500 pupils in the army but no further details were given about ages. At present under-18s attending military schools have military status.

Many initiatives have been developed to interest youth in the army. Young people can attend a range of different training courses (for children between 14-18 years) with certificates (for children and youth between 12-23 years) which allow them to learn military practices. Existing programmes have been extended (para and commando certificates, air force cadets, marine cadets etc) and new programmes created, such as army-school week (from 22 to 26 June) as well as around 1,000 vacation training courses.

**DEVELOPMENTS**

**International Standards**

Belgium signed the CRC-OP-CAC on 6 September 2000 and is expected to ratify before the UN Special Session on Children in September 2001. The government has confirmed its intentions to the Belgian Coalition and Parliament to make a binding declaration supporting the “straight-18” position. The Belgian government made a pledge at the 27th International Conference of the Red Cross and Red Crescent in 1999 to prohibit the participation of those under 18 years in every form of armed action during times of armed conflict.

**Government Initiatives**

The Belgian Minister for Development Cooperation has identified the issue of child soldiers as one of its policy priorities from 2001. The Minister of Foreign Affairs has nominated a Special Representative for the Great Lakes Area, small arms and child soldiers.
Telephone conversation between Ministry of Foreign Affairs and the CSC, 8/9/99.
Commission Interdépartementale de Droit Humanitaire, op. cit.
Report of Belgium op. cit., para. 56.
Report of Belgium op. cit., para. 56.; see also official website http://www.mil.be>; Ministry of Foreign Affairs, 8/9/99 op cit.
Information provided by Belgian National Coalition in 3/01
Information provided by Belgian National Coalition in 3/01
See http://www.rma.ac.be.
Belgian National Coalition, 3/01 op. cit.
E. L., "Quand l'armée forme la jeunesse, selon Jean-Pol Poncelet", Le Soir, 9/5/98.
BELIZE

- Population:
  - total: 235,000
  - under-18s: 111,000
- Government armed forces:
  - active: 1,050
  - reserves: 700
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 6 September 2000
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
The law allows for the establishment of obligatory national service whenever voluntary applicants for the Belize Defence Force are not sufficient. However, applicants have regularly been in excess of available spaces by at least three-to-one, and enlistment has been entirely voluntary throughout the force's existence. The army provides the prospect of a steady job in a country with relatively high unemployment rates. The 1977 Defence Ordinance sets the minimum age of eighteen for enlistment. Service can be for various terms and includes both a period of active service and a subsequent reserve obligation. Under the law, service should not exceed twenty-two years of active duty. In a state of emergency, volunteers and reserve forces can be called up for permanent service.

All recruits undergo a fourteen week training programme and major training centres are located at Price Barracks in Ladyville, near Belize City, Camp Oakley, Mountain Pine Ridge and Hill Bank. There is no evidence of under age recruitment into the armed forces in Belize.

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214 See http://memory.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+bz0109)
215 Library of the US Congress op. cit.
216 Radda Barnen (Swedish Save the Children) Website; Library of the US Congress Website http://memory.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+bz0109)
217 Library of the US Congress op. cit.
218 Ibid.
BENIN

REPUBLIC OF BENIN

- Population:
  - total: 5,937,000
  - under-18s: 3,175,000
- Government armed forces:
  - active: 4,750
  - paramilitary: 2,500
- Compulsory recruitment age: 21
- Voluntary recruitment age: 21
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 22 February 2001; supports “straight-18” position
- Other treaties ratified: ACRWC; CRC; GC/API+II

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Recruitment in Benin is governed by Law no. 63-5 of 30 May 1963, as amended by Ordinance no. 75-77 of 28 November 1975. According to Benin’s report to the Committee on the Rights of the Child, 21 is the minimum age for enlistment in the army, either as a volunteer or as a conscript. Conscription is selective and lasts 18 months. About 800 to 1,000 persons are conscripted each year.

It appears that in practice volunteers may be accepted into the armed forces at age 18. According to UNICEF there is no underage recruitment into the Benin armed forces. The government has also maintained that it does not recruit under-18s.

Military Training and Military Schools
There are two military schools which educate children beginning at the age of 13. These are the "Centre National d’Instruction des Forces Armées" and the "Prytanée Militaire" of Bembereke. Children in these schools are not members of the armed forces, but are encouraged to pursue a military career after graduation, typically at age 19 or 20.

The Prytanée Militaire, established in 1982, is under the supervision of both the Ministry of Education and Ministry of Defence. Each year the Prytanée Militaire selects between 30 and 35 of the brightest children from all districts of the country. They receive the same academic education as pupils in other schools but in addition are given military, moral and civic instruction. The director of studies is a civilian teacher but the head of the school is a military officer.

Benin also has two training centres for officers, one in Porto Noveo and the other in Ouidah. The minimum age for entry these schools is 18.
DEVELOPMENTS

International Standards
Benin signed the CRC-OP-CAC on 22 February 2001 and supports a “straight-18” position.

219 Benin: Initial report to the Committee on the Rights of the Child, 4/7/97, UN Doc. CRC/C/3/Add.52, para. 54.
221 Information provided by DCI Benin.
222 Information obtained by the Swedish Consulate in Porto Novo; UNICEF; and DCI-Benin.
223 Letter from the Ambassador of Benin in Brussels to the CSC, Brussels, 10/12/98.
224 Swedish Consulate in Porto Novo op. cit.
225 UNICEF; DCI Benin op. cit.
226 DCI Benin op. cit.
BHUTAN

KINGDOM OF BHUTAN

- Population: 227
  - total: 2,064,000
  - under-18s: 1,009,000
- Government armed forces: 228
  - 6,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): decided at district level
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: GC; CRC

There are no current indications of under-18s in government armed forces. In the early and mid-1990s there were reports of forced child recruitment into the Royal Bhutan Army as well as child involvement in militias and village defence forces. Insurgent activity continues in Bhutan by armed groups from northeast India and exiled Nepali-speaking refugees from Bhutan.

CONTEXT

Following a government crackdown on opposition in southern Bhutan in the early 1990s, some 100,000 Nepali speaking people left the country, many of them forcibly expelled; most remain in refugee camps run by the UN High Commissioner for Refugees (UNHCR) in Nepal. Although initial verification procedures have begun, progress in bilateral talks to resolve the refugee problem has been slow. In the meantime, some elements in the refugee camps and other dissident groups have engaged in low level incursions and sabotage inside Bhutan. The presence of the United Liberation Front of Assam (ULFA) and Bodo fighters engaged in the conflicts in neighbouring Indian states (see India entry) also pose a growing security problem. While the government has sought dialogue with these groups, there are signs of increased mobilisation of the Bhutanese army as well as joint operations with Indian security forces in the border region.

GOVERNMENT

National Recruitment Legislation and Practice
According to the Royal Government of Bhutan, conscription was ended more than a decade ago. The Royal Bhutan Army is an all-volunteer force and the minimum recruitment age is 18.

The majority of officers and non-commissioned Officers of the Royal Bhutan Army are trained by the Indian military at establishments in Bhutan and India. Recruits are trained at the Army Training Centre established in 1957 at Tenchholing in Wangdiphodrang District.

Militia have been raised at various times, including during internal disturbances in the early 1990s. Militia training was reportedly provided to individuals who had completed at least the
tenth grade, new college graduates, and members of the civil service. In the face of the continued presence of ULFA and Bodo fighters in the country, there were calls in the National Assembly in 2000 for the reintroduction of militia training for men between the ages of 18 and 60.231 According to the Royal Government of Bhutan there is no longer any standing militia force in the country and no military training has been conducted outside the armed forces.232 The Royal Bhutan Police is not part of the armed forces.233

Child Recruitment and Deployment
In September 2000 the Government of Bhutan stated that “the question of the use of children as combatants … does not arise” due to the absence of “a war like situation” in Bhutan.234

There is some evidence of underage recruitment in the past, particularly during the major security mobilisation in the early 1990s. A case study on Bhutan conducted for the Machel Study in 1995 provided testimonies indicating that detachments of the Royal Bhutan Army contained young boys, some not more than 15 years of age.235 Testimony from former soldiers now living in the refugee camps in Nepal suggested a pattern of forced underage recruitment at that time. For example, one boy from Samdripjongkhar district said, “I ran away from home when I was told that I would have to join the army. I was only 16 years old. But it was not to go on for long. They caught me and forced me to join.” According to one source, children who failed their school examinations were compelled to join the armed forces, and families with more than three sons were required to send at least one for military service.236 NGO sources claim that up to 30 per cent of militia recruits in the early 1990s were school and village children.237

A system of village defence committees is used to provide local patrols in the border region, in which children under 18 are reportedly used regularly. The government states these are informal and voluntary structures that do not involve children.238

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232 Figure provided by government in 3/01, op. cit.
234 Information provided to CSC by Permanent Mission of Bhutan to the United Nations in Geneva, 9/00
235 Keunsel Newspaper, 11/00.
236 Permanent Mission of Bhutan, 9/00 and 3/01 op. cit.
237 Ibid.
239 RB database quoting the Machel case study, http://www.rb.se
241 Ibid.
BOLIVIA

REPUBLIC OF BOLIVIA

- Population:
  - total: 8,142,000
  - under-18s: 3,763,000
- Government armed forces:
  - active: 32,500
  - paramilitary: 37,100
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18 (married), 21 (single)
- Child soldiers: indicated - 40 per cent of armed forces are under 18; half of these may be under 16
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

Almost half of Bolivia’s armed forces are under 18, including some children as young as 14. Poor adolescents are targeted for conscription.

GOVERNMENT

National Recruitment Legislation and Practice
According to the Constitution, all Bolivians have a fundamental duty to undertake military service as provided for by national law. Article 1 of Decreto Ley No. 13.907 (27 August 1976) states that military service lasts for one year and is compulsory for all Bolivians who are 18.

There are continuing reports that military officers mistreat conscripts. Cooperative agreements for human rights training were signed in late 1999 between the military, the Ombudsman’s office and the Ministry of Justice and Human Rights.

Child Recruitment
According to one source, some 40 per cent of the armed forces are under 18, and 50 per cent of these are under 16. Bolivia acknowledged in its initial report to the Committee to the Rights of the Child that “[a]lthough the minimum age for performing military service is 18, when the annual intake into the armed forces cannot be made up on a voluntary basis, compulsory recruitment is indiscriminate, an occasion for forcibly recruiting poor adolescents, including some as young as 14, by means of organised sweeps.” The government further recognised that “military service has been turned into a way of institutionalizing discrimination based on economic situation and social class, since the children of city families with means can illegally acquire a certificate of military service, and escape obligation, while for urban young men without means and, in general, for those in rural areas, a year in barracks is unavoidable.”

Conscripts are mostly abandoned minors or those recommended by officials. They perform domestic tasks or play with bands while living in army barracks.

Military Training and Military Schools
Pre-military service, which involves military and civilian training at weekends, was reintroduced by the Decreto Supremo No. 24.527 on 17 March 1997. This service, intended to prepare youth
for the defence of the country, is performed on a voluntary basis. Applicants are students of in their final year of secondary education, and they have similar rights and duties to service.\textsuperscript{247} By mid-1997 there were 20,000 young men in pre-military service.

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\textsuperscript{239} Articles 8(f) and 213 of the 1967 Constitution.
\textsuperscript{240} Information received from official sources.
\textsuperscript{242} Ibid.
\textsuperscript{243} Letter by Juan Ramon Quintana, Director, Centro Latinoamericano de Estudios para la Paz, to the CSC, La Paz, 2/6/99.
\textsuperscript{244} Ibid., para. 154.
\textsuperscript{245} Periodic Report of Bolivia to the Committee on the Rights of the Child, UN Doc. CRC/C/65/Add.1, 1 December 1997, para. 153.
\textsuperscript{246} Horeman and Stolwijk op. cit.
\textsuperscript{247} Information obtained from official documents.
\end{flushleft}
BOSNIA-HERZEGOVINA

BOSNIA AND HERZEGOVINA

- Population:
  - total: 3,839,000
  - under-18s: 926,000
- Government armed forces: 248
  - Federation: active: 23,843; reserves: 190,000
  - Republika Srpska: active: 10,185; reserves: 80,000
- Compulsory recruitment age:
  - Federation: 18; 16 in times of war
  - Republika Srpska: 18
- Voluntary recruitment age:
  - Federation: 17
  - Republika Srpska: 17
- Voting age (government elections): 18
- Child soldiers: indicated
- CRC-OP-CAC: signed on 7 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138

The Federation of Bosnia and Herzegovina and the Republika Srpska each retain their own separate armed forces and defence legislation and allow recruitment under the age of 18. The Federation’s legislation also allows the compulsory recruitment of 16 year olds in times of emergency. During the civil war, children as young as 10 were reported to have participated in hostilities.

CONTEXT

Bosnia and Herzegovina (BiH) was torn apart from 1992-1995 by a civil war between the country’s three ethnic groups, the Bosniaks, the Bosnian Croats and the Bosnian Serbs. The war ended with the 1995 General Framework Agreement for Peace in BiH (Dayton Peace Agreement or DPA) which divided the state of BiH into two constituent entities, the Federation of BiH (FBiH) and the Republika Srpska (RS). On 25 May 1993 Security Council Resolution 827 established the International Criminal Tribunal for the Former Yugoslavia (ICTY) to try war crimes.

GOVERNMENT

Overall Military Structure
The two state entities maintain two separate defence laws enacted in 1996. They also maintain separate armies coordinated by the Standing Committee on Military Affairs, which consists of the joint presidency and its military advisers. After a 15% reduction since 1999, at the end of 2000 the Federation Army of BiH consisted of 16,618 Bosniaks and 7,225 Bosnian Croats, and the Army of the RS of 10,185 soldiers. This constituted a total force of 34,028 soldiers compared to 40,032 in 1999. As the Bosnian Croat forces have resisted unification into the Federation armed forces, there are de facto three separate armies. Despite growing pressure by the international community for a unified BiH army and demilitarisation, political interests have so far prevented significant progress. While the actual downsizing has been accomplished according
to plans, much remains to be done to successfully reintegrate the demobilised soldiers into society.\textsuperscript{255}

International involvement in Bosnia-Herzegovina includes the NATO-led Stabilization Force (SFOR), which took over from the Implementation Force (IFOR) in December 1996 and is authorised to implement the military aspects of, and to ensure compliance with, the DPA.\textsuperscript{256}

Following a restructuring exercise in 2000, SFOR troops have been downsized from approx. 32,000 to 21,500 troops at the end of the year.\textsuperscript{257} In a bilateral effort, the US Government has been sponsoring since July 1996 a so-called ‘Train and Equip’ Programme of military support to the Federation of BiH armed forces. This programme ostensibly consists of military training provided by a private US-based company, Military Professional Resources Inc (MPRI), as well as the delivery of military equipment. The US Department of State’s Task Force for Military Stabilization in the Balkans has consistently emphasised the defensive nature of this project.\textsuperscript{258}

**National Recruitment Legislation of the Federation of BiH**

According to the 1996 Defence Law of the FBiH ‘all citizens are subject to military obligation in war and peace’ (Art. 65). The military obligation consists of compulsory recruitment, serving a military tour of duty, and serving in a reserve unit (Art. 67). According to Article 67, military obligation also encompasses women. However Article 68 stipulates that ‘women are not subject to recruitment or to the obligation to serve a military tour of duty’; rather, women between the ages of 18 and 27 may volunteer.

Drafting is carried out in the calendar year in which the recruit turns 18 years (Art. 76). However, individuals may request to enlist during the calendar year in which they turn 17 (Art. 75).\textsuperscript{259} In the event of war or imminent danger thereof, the recruitment of individuals who have turned 16 years old can be ordered (Art. 76). Recruits deemed fit for service, which lasts for twelve months, are generally ‘assigned to serve their military tour of duty in the year in which they turn 19 years’ (Art. 95, 96). However, Article 96 again stipulates that in a state of war or imminent danger thereof, military service can be enforced for 17 year olds (Art. 96). The Ministry of Defence may recruit by force any person failing to respond to the summons for military duty, and may also impose fines (Art. 134, 213). However, the 1996 Defence Law of the FBiH does contain provisions for persons who ‘for reasons of conscientious objection or religious or moral principles, are not prepared to participate in the performance of military duties in the armed forces’ (Art. 72). Such individuals must perform two years of civilian service within the FBiH Army although without the obligation to carry and use arms (Art. 82, 85).

**National Recruitment Legislation of the RS**

In accordance with the 1996 Defence Laws of the RS, military obligation covers all capable female citizens between 18 to 55 years of age, and all men between 18 and 60 years of age (Art. 28). The duration of military service was initially 12 months, but shortly after was reduced to nine months.\textsuperscript{260} Persons register for military service and undergo medical examination the year they turn 17, and perform military the year they turn 18.\textsuperscript{261} There are no regulations in the 1996 RS Law referring to voluntary recruitment. However, observers have confirmed that it is possible, as in the Federation, to volunteer at the age of 17 years. Those who do not carry out the military obligation may be punished with imprisonment of 60 days or with monetary penalty (Art. 82). The RS Defence Law also includes provisions for conscientious objectors, who instead
must perform 12 months of civilian service. But as in the Federation, lack of necessary infrastructure and financial means has thus far prevented the functioning of a civilian service.

Child Recruitment and Deployment
There is no ongoing armed conflict in BiH. According to sources including the UN, some 3,000 to 4,000 children participated in hostilities between 1992-1995 in the former Yugoslavia, the vast majority in BiH and Croatia. Some children were as young as 10. The Croatian Ministry of Defence strongly denied such recruitment occurred. According to UNICEF, “children under 18 years were not obliged to participate in military forces, very few of them joined the military forces as volunteers, and they were accepted only if they were older than 16 years”.

Military Training and Military Schools
The Defence Laws of both the Federation and the Republika Srpska include regulations regarding compulsory education for defence in secondary schools under the authority of respective Ministries of Defence. However, on 10 May 2000 the Conference of Ministers of Education of BiH in Sarajevo agreed a new course named ‘Human Rights and Civic Education’ would replace this subject by the beginning of the 2001/2002 school year.

DEVELOPMENTS

International Standards
Bosnia and Herzegovina signed the CRC-OP-CAC on 7 September 2000 but does not support a “straight-18” position. It is in the process of adopting legislation in accordance with its provisions.

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260 Update to RS Defence Law, Gazette of Republika Srpska, No. 31/96, Article 215.
261 Ibid. Article 210.
262 Ibid. Articles 215-218.
263 UN Study on the Impact of Armed Conflict on Children, quoted in Brett and McCallin op. cit. One source estimated that more than 20,000 children between 13 and 16 were involved in the conflict (N. Dokovska, Journalists for the Rights of Women, Children and the Environment).
264 Brett and McCallin op. cit, and RB’s Magazine Och Vi, 1995.
266 Article 63 of 1996 Defence Law of RS and Article 191 of the 1996 Defence Law of the FBiH.
267 Article 50 of FBiH’s Defence Law refers to a special provision issued by the Ministry of Defence which regulates the staffing of the Federation army with volunteers fit for military service in situations of war, imminent danger of war, or under extraordinary circumstances. No further details on this provision could be obtained.
268 Article 50 of FBiH’s Defence Law refers to a special provision issued by the Ministry of Defence which regulates the staffing of the Federation army with volunteers fit for military service in situations of war, imminent danger of war, or under extraordinary circumstances. No further details on this provision could be obtained.
271 SFOR is authorized under UN Security Council Resolution 1088 of 12 December 1996 and operates under Chapter VII of the UN Charter (peace enforcement). SFOR has a unified command structure and is NATO-led under the political direction and control of the Alliance’s North Atlantic Council.
272 Numbers provided by SFOR Public Information Section, Sarajevo, 15/2/01.
274 Article 50 of FBiH’s Defence Law refers to a special provision issued by the Ministry of Defence which regulates the staffing of the Federation army with volunteers fit for military service in situations of war, imminent danger of war, or under extraordinary circumstances. No further details on this provision could be obtained.
275 Working Group to the Presidency of BiH op cit.
Information provided by UNICEF, 26/2/01.
BOTSWANA

REPUBLIC OF BOTSWANA

- Population:
  - total: 1,597,000
  - under-18s: 749,000
- Government armed forces:
  - active: 9,000
  - paramilitary: 1,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: apparent age of 18
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138; ILO 182

While there is currently no evidence of under-18s in government armed forces, the lack of formal age qualification for volunteers indicates that under-18s could be enlisted.

GOVERNMENT

National Recruitment Legislation and Practice
Recruitment into the Botswana Defence Forces is on a voluntary basis. Enlistment is regulated in Chapter 21(5) of the Botswana Defence Force Act, April 15, 1977. Section 17 states that "a person offering to enlist in the Regular Force shall be given a notice in the prescribed form setting out the questions to be answered on attestation and stating the general conditions of the engagement." An officer shall recruit a person only if he has been given such a notice, understands it and wishes to be enlisted.

The only formal age qualification is that the volunteer have the apparent age of 18. Section 26(1) of the Botswana Defence Force Act states that "if a person appearing before a recruiting officer for the purpose of being enlisted in the Regular Force knowingly makes a false answer to any question contained in the attestation paper and put to him by or by the direction of the recruiting officer, he shall be guilty of an offence and liable to a fine not exceeding P100 or to imprisonment for a term not exceeding three months, or to both." However, it is not known if the attestation paper contains questions pertaining to the applicant’s age.

Child Recruitment
It is not known how the exact age of volunteers is determined and therefore whether there are in fact underage recruits in the armed forces. However there is no evidence indicating that underage recruitment has taken place. From September 1998 to April 1999 Botswana contributed troops as part of the peacekeeping mission of the Southern African Development Community (SADC) in Lesotho. There is no evidence that any underage soldiers were among the Botswana contingents.

Military Training and Military Schools
The National Service programme (Tirelo Setshaba) established in 1980 consists primarily of community service and is not linked to the military. All O-level students between the ages of 16 and 20 are required to serve for 12 months.271

BRAZIL

THE FEDERATIVE REPUBLIC OF BRAZIL

- Population:
  - total: 167,988,000
  - under-18s: 59,861,000
- Government armed forces:
  - active: 287,600
  - reserves: 1,150,000
  - paramilitary: 385,600
- Compulsory recruitment age: 19
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated
- CRC-OP-CAC: signed on 6 September 2000; does not support the “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 182
- There are indications of under-18s in government armed forces as the minimum age of voluntary recruitment is 17.

GOVERNMENT

National Recruitment Legislation and Practice
The Constitution adopted in 1988 makes military service compulsory “as provided by law.” Article 143 enables the armed forces to assigned alternative civil service during peacetime for conscientious objectors and also for women and clergymen who under Article 143(2) are exempt from service during peacetime. According to Law No.4.375 (17 Aug. 1964) all Brazilians are liable for military service (Article 2), which during peacetime begins on 1 January of the year a citizen turns 19 and expires on 31 December of the year the citizen turns 46 (Article 3). However, Article 5(1) stipulates that during war the minimum age limit can be amended “according to the interests of national defence.” The minimum age for voluntary service is 17 (Article 5(2)).

Military service normally lasts 12 months, but may be extended or reduced to accommodate specific situations (Article 6). In specific situations (to avoid disruption of public order or during public disasters) Brazilians can be conscripted according to conditions laid down by the President of the Republic, regardless of whether they have performed military service (Article 19). According to the Brazilian military only a small proportion of registered youth actually perform their military service.

Military Training and Military Schools
There are a number of military schools in Brazil. At the Escuela naval in Rio de Janeiro, applicants must be under 22 years of age, but no minimum age is indicated. At the Escola Preparatoria de Cadetes do Exercito, which prepares students who want to enter the Military Academy, students must be born before 31 December 1985 for those entering the school in 2000.

DEVELOPMENTS
International Standards
Brazil signed the CRC-OP-CAC on 6 September 2000 but does not support a “straight-18” position.

272 Article 143.
273 According to Article 143, the armed forces shall have the power, as provided by law, to assign, in peacetime, alternative civil service. This service was created by Law No. 8,239 of 4 October 1991 (Lei de prestacao do servico alternativo ao servico military obrigatorio) and governed by Regulation 2.681 of 28 July 1992.
274 http://www.emfa.mil.br/cosemi/diversos.html; according to the statistics provided by the military, in 1996 only 96,200 conscripts out of a total register of 1,377,900 18-year-olds were recruited.
BRUNEI DARUSSALAM

- Population:
  - total: 322,000
  - under-18s: 124,000
- Government armed forces:
  - active: 5,000
  - reserves: 700
  - paramilitary: 3,750
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): unknown
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II.

- It is not known if there are under-18s in government armed forces due to insufficient information regarding recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
There is no conscription in Brunei, and the government has no plans for its introduction. However, Article 83 of the 1959 Constitution on State of Emergency states that “when a proclamation of emergency has been made and as long as such proclamation is in force, his Majesty the Sultan and Yang di-Pertuan may make any orders whatsoever which he considers desirable in the public interest.” Such orders may be made with regard to: Article 83(4)(i) “requiring persons to do work or render services” and Article 83(4)(j) “constituting a special police force.”

Reportedly, only ethnic Malays, who form 67 per cent of the population, are allowed to join the armed forces. Women may join but may not serve in combat; the Women’s Company was formed in 1981. It is reported that there are 945 Gurkhas, Nepalese soldiers who are part of the British Army, stationed in Brunei.

Military Training and Military Schools
There is no available information regarding minimum age of entry into the various military schools in Brunei.

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276 Brett and McCallin op. cit.; Horeman and Stolwijk op. cit.
277 Blaustein and Flanz op. cit.
278 Horeman and Stolwijk op. cit.
BULGARIA

REPUBLIC OF BULGARIA

- Population:
  - total: 8,279,000
  - under-18s: 1,723,000
- Government armed forces:
  - active: 79,760
  - reserves: 303,000
  - paramilitary: 34,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

There are no indications of child soldiers in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is enshrined in Article 59 [Military Service] of the 1991 Constitution which states:
(1) To defend the country shall be a duty and a matter of honour of every Bulgarian citizen (…)
(2) The carrying out of military obligations, and the conditions and procedure for exemption there
from or for replacing them with alternative service, shall be established by law.282 The present
legal basis of conscription is believed to be the 1995 Law on Defence and Armed Forces of the
Republic of Bulgaria, as amended in 1998.283 Other military legislation includes the Regulations
on the Regular Military Service (1996); the Edict No. 265 on Civilian Defence (1998);
Regulations on the Training of Conscripts and Retired Specialists (1992); and Regulations for
Granting Delay to those called to the Armed Forces during Mobilisation of Retired Servicemen
and Equipment (1996).284

According to information provided by Bulgaria to the Committee on the Rights of the Child, all
Bulgarian men are subject to military service after turning 18 and the law does not provide for the
possibility of accepting volunteers in the army at a lower age.285 The length of military service is
12 months, or 9 months in the case of university and college graduates.286

The Bulgarian Ministry of Defence has begun a downsizing, modernization, and reform
programme (PLAN 2004) to create a smaller force structure of around 50,000 personnel.287 The
Law on Alternative Service, which allows conscientious objectors to perform an alternative
civilian service of double the duration came into force on 1 January 1999.288

Military Training and Military Schools
Until recently military training took place in the National Defence College and four Military
Academies covering land forces, artillery and air defence, air force and navy. A number of
military personnel are also sent abroad for training. The defence education system and scientific
organisations are currently being reorganised. Existing military academies will be subsumed under the “G. S. Rakovsky” staff college, and the five military scientific institutes will be reorganised as the Institute for Advanced Research in Defence. 289 No information is available on the age of entry into the military colleges.

282 http://www.urich.edu/~jpjones/confinder/const.htm
283 Horeman and Stolwijk op. cit.
285 Initial Report of Bulgaria submitted to the Committee on the Rights of the Child, UN Doc. CRC/8/Add.29, 12/10/95, para. 40.
286 Horeman and Stolwijk op. cit.
287 CIA World FactBook 2000
288 AI Report 2000
289 Ministry of Defence Annual report op. cit.
BURKINA FASO

• Population:
  - total: 11,616,000
  - under-18s: 6,295,000

• Government armed forces:
  - active: 10,000
  - paramilitary: 45,250

• Compulsory recruitment age: 18
• Voluntary recruitment age: 20
• Voting age (government elections): 18
• Child soldiers: none indicated
• CRC-OP-CAC: not signed
• Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 138

• There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
According to Article 10 of the Constitution of 11 June 1991, "Each citizen of Burkina Faso is required to contribute to the defence and preservation of territorial integrity. Each citizen is required to carry out national service upon demand." According to the initial report of Burkina Faso to the Committee on the Rights of the Child, submitted in 1993, the minimum age for voluntary enlistment in the armed forces is 20 whereas the minimum age of conscription, known as National Development Service, is 18. However, the UN reported in 1997 that there is no conscription in Burkina Faso.

Military Training and Military Schools
According to Rädda Barnen (Swedish Save the Children) the military school Prytanée militaire of Kadiogo accepts children between ages 11 and 13, but pupils are not members of the armed forces.

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BURUNDI

REPUBLIC OF BURUNDI

- Population:
  - total: 6,565,000
  - under-18s: 3,502,000
- Government armed forces:
  - active: 40,000
  - paramilitary: 6,500
- Compulsory recruitment age: 16
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated - up to 14,000 in government and opposition armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II.

- Up to 14,000 children have taken part in the civil war in Burundi. Since the August 2000 peace agreement, which explicitly protects children, fighting between government and opposition forces has continued and both sides have reportedly recruited children as young as 12, often from refugee and regroupment camps. There are also unconfirmed reports of the recruitment of young Kenyan youths and of young children being sent to fight in the Democratic Republic of Congo.

CONTEXT

Since 1993, there has been a civil war in Burundi between the Tutsi-dominated security forces and allied armed groups, and Hutu-dominated armed opposition groups. In August 2000, the government and other groups signed a peace agreement mediated by Nelson Mandela which explicitly mentions child protection. However, several parties signed with reservations, and the two main armed opposition groups, the National Council for the Defence of Democracy (CNDD) with the Forces for the Defence of Democracy (FDD) and the Front de Liberation Nationale (FNL), declined to join the peace process. The latest peace summit ended in February 2001 without progress. On 24 February 2001 the FNL launched the biggest offensive in Burundi’s seven-year old civil war. Burundian Hutu armed groups, especially the FDD, have also supported Hutu forces in Rwanda and the Democratic Republic of Congo. In 2000, both Burundian armed forces and armed groups increased their involvement in the Congolese war.

GOVERNMENT

National Recruitment Legislation
Article 50 of the constitution states that it is a call of duty for every citizen to participate in the defence of the country. The age of compulsory recruitment is between 16 and 25, however the government of Burundi has stated that in practice no one under 18 is recruited. The minimum age for voluntary enlistment is similarly 16, with a maximum age of 25 on the date of enlistment. The government has attempted no qualification regarding the actual practice of accepting volunteers who are under 18. On the contrary it reported in 1998 that in recent years the armed forces had been rapidly increasing in size and ‘getting younger’.
In 1996 Burundi established compulsory civic service for all young persons who have completed secondary school, usually at the age of 18 (Decree No. 1/005, 1 December 1996). According to the UN Special Rapporteur, while this civic service “has appreciably reduced the hold of extremist groups over young people and is a positive step”, it in fact bears more of a military than a civilian stamp.\textsuperscript{298}

In early 1999 the Special Representative of the UN Secretary-General for Children and Armed Conflict, obtained agreement from the Burundian government to raise the minimum recruitment age from 16 to 18 in legislation.\textsuperscript{299} One month later the Burundian representative at the African Conference to Stop the Use of Children as Soldiers claimed that the government had always respected an 18 year age limit for recruitment into its armed forces, although prior to 1996 it was true that some children under 18 had joined military forces. The government then pledged to respect and observe all international norms and standards.\textsuperscript{300} However, by September 2000 the government of Burundi still had not taken legislative measures to raise the minimum recruitment age.\textsuperscript{301}

**Child Recruitment and Deployment**

It is widely agreed that children under 18 have been recruited in substantial numbers by government allied forces since the start of the civil war. Estimates of the number of children recruited by the armed forces vary considerably, from a low of 2,000 to a high of 14,000.\textsuperscript{302} According to a 1998 DCI-Burundi report the regular armed forces included between 800 and 1,000 children between the ages of 14 and 17.\textsuperscript{303}

In its report to the Committee on the Rights of the Child the Government acknowledged the use of children by armed groups, identifying several categories of children. Children under 15 years old, called *doria* (meaning ‘ear agent’ in Kirundi), have been used to collect and provide information. Others perform domestic services in exchange for food. A third group are children known as “Keepers of the Peace” – former child soldiers who convert to radical non-violence. Finally there are children under 18 who are forcibly recruited or who volunteer to join armed groups. Many are recruited in refugee camps abroad, in raids on schools or in displaced persons' camps within Burundi. Students are particularly targeted for their ability to be trained quickly. Most children in armed groups have learned how to handle weapons.\textsuperscript{304}

Other sources have reported that even those children serving as spies and domestics live and work close to combatants and are fully integrated into the military environment.\textsuperscript{305} In July 2000 Human Rights Watch reported that the *doria* – some as young as 12 years old – not only spy in the camps for soldiers but also participate in looting and serve as lookouts, scouts and porters. In return they receive food and clothing and sometimes a small part of the goods looted.\textsuperscript{306} Other observers have reported that children are often forced to assist troops by carrying food and water into the hills and carrying out domestic activities in the military camps. They not only wear military uniforms but are taught to use weapons.\textsuperscript{307} The youngest reported *doria*, no more than eight years of age, was seen in Kigosi (Kirundo province, North-East). Burundians often claim that children look younger than their age due to malnutrition.\textsuperscript{308}
The US State Department reported the continuing use of children for forced labour by the Burundian armed forces in 2000. Frequent targets were civilians living in ‘regroupment camps’ established by the government primarily to distance armed groups from civilian supporters. Human Rights Watch reported that the armed forces “frequently exacted unpaid labour from residents and forced both adults and children to accompany them as guides or porters, including through areas where there was a high risk of rebel attack... Soldiers supposedly protecting several camps raped women or coerced them into providing sexual services against their will.”

President Buyoya agreed to close the camps due to international criticism. By October 2000 only ‘temporary’ regroupment camps remained.

**Government Treatment of Suspected Child Soldiers**

The Burundian government has also imprisoned and tortured children – many accused of collaborating with armed opposition groups – for long periods without charge or trial. Some of those arbitrarily accused of being collaborators and detained have been as young as 12, despite the legal minimum age of 13 for detainment. In January 2000 a new code of penal procedure went into effect which guarantees the accused access to legal counsel before trial. However due to lack of resources the reforms were not widely implemented.

**Military Training and Military Schools**

The many military schools or ‘training centres’ in the country also facilitate child recruitment. It is believed that the minimum age of entrants is between ages 13 and 16 at training schools; between 14 and 17 at schools for corporals and warrant officers; and between ages 17 and 20 at the Institut Supérieur des Cadres Militaires. An estimated total of over 36,000 children are in military schools, and all are believed to be members of the armed forces. However, Burundian authorities claim applicants at the Institut Supérieur des Cadres Militaires must be over 20.

**OPPOSITION**

Hutu opposition consists of three political movements, each with its own armed branch. The National Council for the Defence of Democracy (CNDD, est. 1,000), with the Forces for the Defence of Democracy (FDD, est. 10,000) was established in 1994. The Party for the Liberation of the Hutu People (Palipehuta), with the Front for National Liberation (FNL, est. 2,000-3,000) was established in 1980 and operates mainly from the DRC and Tanzania. The Umbumwe, with the Front de Liberation Nationale (FROLINA), was established in the late 1980s. Since 1998, Hutu armed groups have reportedly been supported by Hutu forces in Rwanda and the
Democratic Republic of Congo. The Angolan armed group UNITA also allegedly supported the CNDD with weapons and training.\textsuperscript{315}

**Child Recruitment and Deployment**

Hutu opposition groups are known to recruit children as soldiers, including both boys and girls under 15. Vulnerable children, such as street children, are often targeted. At the start of the conflict between 3,000 and 5,000 children under 18 were sent to the Central African Republic, Rwanda and Tanzania for training. Opposition groups also reportedly recruit fighters, including children, from five refugee camps in western Tanzania.\textsuperscript{316} In one recent case, teenage Burundian refugees between the ages of 13 and 19 were arrested along with 141 adults for attempting to enter Burundi from Tanzania to attend military training by the CNDD-FDD. Minors were given a reduced prison sentence of three months.\textsuperscript{317} Furthermore, in July 2000 FNL fighters were also accused of killing, raping, and recruiting children from regroupment camps in Burundi.\textsuperscript{318} Throughout 2000 opposition forces also continued to use children for forced labour.\textsuperscript{319}

Many young boys are used as spies and sent to the camps of the regular forces, while girls become the property of particular fighters and are used for domestic labour and sex. Typically lacking sufficient training, the children are often massacred in combat. Many families who initially gave their children to opposition groups later refused to continue and were subsequently targeted in punitive attacks.\textsuperscript{320}

Burundian Hutu armed groups, along with Rwandan Hutu armed groups, have also reportedly lured Kenyan street boys into their ranks. Sources say that over $500 is paid for every 150 street boys delivered to the armed groups and their agents. The children are also typically lured with offers of money, well-paid jobs and good living conditions in Uganda, Rwanda and Tanzania. Many of these children became particularly vulnerable between May and August 1999 when Kenyan authorities were arresting and clearing Nairobi of street children in preparation for the meeting of the Common Market for East and Southern Africa.\textsuperscript{321}

An NGO set up as a street children’s feeding programme headed by a Burundian Hutu bishop was implicated in the scandal, reportedly dispatching some 700 children to armed groups and funding Hutu armed groups in both Burundi and Kenya.\textsuperscript{322}

“They [the army] had killed our President, we had to fight back. I dropped [out of] school. School was almost impossible for us, as Kamenge was almost daily rocked with heavy shelling by the army and the rebels. My first role was to carry a torch for grown-up rebels. Later I was shown how to use hand grenades. Barely within a month or so, I was carrying an AK-47 rifle or even a G3. Soon after the attempted coup, we went on rampage destroying houses belonging to Tutsis. Most of them had already fled, knowing very well that Kamenge was no longer their place. Those who remained were slaughtered… It was a sad experience, killing, watching people being killed…[I] told myself that I had no other choice but doing it…”

Silvester was barely 12 when he joined Burundi Hutu rebels in 1993. (Source: Gervais Abayeho)

**DEVELOPMENTS**

**Appeals from the International Community**
The UN has made several appeals to the Burundian government on behalf of child soldiers since 1998. The UN Special Rapporteur on Burundi specifically asked Burundian authorities "not to recruit young people under 18 years of age for the army or mandatory civic service and to ensure that such recruitment is never imposed by force and that it includes all the ethnic components of the population without distinction." He has also asked the Government "to prosecute the instigators of practices comparable with forced labour and the use of ‘regroupment’ camp residents in tasks of a military nature." The UN Commission on Human Rights also adopted Resolution 1998/82 on the ‘situation of human rights in Burundi’ in which it "expresses its concern at the forcible recruitment and kidnapping of children by non-governmental armed groups, and invites the Government of Burundi to take measures to combat that trend, having in mind the non-militarization of Burundian society, particularly the children." The Special Representative of the UN-Secretary General for Children and Armed Conflict, has continued to pressurise the government of Burundi to raise the minimum age of recruitment in legislation as it has promised. Armed opposition groups have not made any pledges regarding the non-recruitment of child soldiers.

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291 Information provided by a reliable source that requests confidentiality, 1999.
292 BBC news online, "Burundi: 30,000 flee fighting in capital", 27/2/01.
293 BBC World News, "Burundi fighting leaves 200 dead", 12/5/01.
294 Horeman and Stolwijk op. cit.
295 Initial Report of Burundi to the Committee on the Rights of the Child, 31/7/98. UN doc. CRC/C/Add.58 para. 230, 47.
297 UN Protection of children affected by armed conflict, Report of the Special Representative of the Secretary-General for Children and Armed Conflict, 1/10/99. UN Doc. A/54/430.
299 DCI-Burundi, Rapport rédigé par Défense des Enfant-International suite au rapport initial soumis par le gouvernement du Burundi devant le Comité des Droits de l’Enfant, 18/9/00.
300 Information supplied by Gervais Abayeho, Consultant Researcher, CSC.
301 DCI-Burundi, Etude sur la genèse de la crise burundais et implication des enfants dans le conflit, armé, Bujumbura, 3/98.
302 Burundi report to the Committee on the Rights of the Child, op. cit., para 231.
305 Association Nationale pour la Communication et l’Education aux droits de l’Homme (ACEDH).
306 Information supplied by a reliable source requesting confidentiality.
307 HRW Report 2001
308 AI Report 2000
309 HRW op. cit.
310 Gervais Abayeho op. cit; ACEDH, op. cit.
311 Statement of the Burundian Government op. cit.
312 Horeman and Stolwijk op. cit; Balencie and de la Grange op. cit.
314 Associated Press, "Burundi rebels recruiting refugees", 19/1/00.
315 Radda Barnen Children of War Newsletter No. 2/00, "Child refugees heading for military training", 7/00.
316 HRW, “Emptying the Hills”, 19/7/00.
318 DCI-Burundi, op. cit.
CAMBODIA

KINGDOM OF CAMBODIA

- Population:
  - total: 10,945,000
  - under-18s: 5,243,000
- Government armed forces:
  - active: 140,000
  - paramilitary: 67,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: recently indicated but currently unknown in both government and armed opposition forces
- CRC-OP-CAC: signed on 27 June 2000; supports “straight-18” position
- Other Treaties Ratified: GC/API+II; ILO 138

- During the country’s civil war there was widespread use of child soldiers, some as young as eight, by government forces and armed opposition groups. Identification and demobilisation of former child soldiers is underway as part of a broader downsizing of armed forces.

CONTEXT

Peace has finally come to Cambodia after almost thirty years of conflict. The last phase of fighting began in June 1997 following a coup against Prince Ranarridh by his co-leader Prime Minister Hun Sen and their respective forces. Elections took place in July 1998 and a new coalition government was formed in December 1998 which included both parties. The armed group, Khmer Rouge, disintegrated in March 1999 following the death of Pol Pot, the defection of key leaders and the arrest of the last Khmer military chief, Ta Mok.

GOVERNMENT

National Recruitment Legislation and Practice
Article 48 of Cambodia’s 1993 Constitution states that “the State shall protect the rights of the child as stipulated in the Convention on the Rights of the Child, in particular, the right to life, education, protection during wartime…” The current legal basis for military recruitment is the 1997 Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces. Article 42 of the law states that all those who are recruited into the military should have reached the age of 18 years. Recruitment must be done without distinction as to religious belief, national origin or social status, although discrimination against ethnic Vietnamese is endemic in Cambodia.

The government is currently in the process of downsizing its armed forces. Since 1993, the international donor community has been pressing for the demobilisation of part of the RCAF which has posed a major burden on the national budget. It was not until peace was finally achieved, however, that the government developed a plan for demobilisation known as the
Cambodian Veterans Assistance Program (CVAP), to be overseen by the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation with international assistance. The demobilisation plan will see the armed forces cut by an initial 31,500 men to around 100,000 over the next three years. A pilot demobilisation of the first 1,500 soldiers was conducted between May and July 2000, to be followed by 10,000 each year from 2000 to 2002 arriving at a total of 31,500.

**Current Child Recruitment**

There appears to be no new recruitment of those under 18, although some children recruited during the civil war may still remain in the armed forces as full demobilisation has not yet taken place. (See Developments section for further details on demobilisation of child soldiers).

**Past Child Recruitment**

Underage recruitment by the Royal Cambodian Armed Forces (RCAF) was widely reported by both NGOs and UN bodies during Cambodia’s civil war, and was acknowledged by authorities in Cambodia’s initial report to the Committee on the Rights of the Child in 1998. One estimate suggested that some 4% of the RCAF were children, some as young as 12. Hard statistical information on the number of child soldiers used by the armed forces is lacking because child soldiers were often registered under false names and ages. One study carried out between July 1997 and June 1999 found 1,300 child soldiers in one region. More recently UNICEF found 233 child soldiers in two regions, but the actual number is believed to be higher.

An abundance of anecdotal information point to widespread voluntary child recruitment during the war. A RCAF spokesman in 1997 admitted that the armed forces recruited children in the Samrong area but claimed these children were volunteers from the ranks of defecting Khmer Rouge guerrilla units and were over 14 years old. In a workshop organised by the Cambodian League for the Defence of Human Rights (LICADHO) in partnership with World Vision in August 1999, 15 soldiers, aged between 16 and 20, who attended claimed to be volunteers.

Most children serving in the RCAF appeared to have joined the military for economic reasons, and surveys found that an overwhelming majority did so with parental consent. In its report to the Committee on the Rights of the Child, Cambodian authorities claimed children lied about their age in order to join the army for financial reasons. Testimonies of children support this finding. Child soldiers attending the LICADHO workshop above stated they had joined for economic reasons or because they were orphans, although one claimed he had signed up because of his hatred of the Khmer Rouge for burning down houses and terrorising his village.

Local commanders had economic incentives to recruit children as “ghost soldiers” by falsifying their ages and using the names of adult soldiers who had deserted, disappeared or died, in order to continue collecting their salaries and benefits. A UNICEF study found that only 74% of 199 child soldiers interviewed had received their salaries regularly, while commanders allegedly pocketed the rest.

There were also widespread reports of forced recruitment by the RCAF during the civil war. During the fighting, RCAF soldiers raided villages, demanding payment from parents in return for their child’s exemption from the draft. If they could not pay, boys were taken away. According to one 41-year-old man from Ta Prok village boys over 12 were drafted, the younger...
the age, the higher the price of exemption. In November 1997, for instance, soldiers tried to forcibly recruit all men between ages 16 and 45 in the village of Ampok, close to Siem Reap town. On 11 November 1997, 40 new recruits in “self defence” units from Chi Kreng were seen in two large trucks in Siem Reap town, on their way to the O’Smach battlefield. They included at least two boys, aged 15 and 16 years. Several men claimed the boys had been forcibly recruited.

In Prasat Bakon district, according to human rights groups, military draft lotteries and informal war taxes were conducted in at least seven villages in two communes. Village and commune leaders typically took the names of all men aged between 16 and 45 years and then selected which ones would be conscripted. In early 1998, the UN Special Rapporteur on Cambodia expressed “grave concern about reports by human rights workers and soldiers in December 1997 of alleged forced conscription of boys as young as 8 or 10 forced to join the army during raids on villages in Oddar Meanchey province by government forces who demanded payment from parents in return for an exemption from the unofficial draft.”

Village militia also recruited children. A LICADHO mobile team found many villages in the northern provinces recruited for their own militias which report to the village chief. These militias commonly included young boys, some as young as 10, who carried weapons and fulfilled guard duties and odd jobs in return for payment in cash or in kind.

Past Child Deployment

There is substantial evidence that children were used as soldiers by government armed forces. In July 1997 young teenagers participated on both the government and opposition sides during the intense fighting that followed a coup by CPP forces against FUNCINPEC elements in government. A UNICEF study of 199 child soldiers in three provinces of Northwest Cambodia (Battambang, Siem Reap and Oddar Meanchey) found their main activities were: cooks/cleaners (35%), guards (21%) and porters (6%), as well as combatants (16%), bodyguards (16%) and spies (5%). 57% claimed were exposed to frontline situations. A study by LICADHO and Asian American Free Labour Institute (AAFLI) found children had worked as spies and to lay mines in Kompong Speu province in conflicts between Khmer Rouge and RCAF troops. Child spies appear to have been used by both sides because of their ability to pass unnoticed by the enemy.

“I joined because my parents lacked food and I had no school.......I was worried about mines but what can we do – it’s an order (to go to the front line). Once somebody stepped on a mine in front of me – he was wounded and died...... I was with the radio at the time, about 60 metres away. I was sitting in my hammock and saw him die.... I see young children in every unit..... I’m sure I’ll be a soldier for at least a couple of more years. If I stop being a soldier I won’t have a job to do because I don’t have any skills. I don’t know what I’ll do...”

Child soldier with government forces

Information supplied by Human Rights Watch, 1999
• Khmer Rouge (National Army of Democratic Kampuchea)

The Khmer Rouge ruled Cambodia from 1975-1979 and its genocidal and repressive policies were responsible for the deaths of millions. After its overthrow by Vietnamese forces in 1979 the Khmer Rouge continued to fight a guerrilla war against successive governments. It withdrew from the 1993 peace accords and continued its military campaign. With the death of its leader Pol Pot in 1997 and the defection of other military leaders the Khmer Rouge disintegrated.

Past Child Recruitment and Deployment

There is substantial evidence of the use of children as soldiers by the Khmer Rouge. During the demobilisation process it became evident that even up to 1998 boys and girls aged 10 to 18 were forced to perform military service or paramilitary activities in the zones controlled by the Khmer Rouge. They were typically forced to join by being deprived of food and supplies. Children tended to be used as ammunition carriers or general labourers rather than fighters. One 19 year old described in October 1998 that boys of his age and younger served in the Khmer Rouge primarily as medics and cooks. They generally received no pay, but if assigned to the front line they received 500 baht (about US$13) per month. In 1995 the Dey Ath defectors’ centre in Phnom Penh, set up by the government to rehabilitate Khmer Rouge defectors, sheltered a 17 year old girl from Pailin who had been taken by the Khmer Rouge when she was orphaned at the age of two. She received military training from the age of five, reportedly as one of a group of 300 to 500 girls under 15 who by the age of 14 were given guns and uniforms and became active soldiers. Girl soldiers were stationed at the front in all military actions. They received no medical treatment and were punished or killed if they disobeyed.

“...I know many boys aged 13 who join the military. I do not know why they join. I used to advise them not to join but I think they needed money to earn a living. I felt very sorry for them because they were too young. When they were Khmer Rouge, they carried a gun; when they defected and became a civilian, they had no gun, no food to eat as well. That’s why some decide to join the government army like me.”

Child soldier with the Khmer Rouge (Information provided by Human Rights Watch, 1999).

DEVELOPMENTS

International Standards

Cambodia was the first Asian state to sign the CRC-OP-CAC on 27 June 2000. It supports a “straight-18” position.

Demobilisation

The government has asserted that the problem of child soldiers no longer exists as it was the first matter to be dealt with in the demobilisation programme. As part of this programme the CVAP sought to register all military personnel between May and November 1999, finding only found 262 underage soldiers nationwide. However, government documents acknowledge that there may be other children who registered by lying about their age and that these children also need to be demobilised. Indeed, the actual number of child soldiers in need of demobilisation are believed to be much higher. After the government registration exercise, 15,551 ghost soldiers were identified and eliminated from the payroll, with a total of 163,346 dependants (“ghost children”)...
entitled to benefits. It is feared that only some 35% of all child soldiers will be formally demobilised because they are not given priority, because they may choose to remain in the army, or because their age will embarrass the government.

Despite widespread poverty there is strong opposition to child recruitment in Cambodia. In 1999 an ICRC survey found that 97 per cent of respondents believed under-18s should not take part in hostilities, and many expressed a preference for a minimum age of 21.

The need for government support in reintegrating and rehabilitating child soldiers is evident. Pressure from donors on Cambodia to demobilise has raised concerns that children may be expelled without their special needs being taken into account. In June 2000 the Committee on the Rights of the Child, session welcomed the enactment of legislation prohibiting the military recruitment of children under 18 and Cambodia’s willingness to demobilise remaining under-age soldiers. It expressed a concern about insufficient measures for social reintegration and the physical rehabilitation of former child soldiers, urging Cambodia to work with UNICEF on this aspect and to prevent further child recruitment. The UNICEF Cambodia programme for 2001-2005 emphasises the rights and needs of child soldiers and aims to support government efforts to formulate policies and programmes in light of ongoing demobilisation.

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324 Blaustein and Flanz, op. cit.
326 Initial Report of Cambodia to the Committee on the Rights of the Child, UN Doc. CRC/C/11/Add. 16, 24/6/98, para. 218.
327 Birel, R., “Cambodian army cut plan set to begin”, Reuters, 20/2/00.
328 Ibid.
329 www.globalmarch.org citing UN Graca Machel case study on Cambodia, 1994-95
330 www.globalmarch.org citing The Cambodia Daily, 7/00
331 World Vision Cambodia – Feasibility study on child soldiers, 2/00
332 RB Children of War, No. 1/98 quoting AFP, 2/12/97, see http://www.rb.se
333 Seaman, T. op. cit.
334 Cambodia report to the Committee on the Rights of the Child, op. cit., para. 225.
335 Ibid.
336 Seaman, T. op. cit.
337 RB Children of War, No. 1/98 quoting AFP, 2/12/97, see http://www.rb.se
339 Ibid.
341 Seaman, T., op. cit.
342 Seaman, T. op. cit.
344 Information provided by UNICEF to the Asia Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000.
345 Ibid.
346 RB newsletter No 1/98 op.cit
347 Seaman, T. op. cit.
348 Seaman, T. op. cit.
349 UN Press release, “CRC began consideration of an initial report of Cambodia, 24/5/00. A joint report issued by the UN and the Cambodian government in 2000 (“Children and Employment”) states that most child soldiers in Cambodia were demobilised, and lists other current child labour problems. Links between demobilisation and increases in other sectors of child labour need to be explored further.
350 UNICEF op. cit.; see also CVAP Project Implementation Manual for the pilot demobilisation.
351 Information provided by UNICEF and the Cambodian Government representative to the Asia Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000
352 World Vision – Cambodia Feasibility study on child soldiers, CEDC program
354 UNICEF Underage soldiers in Cambodia, 5/00
355 CRC/C/15/Add. 128 Concluding observations: Cambodia, 2/6/00
CAMEROON

REPUBLIC OF CAMEROON

- Population:
  - total: 14,693,000
  - under-18s: 7,389,000
- Government armed forces:
  - active: 13,100
  - paramilitary: 9,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 20
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II

There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Article 11 of Presidential Decree No. 94/185 (September 1994) concerning non-officer military personnel sets the minimum age for recruitment at 18 and the maximum age at 22 within the year of recruitment. Candidates must also hold a First School Leaving certificate. Recruitment is on a voluntary basis. There is no evidence of underage recruitment into the armed forces of Cameroon.

Military Training and Military Schools
The École Militaire Inter-Armes in Yaoundé, a military school for officers, has a minimum recruitment age of 18. Applicants under age 21 must have parental authorisation.

357 Horrman and Stolwijk op cit.
358 Press communiqué from the Minister Delegate at the Presidency in charge of Defence, 12/5/97.
CANADA

- Population:
  - total: 30,857,000
  - under-18s: 7,161,000
- Government armed forces:
  - active: 59,100
  - reserves: 43,300
  - paramilitary: 9,350
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated - 421 aged 16 to 19 as of 1 March 2001
- CRC-OP-CAC: signed on 5 June 2000; ratified on 7 July 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 182
- There are under-18s in government armed forces as the minimum age for voluntary recruitment is 16. Canada has amended its legislation to ensure that those under 18 are not deployed in hostilities.

GOVERNMENT

National Recruitment Legislation
With parental consent and reliable proof of age, 16 and 17 year olds can be recruited into the Canadian Armed Forces. Legislative changes reflecting Canada’s commitment to the CRC-OP-CAC include, most recently, Bill S-18 which stipulates that under-18s in the Canadian forces, primarily at military college and in the militia, must not be deployed in hostilities.

During the first year of training, recruits may submit a request to the commanding officer for release from service. Except for persons selected for deployment, release is usually authorised but candidates may incur costs if they leave. Most under-18s enter through the Regular Officer Training programme and will not incur costs provided they leave before year two of the advanced programme or before a year and a half in the preparatory programme.

Child Recruitment
The Department of National Defence (DND) does not have statistics for under-18s but do keep figures on recruits under 19. As of 1 March 2001, according to the Effective Strength by Age - Rank - Distribution statistics there were 336 males (149 officers and 187 Non Commissioned Members - NCMs) and 85 females (59 officers and 26 NCMs), altogether comprising 421 individuals between the ages of 16-19 out of a total of 67,257 serving in the armed forces. Details on the number of recruits per year aged 16 and 17 are not currently available.

It is reported that the majority of 16 and 17 year-olds serve in the Reserve Force, enabling them to pay for studies pursued in the civilian post-secondary educational system. Some 16 and 17 year-olds also serve in the Regular Force. The majority of these members enter the Royal Military College, where they generally spend four years as officer cadets. There have not been any reports of child deployment in armed conflict situations.
Military Training and Military Schools
The Sea, Air and Army Cadets comprise the largest youth programme in Canada, with approximately 55,000 members. One can join the Cadets at the age of 12. Marksmanship is listed as an occasional Cadet weekend activity on the Department of National Defense (DND) website. The Army Cadet Corps Training outline states that the DND supports “optional training activities for Army Cadets by providing the equipment and training aids, rations, transportation and field accommodation.” Optional activities include smallbore competitive rifle shooting.

DEVELOPMENTS

International Standards
The CRC-OP-CAC was signed by Canada on 5 June 2000 and ratified on 7 July 2000. Canada does not support a “straight-18” position. A declaration made at the time of ratification states that voluntary recruitment is permitted from the age of 16 but that safeguards are in place to ensure that under-18s are not coerced since conscription is not practised; that parental consent and reliable proof of age are required; and that full information of duties is given to candidates. Canada has amended its legislation in conformity with the CRC-OP-AC as described above.

Initiatives Concerning War-affected Children
Canada hosted the Winnipeg International Conference on War-affected Children in September 2000, which reviewed progress on the protection of children in armed conflict since the 1995 Machel study in preparation for the UN General Assembly Special Session on Children in September 2001.

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359 All information in this report has been provided by the Canadian Friends Service Committee.
CAPE VERDE

REPUBLIC OF CAPE VERDE

- Population:
  - total: 418,000
  - under-18s: 196,000
- Government armed forces:
  - active: 1,150
- Compulsory recruitment age: unknown
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II; ICC

- It is not known whether there are under-18s in government armed forces due to the limited information available.

GOVERNMENT

National Recruitment Legislation and Practice
According to Article 83(1) of the 1992 Constitution, “[a]ll individuals shall have the duty to contribute to the defence of the nation.” This is confirmed by Article 271, which adds that “Military service shall be compulsory, as provided by law”, and specifies that “Conscientious objectors and those who are unfit for military service shall perform civic service, as provided by law.” The Constitution further stipulates that the substitution of civic service for military service may be established by law. Under legislation, military service is selective and lasts for two years.\(^\text{360}\) Information on minimum age for compulsory and voluntary recruitment is unavailable.

\(^\text{360}\) Horeman and Stolwijk op. cit.
CARIBBEAN (other): SAINT LUCIA, DOMINICA, GRENADA, SAINT KITTS AND NEVIS, SAINT VINCENT AND GRENADEINE

(See individual entries on Antigua And Barbuda, Barbados, Bahamas, Belize, Guyana, Jamaica, Suriname, and Trinidad And Tobago)

- Population:
  - total: 461,000
  - under-18s: 166,000
- Government armed forces: Nil
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: N/A
- Child Soldiers: none indicated
- Other treaties ratified:
  - Grenada: CRC; GC
  - Saint Lucia, Dominica, Saint Kitts and Nevis, Saint Vincent and Grenadine: CRC; GC/API+II

GOVERNMENT

National Recruitment Legislation and Practice
Grenada, Saint Lucia, Dominica, Saint Vincent and Grenadine and Saint Kitts and Nevis have police forces only, although some paramilitary training is provided for special units. The police are generally organised and supervised according to British law enforcement practices.\textsuperscript{361} None of these Caribbean states has a system of conscription into security forces and, therefore, recruitment is on a voluntary basis only.\textsuperscript{362}

\textsuperscript{361} Library of the US Congress op. cit.
\textsuperscript{362} Radda Barnen (Swedish Save the Children) Website.
CENTRAL AFRICAN REPUBLIC

- Population:
  - total: 3,550,000
  - under-18s: 1,751,000
- Government armed forces:
  - active: 4,150
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182.

There are no indications of under-18s in government armed forces. The government has acknowledged that in the past students at military schools may have been drawn into armed conflicts or falsified documents in order to join. Low levels of birth registration further exacerbate the difficulty of verifying age for the purposes of recruitment.

CONTEXT

In 1996 and 1997 the Central African Republic experienced three successive mutinies by the Armed Forces. Mediation by the OAU led to the Bangui Agreements of January 1997 and brought the Inter-African Mission to monitor their implementation. The Inter-African Mission was replaced in April 1998 by the United Nations Mission in the Central African Republic (MINURCA), which remained in operation until February 2000. In November 1999 legislation was passed to restructure and reduce the size of the Presidential Security Unit, a force parallel to the military which was known for human rights violations. These plans have been delayed by lack of funds for severance pay and pensions for armed forces members. The loyalty of the military to the civilian government continues to remain doubtful.

GOVERNMENT

National Recruitment Legislation
Minimum age for conscription or enlistment into the armed forces is 18. Conscription is selective and military service lasts for 2 years.

Child Recruitment
In its initial report to the Committee on the Rights of the Child, the government stated that it had no intention of recruiting children into the armed forces in the past. However, it acknowledged that youths in training at the military academy had been drawn into the conflict. It was also suggested that due to the country’s poverty, young people looking for work sometimes falsified their documents in order to qualify as army recruits. However army medical examiners may declare that a recruit is too young to serve in the military. The government stated its commitment to applying international humanitarian law relating to children and armed conflict according to the Geneva Conventions and Additional Protocols.

In September 2000, during the CRC’s consideration of the report submitted by the Central African Republic, government representatives stated that children were not recruited in the armed
forces, and that “Even the armed upheaval that the country had lived through did not entail the
drafting of children into the army”. Furthermore it was stated that the government had taken
measures to monitor children who joined the army by falsifying their date of birth.\textsuperscript{368} Low levels
of birth registration, exacerbated by financial charges imposed by the state for this service, also
increase risks of underage recruitment.\textsuperscript{369}

\begin{itemize}
\item \textsuperscript{361} UN Security Council Resolution 1159 of 27/3/98.
\item \textsuperscript{363} Initial Report of the Central African Republic to the Committee on the Rights of the Child, CRC/C/11/Add.18, 18/11/98.
\item \textsuperscript{364} Horeman and Stolwijk op. cit.
\item \textsuperscript{365} Committee on the Rights of the Child, Summary record of the 657\textsuperscript{th} meeting: Central African Republic. CRC/C/SR657, 9/10/00.
\item \textsuperscript{366} UN Press Release, “Committee on the Rights of the Child starts examination of report presented by the Central African Republic”, 28/11/00.
\item \textsuperscript{367} Committee on the Rights of the Child, concluding observations: Central African Republic, CRC/C/15/Add.138, 16/10/00.
\end{itemize}
CHAD

REPUBLIC OF CHAD

- Population:
  - total: 7,458,000
  - under-18s: 3,906,000
- Government armed forces:
  - active: 30,350
  - paramilitary: 4,500
- Compulsory recruitment age: < 20 with consent
- Voluntary recruitment age: <18 with consent
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces; unknown in opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 182

There are indications of under-18s in government armed forces as Chad has no effective restriction on the military recruitment of volunteers who obtain the consent of a guardian. Both government and various opposition forces have recruited children for use in ongoing internal armed conflict. Demobilisation and reintegration procedures initiated in 1992 and 1996 were reportedly effective in reducing the scale of the problem. However, the government has not improved its legislative requirements regarding minimum age for recruitment, and in November 2000 was accused of forcibly recruiting children of the Zagava ethnic group, usually under 13 years old, for detecting landmines. The government has denied the charges.

CONTEXT

Chad has faced internal armed conflict since 1965. In May 1998 the government and the Armed Forces for the Federal Republic (FARF), a main armed opposition group in Southern Chad, signed a peace accord and the FARF eventually merged into the party in power under President Déby – the Mouvement Patriotique du Salut (MPS). Other armed groups continued lower intensity rebellions in the Northeast. In October 1998 a new rebellion erupted in Northern Chad by a group known as the Mouvement pour la Démocratie et la Justice au Tschad (MDJT), which currently presents the main challenge to government. In July 1999 the government and another main armed opposition group, the Movement for Democracy and Development (MDD) signed a reconciliation accord in Khartoum, Sudan. But in December 1999 thirteen armed political movements (excluding the MDJT) announced the formation of a new alliance against the government, the Coordination des Mouvements Armes et Politiques de l’Opposition (CMAP). Fighting between government forces and opposition groups intensified at the end of 2000.

Chad also sent troops to the Democratic Republic of Congo in late 1998 to aid President Kabila. Chad also reportedly sent troops to Sudan in 1998 to bolster the Sudan governmental campaign against the Sudanese People’s Liberation Army (SPLA), but Chadian authorities denied such actions. There is no evidence that these contingents contained under-18s.

GOVERNMENT
National Recruitment Legislation and Practice
Military service is compulsory according to Article 51 (2) of the 1996 Constitution, which states that "[T]he defence of the Fatherland and the integrity of the national territory is a duty for every Chadian", and that "[T]he conditions for accomplishing this duty are determined by law." Article 14 of the armed forces reorganisation ordinance (Ordinance No. 01/PCE/CEDNACVG/91) of 16 January 1991 establishes a minimum recruitment age of 18 for volunteers and 20 for conscripts. However, Article 52 of the General Statute of the Army (Ordinance No. 006/PR/92) adopted in 1992 states that a non-emancipated minor can be enrolled with the consent of his tutor.373

Conscription is applied selectively to some groups. Conscripts are divided into two groups. One group, the size of which is fixed annually by decree, is effectively enrolled into the armed forces. The second group remains at the disposal of the military authorities for two years.374 According to the Government, military service is performed only by graduates of the National College of Administration and the National College of Physical Education and Sports.375

Child Recruitment and Deployment
The government claims it does not currently recruit under-18s into the military. However the legality of enlisting minors who have attained the consent of a guardian undermines this claim. The Ministry of Foreign Affairs and Cooperation acknowledged in 1999 that there is effectively no minimum age for participation in armed conflict.376

The Chadian armed forces have in fact been known to recruit children between 12 and 15 years old. The government has in the past acknowledged the recruitment of minors, and twice – in 1992 and 1997 – undertook measures to demobilise child soldiers and prevent their recruitment both by government and opposition armed forces.377 These mechanisms are generally considered to have been effective in reducing the extent of the problem. The Chadian Minister of Justice in May 1999 reported to the Committee on the Rights of the Child that minors were not recruited into government forces because of a programme for the reorganisation of the army that provided for the demobilisation of all young people who were members of the political-military movements, and for their reintegration into civilian life. Chad’s report emphasised the psychological reintegration of children into society, but noted that due to lack of funds child soldiers maimed during the war had not yet been compensated.378

There are credible reports that minors continue to serve in military installations in the north, and reports of the forced recruitment of children – in particular teenage Zaghawa – by government forces in 2000.379 In November 2000 the World Organisation Against Torture (OMCT) reported that many of these children were under 13 years old and were sent to the frontline to detect landmines. Recruitment is thought to be carried out by the Fast Intervention Forces and the Presidential Guard, who arrest the children and place them in the armed forces operating in the north. Some parents of those recruited have been assaulted and killed. The government denied the charges of forced recruitment.380 But in 2001 there have been reports that Chadian families are forced to choose between letting one of their children be recruited into Idriss Déby’s armed forces, or participating in the war effort by giving a certain amount of money or part of their crop. In contrast, child abduction was reported to have almost disappeared in the country.381
OPPOSITION

In the 1990s there were at least five armed opposition groups operating at any one time in the West, East and South of Chad, mostly originating from the Chadian National Liberation Front (FROLINAT) created in 1966. In 1999 an alliance of thirteen armed political movements, the Coordination des Mouvements Armes et Politiques de l'Opposition (CMAP) was formed. The most serious challenges to the government have been presented by the Armed Forces for the Federal Republic (FARF) operating in the South, the Movement for Democracy and Development (MDD), and the Movement for Democracy and Justice in Chad (MDJT). However the FARF and the MDD were integrated into the Chadian National Army in 1998 and 1999. A number of other sporadically operational armed opposition groups split into factions in 1999, including some that allied themselves to the government. Many opposition factions later joined into the CMAP (Coordination des Mouvements Armes et Politiques de l'Opposition) alliance.

Child Recruitment and Deployment

The Minister of Justice reported to the UN Committee on the Rights of the Child that opposition forces were known to have forcibly recruited children. Other sources have also reported the use of child soldiers by opposition groups, particularly around the time of previous demobilisation attempts. In 1997 a mediation body was created within the office of the Prime Minister, which approached opposition groups to advocate against the use of child soldiers. There is no data available on numbers of underage soldiers demobilised during the 1997 initiative, or whether soldiers integrated into the Chadian National Army included any minors. There have been no recent reports of underage recruitment by currently operating opposition groups.

DEVELOPMENTS

Demobilisation

The Committee on the Rights of the Child, in its report of July 1999, found that the government of Chad had demonstrated awareness and political will regarding the problems of children in armed conflict. However, the committee reported that the government lacks resources to support the rehabilitation and social reintegration of demobilised child soldiers.
OMCT Appeal op. cit.

368 Concluding observations of the Committee on the Rights of the Child: Chad. CRC/C/87 (30/07/99), para. 35.
CHILE

REPUBLIC OF CHILE

- Population:
  - total: 15,019,000
  - under-18s: 5,082,000
- Government Armed Forces:
  - active: 87,000
  - reserves: 50,000
  - paramilitary: 29,500
- Compulsory recruitment age: 18
- Voluntary recruitment age: 16-18 (unclear)
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 182

There is no evidence of under-18s in government armed forces, however the minimum age for voluntary recruitment is unclear and may be as low as 16.

GOVERNMENT

National Recruitment Legislation and Practice

Article 22 of the Constitution provides that “Chileans have the fundamental duty to honour their fatherland, defend its sovereignty and contribute to the preservation of national security […]. Military service […] as prescribed by the law is compulsory on the terms and in the manner set forth therein. Chileans able to bear arms must be inscribed in the Military Registers, unless they are legally exempt from this requirement.”

The Law on Recruitment and Mobilisation of the Chilean Armed Forces, Decree Law No.2.306 of 12 September 1978 regulates military service. Article 13 states that all Chileans of both sexes between 18 and 45 years of age are obliged to perform military service. Every year, all men who will reach their eighteenth birthday before 30 March of the following year must register before 30 September. Military service was reinstituted for women in 1999. Such service is voluntary and the women do not serve in combat units.

According to one commentator the minimum age for voluntary recruitment is 16. Other commentators assert that there is no voluntary military service or that it can be performed only by men or women 18 years of age.

According to the Government there is no voluntary service for minors, but 17 and 18-year-old students may voluntarily participate in military training courses on weekends during the winter in order rather than perform military service for an entire year. These courses do not include the use of weapons. There are a number of military schools in Chile. According to government officials, students under 18 needs parental authorisation attested by a notary. Students are not members of the armed forces.
DEVELOPMENTS

**International Standards**

Chile supported the adoption of 18 as the minimum age for recruitment and participation in hostilities\(^{394}\) but has not yet signed the CRC-OP-CAC.

\(^{387}\) Information obtained from the Comité de defensa de los derechos del Pueblo.

\(^{388}\) Maldonado, C., “Servicio military in Chile: del ejercito educador al modelo selectivo”, 1996; also Chilean Army website on military service for women: [www.ejercito.cl/carrera/mujer.htm](http://www.ejercito.cl/carrera/mujer.htm).


\(^{390}\) Information obtained from the Comité de defensa de los derechos del Pueblo.

\(^{391}\) Maldonado, C., op.cit.

\(^{392}\) Statement of the Chilean Ministry of Foreign Affairs to the Latin American and Caribbean Conference on the Use of Children as Soldiers, Montevideo, Uruguay, 5-7 July 99; fax of the Ambassador to the Chilean Permanent Mission to the United Nations Office at Geneva sent to CSC, 30/7/9999.

\(^{393}\) Ambassador to the Chilean Permanent Mission op. cit.

\(^{394}\) Ibid.
CHINA

PEOPLE’S REPUBLIC OF CHINA

- Population:
  - total: 1,266,838,000
  - under-18s: 380,430,000
- Government armed forces:
  - active: 2,470,000
  - reserves: 500,000-600,000
  - paramilitary(active): 1,100,000
- Compulsory recruitment age: 18
- Voting age (government elections): 18
- Voluntary recruitment age: no minimum age
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: signed on 15 March 2001
- Other treaties ratified: CRC; GC/API+II.

- There are indications of under-18s in government armed forces as voluntary recruits under 18 are accepted. Minors also appear to have been involved with armed Uyghur nationalist groups.

CONTEXT

Cross-strait relations with Taiwan have stabilised in the past year but continue to remain tense. In March 2001, China announced an 18 per cent increase in its defence budget. There are armed opposition activities in the province of Xinjiang where elements of the non-Chinese Muslim Uyghur community are seeking independence, reportedly with links to armed groups in Afghanistan and Pakistan. The state has cracked down with force, committing grave human rights violations against Uyghurs and members of other ethnic minorities.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is enshrined in article 55 of the 1982 Constitution which states that “[i]t is the sacred obligation of every citizen of the People’s Republic of China to defend the motherland and resist aggression. It is the honourable duty of citizens of the People’s Republic of China to perform military service and join the militia in accordance with the law.” According to Article 80 of the Constitution, the President of the People’s Republic of China has the power to proclaim a state of war and issue mobilisation orders.

The current legal basis for military service is the 1984 Military Service Law. According to this law, the military service system is based mainly on conscription and “combines conscripts with volunteers and a militia with a reserve service” (Section 2). Section 12 of this law states that: “Each year, male citizens who have reached 18 years of age by 31 December shall be enlisted for active service. Those who are not enlisted during the year shall remain eligible for active service until they are 22. To meet the needs of the armed forces, female citizens may be enlisted for active service according to the provision of the preceding paragraph.” Conscripts must be
registered for military service by 30 September of the year during which they reach 18 years of age (Section 13). Military service is for 2 years according to a 1998 amendment to this law.

Voluntary recruitment is governed by section 12 of the 1984 Military Service Law which states that “To meet the needs of the armed forces and on the principle of voluntary participation, male and female citizens who have not yet reached 18 years of age by 31 December of a certain year may be enlisted for active service”. No information is given on the minimum age for voluntary recruitment. This amended Military Service Law allows those serving voluntarily to remain in the armed forces for up to 30 years, 12 years longer than was previously the case. This change was made in order to encourage voluntary enlistment.

The reserve forces have become an important element of the Chinese defence doctrine for military and economic reasons. Section 23 of the Military Service Law states that “[P]ersons serving in the soldiers’ reserve shall be between the ages of 18 and 35.”

The Chinese armed forces are finding it difficult to enlist the requisite numbers of recruits. Enthusiasm for military service is particularly low among one-child families. Authorities have promulgated regulations to boost recruitment. On 9 October 1999, a joint circular was issued concerning efficiency in conscription. The circular called up young males from 18 to 20 years of age, and females from 18 to 19 years of age, for conscription procedures. It also declared that 17-year-old females can be voluntarily recruited if they meet the special demands of certain military departments. There is apparently no provision in the circular for underage boys to enlist. All drafted males are required to have completed at least a junior-school education, while only females who are senior-high graduates will be drafted that year.

Military Training and Military Schools
Military academies in China have been reorganised many times during the past decades and their number has been reduced. The last restructuring was done in July 1999 when four new military schools were established. No information is available on entry requirements but it seems that applicants must be over 18 years of age according to section 30 of the Law on Military Service states that: “[M]ilitary institutes and academies may, according to the needs in building up the armed forces, enrol cadets from among young students. The age limit for the cadets to be enrolled must be the same as that for the active servicemen”. However, if this section is linked with the third paragraph of Section 12 of the same law, it appears that under-18s can be enrolled. The People’s Liberation Army Navy (PLAN) has about 13 schools for training a large number of sailors and officers, four for training commanding officers, and nine for technical and non-commissioned officers.

There are close links between the military and the education system. Students at nearly all colleges and universities are expected to undergo one month’s military training (Section 43 to 46 of the 1984 Military Service Law). The training period was shortened to one month in 1993 since it appeared that students preferred to go to colleges below their standard of education rather than undergo military training. The Chinese armed forces have been particularly short of well-educated youth within their ranks and have set up a system of scholarships in key universities to recruit talented youngsters into the military. The amount of these scholarships (US$600) is much higher than many existing scholarships offered by schools or enterprises. Applicants may be asked to attend military drill during schooling and before starting their military career.
OPPOSITION

There are about 20 Uyghur nationalist opposition groups in Xinjiang province. They are mostly very small, disorganised and not very active. One of the largest groups is the East Turkestan National Liberation Front which seeks independence for the province. The Home of the Youth is another group of more than 2,000 – mainly young members.

Child Recruitment

It has been reported that teenagers and children have taken part in separatist groups, although the degree to which they have participated in armed activities is unknown. A 16-year-old boy was among 29 others sentenced at a public rally held in a sports stadium in Gulja (Yining) city on 22 July 1997 for offences allegedly committed during protests and rioting in February 1997. Unofficial sources reported that at a public sentencing rally held in Yarkant (Shache) the same year, seven men and boys, aged from 16 to 25, were sentenced for involvement in allegedly “separatist” activities. Concerns have been raised about the fairness of political trials in China.

DEVELOPMENTS

International Standards


306 AI Report 1999
307 Blaustein and Flanz op cit.
309 Horeman and Stolwijk op. cit.
311 “China issues winter conscription notice”, BBC Monitoring Service, 9/10/99; “China: State Council issues winter conscription order”, BBC Monitoring service, 10/10/99; “China starts winter conscription”, People’s Daily, 10/10/99
313 “Four new military schools set up”, China Daily, 3/7/99.
315 Horeman and Stolwijk, M..
317 Balencie and de La Grange op. cit.
COLOMBIA

REPUBLIC OF COLOMBIA

- Population:
  - Total: 41,564,000
  - Under-18s: 16,235,000
- Government armed forces:
  - Active: 153,000
  - Reserves: 60,700
- Paramilitary: 95,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: indicated in armed opposition groups and paramilitaries – estimated number 14,000
- CRC-OP-AC: signed 6 September 2000, supports “straight-18” position
- Other treaties ratified: CRC; GC/AP/I+II

Children as young as eight-years-old are fighting with guerrilla and paramilitary groups in Colombia. Children are often recruited forcibly and face harsh punishments, including death if they attempt to desert. The government has ended the recruitment of under-18s and demobilised those remaining in its armed forces, but continues to enlist students in military schools from age 15.

CONTEXT

Armed conflict has been ongoing for almost 50 years involving government armed forces, guerrillas since the 1960s, and paramilitary groups originally set up by the government during the 1980s and now tacitly supported. The conflict is related to land and control of coca, mining and oil resources. All sides in the conflict have committed human rights abuses and political violence has increased dramatically in the country. The main armed opposition group, Fuerzas Armadas Revolucionarias de Colombia – FARC (Armed Revolutionary Forces of Colombia), controls the despeje, a zone the size of Switzerland from which the military has withdrawn. Peace talks continue between the government and the FARC but have yet to yield any concrete advances. Despite efforts to resume negotiations between the ELN and government, obstacles still remain.

In 2000, the Colombian government launched a six-year plan for ‘Peace, Prosperity and Strengthening of the State’ known as ‘Plan Colombia’. The US government pledged a multi-billion dollar military assistance package in support. There are grave concerns, both within and outside Colombia, that Plan Colombia may lead to an increase in human rights violations, including child recruitment.

GOVERNMENT
National Recruitment Legislation

Article 216 of the 1991 Constitution states that: “All Colombian citizens are obliged to take up arms when public need mandates it in order to defend national independence and the public institutions. The law will determine the conditions which at all times qualify an individual for exemption from military service and the benefits for service in them”.411

According to Law 48/93, “All Colombian men are obliged to define their military situation from the date they achieve the majority of age, with the exception of the students of the “bachillerato” (baccalaureate), who will define when they obtain their school baccalaureate certificate. The military obligations of Colombians end when they turn 50” (article 10).412

On 23 December 1999, the government adopted Law 548 amending Law 418 of 1997 to establish that “Those below the age of 18 will not be incorporated into the ranks to serve military service. The incorporation of students of eleventh grade, below this age that, according to Law 48 of 1993, should be chosen to serve such service, will be postponed until they reach the referred age.” (Article 2)413 This was reinforced by internal police Instructivo No. 8 of January 19 2000 which stated that: “no minors will be incorporated for the military service in the National Police”.414

Bachillerato students are able to choose to do the military service when they turn 18 or when they finish their studies, subject to proof that they are attached to a university (Law 548 of 1999 and law 642 of 2001).415 The law that regulates this issue establishes different modes of military service, according to the number of places and the needs of the forces: “bachiller soldier”, 12 months; regular soldier, between 12 and 24 months; auxiliary of "bachiller soldier", 12 months.416

Article 14 of Law 418, known as "Public Order" (Ley de Orden Público) , approved by the President on 26 December 1997 criminalises the recruitment of under-18s as follows: “Any person who recruits minors as members of rebel or self-defence groups, forces them to join such groups or receives them into such groups and any persons who give them military training for that purpose shall be liable to three to five years’ imprisonment. Members of outlaw armed organizations who recruit young persons under eighteen (18) years of age into said organizations shall not be entitled to the legal benefits for which this Act provides.”417 Law 418 also established that minors (less than 18 years old) should not join the army even on a voluntary basis.418

National Recruitment Practice

Before December 2000, approximately 16,000 under-18s were part of the Colombian armed forces. After protests from relatives, the government said under-18s would only be assigned office duties and only sent to conflict areas once they had turned 18. This was not always observed, however, and youths were still at risk since they were considered legitimate military targets by remaining in military installations and wearing military uniforms. There were also reports of ill-treatment of bachilleres.

On 20 December 1999, the Colombian Army discharged 618 persons under the age of 18 from the Army and more than 200 others from other forces. After Law 548 was adopted, there have
been two incorporations of auxiliary “bachilleres”, but none of these included people under the age of 18.  

Military Training and Military Schools

In 2000, there were officially 32 military schools in Colombia. While the majority of military schools set a 18 as the minimum age of entry, the minimum age for the 2001 intake for sub-officer training is 17 and officer training is 15. The minimum age to join the Escuela Militar de Cadetes General José María Córdova (Military Cadets School General José María Córdova) is 15 years of age. To join the Escuela Naval Almirante Padilla as a cadet the minimum age is 16. No information was available regarding the number of under-18s currently enrolled in such programs or whether they are members of the armed forces.

CHILD RECRUITMENT BY ARMED GROUPS

Children as young as 8 of both sexes are currently fighting as soldiers in the Colombian conflict. They are recruited, often forcibly, into the ranks of armed groups, paramilitaries and militias. Children under the age of 18 are used for many different tasks, including as combatants, for kidnapping, guarding hostages, as human shields, messengers, spies, sexual partners and as “mules” to transport arms and place bombs. It is likely that many of these children are also active in the production of coca, given the close links between groups that use children and the drug trade.

The guerrillas refer to child soldiers as “little bees” for their agility and power to sting; the paramilitaries as “little bells” because they are deployed in front to draw fire, detect traps and serve as an early warning system. In the cities, child members of militias are called “little carts” because they ferry drugs and weapons without raising suspicion.

Armed opposition groups are estimated to include 4,000 children below the age of 18, with a third of them estimated to be girls. Right-wing paramilitaries and militias are estimated to include 3,000 children, some as young as eight years old. Urban militias, linked to various parties to the armed conflict are estimated to include approximately 7,000 children below 18 years of age. According to UNICEF’s Colombia office, 80% of the new armed groups’ fronts are made up of women and children. In what is a worrying trend, increasing numbers of child soldiers are being “born into” armed groups because their parents are members. According to the People's Ombudsman Office, 20 per cent of all Colombian children directly or indirectly participate in the armed conflict.

Between 1 January and 27 April 2001, the Colombian Army reported 53 cases of child soldiers; 24 were captured during military operations, while 29 were deserters; of these 19 were girls and 34 boys.

In rural areas, families caught in the cross-fire often are forced to offer their children to guerrilla units in order to survive. In many areas children are taken by armed groups or paramilitaries as part or in lieu of taxes families must pay. According to press reports, families from the despeje, as well as from Arauca, Valle del Cauca, and Antioquia departments have fled their homes because guerrilla groups have tried to recruit their children forcibly. On 4 May 2000, a woman
from Norte de Santander department, with the help of the Colombian military, delivered her 12-year-old son to the ICBF to protect him from the FARC, which was trying to recruit him forcibly.\footnote{432}

There are also many cases of so-called “voluntary” recruitment given the lack of other education and employment opportunities for boys and girls. Many join the guerillas, but mostly paramilitary groups, because they are promised a wage. Sometimes runaways join the armed groups as a result of family violence or losses; others want to ‘defend’ their families against attacks from the paramilitary.\footnote{433} Interviews carried out with girl combatants who left armed groups during the 1990s indicate that they joined because they fell in love with guerrilla boys.\footnote{434}

Child combatants receive comprehensive though rapid military training (including in the use of weapons, manufacture of bombs and military strategy). Child soldiers are virtual prisoners of their commanders; punishments for infractions are often extremely harsh and sometimes involve death.

According to numerous reports, girls are frequently subjected to sexual abuse.\footnote{435} The Office of the UN High Commissioner for Human Rights has received reports of sexual abuse of girls serving in the ranks of the guerrillas and paramilitaries, generally by middle-ranking officers.\footnote{436} The FARC operates a “sexual freedom” policy and there are reports of young girls being fitted with intra-uterine devices or given contraceptive injections. In one case a fifteen-year-old combatant who was killed was found to be pregnant.\footnote{437} Cases of sexual slavery are common. The Roman Catholic Church documented one case of a 13-year-old girl who was recruited by the guerrillas and used for sex before a nun persuaded them to release her.\footnote{438} Adolescent girls are often recruited for special missions, which involve them being forced to have sexual relations with government soldiers in order to get information from them.\footnote{439}

Reports indicate that there was an increase in children abandoning the ranks of the guerrillas during 2000 at great peril to their lives.\footnote{440} Runaways are considered deserters and are often executed on the spot by the FARC and ELN.

**Government Treatment of Suspected Child Soldiers**

Colombia does not have legislation affording special legal status or treatment to child soldiers. Juvenile deserters and those who are captured are considered criminals.\footnote{441} Children who are captured or surrender are sent for trial before a juvenile judge or to a judge ascribed to institutions for juvenile offenders.

According to information obtained by the Inter-American Commission on Human Rights, surrendered or captured child soldiers are often incorporated into the armed forces or detained in military installations instead of being presented before a judge to be tried. They often remain in uniform in military bases.\footnote{442} The armed forces have forced former child guerrillas to appear before the press and to make statements, prepared by the armed forces, in order to discredit the guerrillas.\footnote{443} There are also reports of the Army forcing captured child soldiers to find and deactivate landmines laid by armed groups, or to act as informants and guides.\footnote{444}

The Government’s *Instituto Colombiano de Bienestar Familiar* (Family Welfare Institute) opened the first home for former child soldiers in 2000.\footnote{445} Places in these programs, however, are
extremely limited and the majority of former child soldiers are placed with hardened juvenile delinquents in camps.

The People's Ombudsman Office indicated that between 1994 and 1996, 13 per cent of children who have been placed in such detention centres were killed by fellow inmates. Due to the security risks faced by former child soldiers, the locations of many re-integration programs are kept secret and many children change their name. This often leads to long delays before they can return to their families, if at all.

The involvement of children as combatants in the conflict has also placed other children at risk. On 15 August 2000, for instance, an army unit near Pueblo Rico, Antioquia, mistook a party of schoolchildren for a guerrilla unit and opened fire, killing six children aged between 6 and 10, and wounding six others.

**OPPOSITION**

**Revolutionary Armed Forces of Colombia (FARC)**

The *Fuerzas Armadas Revolucionarias de Colombia – FARC* (Revolutionary Armed Forces of Colombia) is the largest armed group in the country. It was established in the mid-1960s and originally espoused a Marxist ideology. The FARC advocates widespread reforms and re-distribution of wealth as outlined in its 10-point program. A large percentage of the FARC’s income is derived from “taxes” imposed on drug operations in FARC-controlled regions, as well as kidnapping and extortion.

In June 1999, the FARC pledged to the Special Representative of the UN Secretary-General for Children and Armed Conflict not to recruit children below the age of 15. More recently it has stated publicly that it does not recruit anyone under the age of 15 and that youngsters who have joined themselves are returned to their families.

According to press reports, in April 2000 FARC military commander Jorge Briceño Suarez admitted that the FARC made regular use of child combatants. FARC leader, Manuel “Sure shot” Marulanda, told reporters when asked about calls for the group to stop enlisting minors: “They’re going to stay in the ranks”.

The FARC reportedly announced in 2000 that all persons between the ages of 13 and 60 in the despeje zone are liable for military service with the guerrillas; families fleeing the zone reported that they were asked to surrender children to the FARC as of their 14th birthday. The Roman Catholic church reported that the FARC lured or forced hundreds of children into its ranks in the despeje zone and other areas under its control.

In June 2000 the FARC reportedly recruited at least 37 youths, including minors, in the municipality of Puerto Rico in southern Meta department. According to one NGO, in Putumayo the FARC instigated compulsory service of males between the ages of 13 and 15 and was recruiting in high schools.
The Colombia Office of the UN High Commissioner for Human Rights continued to receive complaints during 2000 of the FARC continuing to recruit children under 15 years of age.\textsuperscript{456} The FARC persisted in this practice, in violation of their internal rules and in spite of the fact that they returned some children to their families in the despeje zone.\textsuperscript{457} Eight FARC guerrillas, all estimated to be between the ages of 13 and 15, were killed during a January 2000 attack on the town of El Castillo, Meta department.\textsuperscript{458} Footage of FARC child soldiers, in what is believed to be a training video, were aired on Colombian television in May 2001. The footage shows guerrillas, some as young as 11 making missiles and digging mass graves for dead guerrillas.\textsuperscript{459} In August 2000 members of the FARC reportedly killed a school rector in Meta department for criticizing the recruitment of his students.\textsuperscript{460}

The FARC is also known for recruiting children in Venezuela where it conducts some activities. Parents have reportedly been paid US$600 a month for the recruitment of their child. In October 2000, Luz Celeste Gonzalez Aguilar, a 16-year-old Venezuelan national, surrendered to the Colombian Army after 6 years with the FARC. She confirmed reports of FARC recruitment of under-18 Venezuelan children.\textsuperscript{461} She had been serving with other Venezuelan youths under the age of 18, who had been recruited by a network operating in Venezuela.\textsuperscript{462}

FARC activities have been reported also in Bolivia, Ecuador and Panama. There are concerns that the armed group might also recruit children from those countries or Colombian children displaced to other regions.

\begin{quote}
“They came to collect and my father said he didn’t have the money. They asked me to go with them. My father said no. They took me anyway,” former FARC child soldier.
\end{quote}

\begin{quote}
“They held a court and found her [a girl presumed to be a spy] guilty. They ordered me to lead her away and shoot her, and at first I hesitated but then I did it. To [the guerrillas] it was a proof of my loyalty, but to me it didn’t prove anything,” Gloria, who joined the FARC when she was 11.
\end{quote}

\begin{quote}
“One looses privileges like being at home with your family. Now I just want to train an go back to my house to be with my brothers and sisters,” Jorge, 14, former FARC guerilla.
\end{quote}

\begin{quote}
“I am marked, and cannot walk out on the streets as there are guerrillas everywhere and they will kill me. I just can’t relax, I cannot visit my family because it’s so dangerous,” Adriana, former Colombian child soldier.
\end{quote}

\begin{quote}
“One day some men who rule [where I lived] arrived and told me I had to fight against bureaucracy … I don’t know what bureaucracy is, and in three days they taught me how to handle weapons,” “Tamaris” a thirteen-year-old FARC ex-combatant.
\end{quote}

National Liberation Army (ELN)

The \textit{Ejército Nacional De Liberación – ELN} (National Liberation Army) is the second largest guerrilla group in Colombia. In 1987, it joined the FARC and other guerrilla groups to form a joint front called \textit{Coordinador Guerrillera Simón Bolivar}.
On 15 June 1998, the ELN signed the Mainz “Heaven’s Gate” agreement in which it committed itself not to recruit anyone under the age of 16 into its ranks.\textsuperscript{463} There are, however, consistent reports that the ELN continues to recruit children under the age of 15 into its ranks. In one earlier case from October 1997, the ELN attempted to use a nine-year-old child to deliver a bomb to a polling place in Cucuta.\textsuperscript{464}

**PARAMILITARIES**

The Autodefensas Unidas de Colombia -- AUC (United Self-Defence Groups of Colombia) is a right-wing paramilitary umbrella organization. It was formed in the early 1980s in response to kidnappings by guerrilla groups. Human rights activists claim the paramilitaries are responsible for most of the human rights abuses committed in Colombia. The paramilitaries allegedly fund their actions from the cultivation and trafficking of drugs.\textsuperscript{465}

Although the Colombian government denies any links with paramilitary groups, numerous reports continue to be received of state officials directly participating in or turning a blind eye to paramilitary activities.\textsuperscript{466}

Various sources indicate that 15 per cent of paramilitary groups are under 18 and in certain areas up to 50 per cent of some paramilitary units are children. Children as young as eight have been seen on patrol with paramilitaries.\textsuperscript{467}

Paramilitary groups are reported to have resorted to forced recruitment. In May 2000, the Autodefensas Unidas del Sur del Casanare circulated leaflets in the rural area of Monterrey (Casanare) calling up young people living in the region for “compulsory military service”. In October 2000, paramilitaries took away several youths in Puerto Gaitán (Meta) by force for military training.\textsuperscript{468}

Paramilitaries consider service compulsory for as long as two years. Families who refuse risk being considered sympathetic to armed opposition groups and attacked. According to the People's Ombudsmen Office, girls are at particular risk, and a high level of sexual abuses by adult paramilitaries has been reported.\textsuperscript{469}

The Inter-American Commission on Human Rights received reports of paramilitary groups offering money to children in poor neighborhoods or internally displaced camps to entice children to join their ranks. On 25 March 1998, journalists reported seeing a group of over 50 students, including 10 girls, leave their town to join the paramilitaries, tempted by the salaries they were offering despite attempts by fellow students and community leaders to dissuade them.\textsuperscript{470} In September 1997 members of the Autodefensas Campesinas de Córdoba y Urbá (ACCU) – part of the AUC umbrella group -- recruited 50 under-18s during a single day by offering them money in Policarpa neighbourhood of Apartadó, Antioquia.

**MILITIAS**

Urban militias emerged in Colombia in the 1980s. Some militias were independent and others received training and weapons from armed opposition or paramilitary groups.\textsuperscript{471} Indigenous
people and Afro-descendants have been pressured by guerilla groups to form militias in areas previously under their control but re-taken by paramilitary groups, particularly in Valle and Cauca Departments.

It is estimated that some militia groups are comprised of 85 per cent children, a high proportion of these being kidnap victims.\(^{472}\)

Militias are considered as good training grounds for future combatants\(^ {473}\) and have been targeted as such by opposing groups.

**DEVELOPMENTS**

**Prevention and demobilization programs**

In 1999, the ICBF established a special program to deal with the re-integration of former child combatants who have escaped or been captured. In addition, several other independent re-integration programs (for example, Alborada de Vida, Don Bosco) operate throughout the country. AFSC “Comite Andino de Servicios”, the Colombian Program of Catholic Relief Services, and the Diocese of Granada are jointly undertaking a program of prevention and protection of children in the demilitarised zones.

**High-level visits**

The Special Representative of the UN Secretary-General for Children and Armed Conflict, Mr Olara Otunnu, visited Colombia in June 1999. Government officials announced their intention to stop enlisting under-18s and the FARC committed itself not to recruit children under the age of 15. During his visit Mr Otunnu tried to ensure that “the protection and welfare of children are placed prominently on the peace agenda”.\(^ {474}\)

The UN High Commissioner for Human Rights visited Colombia in December 2000. Her report to the 57th Session of the UN Commission on Human Rights called on all armed and paramilitary groups to stop the recruitment of children and demobilise those in their ranks.\(^ {475}\)

**International standards**

Colombia signed the CRC-OP-AC on 6 September 2000 and upholds the “straight-18” position.

When Colombia signed the Convention on the Rights of the Child in January 1990 government made a declaration in which it considered that “while the minimum age of 15 years for taking part in armed conflicts, set forth in article 38 of the Convention, is the outcome of serious negotiations which reflect various legal, political and cultural systems in the world, it would have been preferable to fix that age at 18 years in accordance with the principles and norms prevailing in various regions and countries, including Colombia, for which reason the government, for the purposes of article 38 of the Convention, shall construe the age in question to be 18 years”. The declaration referred only to “taking part in armed conflict” and did not mention recruitment. In depositing its instrument of ratification of the Convention in January 1991, the government entered a reservation to the provisions of these paragraphs, stating that the age referred to should be understood to be 18 years. When it withdrew its reservation on 26 June 1996, the Government of Colombia issued a political declaration stating that it would refrain from recruiting young people below the age of 18 into its armed forces or police for the purpose of taking a direct part
in hostilities. In view of the declaration made when the reservation to the Convention was withdrawn, articles 13 (no longer valid) and 14 were added to Law 418.

410 http://www.rb.se

411 http://www.georgetown.edu/LatAmerPolitical/Constitutions/Colombia/colombia.html


413 Ley No. 548 del 23 de diciembre de 1999.

414 Information provided by fax by the Ministry of Foreign Affairs of the Republic of Colombia to the CSC on the 2/03/01.

415 “Los jóvenes bachilleres podrán optar por prestar su servicio militar al cumplimiento de su mayoría de edad o cuando culminen sus estudios superiores, siempre que demuestren estar vinculados a un centro de educación superior o tecnológico; de acuerdo a lo ordenado en la ley 548 de 1999 y la ley 642 de 2001.”


417 CRC/C/70/Add.5, 5/01/00 , paragraphs 409-419.

418 Boletín de Prensa “El Ejército colombiano licencia a todos los menores de 18 años de us filas”, Unicef Colombia, 20/12/99. See also newspaper article: "Yo quería seguir en el ejército”.

419 Information provided by fax by the Ministry of Foreign Affairs of the Republic of Colombia to the CSC on the 2/03/01.

420 http://www.reclutamiento.mil.co/incorporaciones/body.htm

421 http://www.esmic.edu.co/ingreso.htm

422 http://sirius.enap.edu.co/infoingr.htm


424 Tercer Informe sobre la Situación de los Derechos Humanos en Colombia, Comisión Interamericana de Derechos Humanos, Organización de los Estados Americanos, OEA/Ser.L/V/II/102, 26/02/99. See also study be Defensoría del Pueblo, 1996-1998.


426 http://www.rb.se, these figures have also been confirmed by reliable sources within Colombia who have asked to remain anonymous for security reasons.


428 Statement of the People's Advocate to the Latin American and Caribbean Conference on the Use
of Children as Soldiers, Montevideo, Uruguay, 5-7 July 1999.


430 “Rights-Colombia: Children of War”, IPS, 12/03/99.

431 The Christian Science Monitor, Howard LaFranchi, “When war veterans are children,” 30/03/00.

432 US State Department Report 2000

433 Salazar, María Cristina, “Consequences of armed conflict and internal displacement for children in Colombia,” Winnipeg Conference on War Affected Children.

434 Ibid.


436 Report of the UN High Commissioner for Human Rights, 8/02/01, op cit


438 US State Department Report 2000


440 Report of the UN High Commissioner for Human Rights, 8/02/01, op cit

441 UN Wire, Child Soldiers: Colombia attempts to rehabilitate ex-warriors, 31/03/00.

442 Tercer Informe sobre la Situación de los Derechos Humanos en Colombia, Comisión Interamericana de Derechos Humanos, Organización de los Estados Americanos, OEA/Ser.L/V/II/102, 26/02/99.


444 The Independent, Jan McGirk, “Recruits a young as eight fight for Colombian guerrillas”, 19/11/99

445 The Christian Science Monitor, 30/03/00, op cit

446 HRW, War without Quarter Colombia and Humanitarian Law, New York, 1998.

447 Informe de organismos de Derechos Humanos sobre el crimen contra niños de Pueblorrico. 15/08/00 (http://www.derechos.org/nizkor/colombia/doc/pueblorrico.html)

448 www.farc-ep.org

449 Jane’s Intelligence Review, June 2000.

450 Special representative of Secretary-General for Children and Armed Conflict concludes humanitarian mission to Colombia, Press Release HR/4418, 9/06/99.
451 BBC World Service, “Colombian army: FARC uses child soldiers” 1/12/00.

452 US State Department Report 2000

453 Reuters, “Children ‘Cannon fodder in Colombia’s war”, 31/01/00

454 US State Department Report 2000

455 Ibid

456 Report of the UN High Commissioner for Human Rights, 8/02/01, op cit

457 Ibid

458 US State Department Report 2000

459 The Independent, McGirk, Jan, “Brutality of child army fil shocks Colombia,” 2/05/01.

460 US State Department Report 2000

461 El Nacional, Delgado, Eleonora “Venezolana desertora de las FARC era espia y experta en explosivos,” 20/10/00.


463 US State Department Report

464 US State Department Report 1997

465 Interview by Carlos Castaño with magazine “Cambio” reported in http://www.cnn.com

466 Informe Annual 2000. Comisión Interamericana de Derechos Humanos, Organización de Estados Americanos. OEA/Ser./L/V/II.111, 16/04/01.


468 Report of the UN High Commissioner for Human Rights, 8/02/01, op cit


472 The Independent, Jan McGirk, “Recruits a young as eight fight for Colombian guerrillas”, 19/11/99


474 Special representative of Secretary-General for Children and Armed Conflict concludes humanitarian mission to Colombia, Press Release HR/4418, 9/06/99.
475 Report of the UN High Commissioner for Human Rights, 8/02/01, op cit.
CONGO

REPUBLIC OF THE CONGO

- Population:
  - total: 2,864,000
  - under-18s: 1,513,000
- Government armed forces:
  - active: 10,000
  - paramilitary: 2,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): unknown
- Child soldiers: indicated - more than 6,000 in government forces and armed opposition groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

Thousands of children were systematically recruited into government and opposition forces during the civil war in the Congo. Disarmament, demobilisation and reintegration programmes have been established since a ceasefire agreement took effect in January 2000. However the programmes did not proceed as quickly as hoped, and so far there have been no reports regarding the demobilisation of children.

CONTEXT

Fighting erupted after contested parliamentary elections in 1993 and became full-scale civil war in 1997. After a brief respite, a new cycle of hostilities began in southern Brazzaville in Autumn 1998 and continued until the end of 1999. Government allied forces included Angolan troops, Rwandan Hutu militiamen, and irregular fighters of Chad and the Democratic Republic of the Congo. Armed groups included the Cocoye, which unveiled a new political movement called Mouvement National pour la Libération du Congo (National Movement for the Liberation of Congo, NMLC), and the Ninja. Fighting displaced some 800,000 persons and involved serious human rights abuses, including killings, 'disappearances' and rape. In November and December 1999 cease-fires were signed between government and Resistance Self-Defence Forces (FAR), a coalition of Cocoye and Ninja groups. The cessation of hostilities held throughout 2000, enabling the return of some 600,000 displaced persons. Armed opposition fighters who surrendered and handed over their weapons were offered amnesty in August, however disarmament and demobilisation did not proceed as hoped. In October 2000 weapons still held by combatants and the task of reintegrating ex-combatants and militias remained major challenges for the peace process.

GOVERNMENT

National Recruitment Legislation
Article 59 of the 1992 Constitution stipulates that “Every individual shall have the duty to preserve the peace and reinforce the national independence and territorial integrity of the Fatherland and in a general manner, to contribute to the defence of the country, under conditions
fixed by law.” However there has been no conscription since 1969. Enlistment in the armed forces is voluntary, with a minimum recruitment age of 18. In March 2001 talks began to draw up a new constitution.

There is one known military secondary school in the Congo, l'Ecole Militaire Préparatoire. The school was established in Brazzaville in 1956. No information is available regarding entry requirements.

Child Recruitment and Deployment
During the civil war children were systematically recruited into government supported militias. Between 7,500 and 10,000 people were members of government-sponsored or opposition militia groups during the June-October conflict. Militia groups recruited individuals between ages 15 and 35. Many of the teenage fighters were killed in combat.

The government acknowledged the use of children among the armed forces. In June 1998 the Congolese Foreign Minister claimed that child participation had only become a major issue towards the end of the civil war, when more children under the age of 16 took part in the fighting. By April of that year President SassouNguesso had agreed to cooperate with UNICEF to open a re-education centre for child soldiers in Brazzaville, by providing UNICEF with premises for this centre.

However children continued to be used during the 1998-1999 conflict. Government soldiers including Cobra militia forces were responsible for rape and summary executions, including orders to kill rebel fighters who had attained the ‘age of bearing arms’. And by January 2000 children still had reportedly not been demobilised and reintegrated into society. At that time the president of the Association for the Assistance of Women and Children in Need estimated some 6,000 child recruits remained, although earlier estimates suggested the number was much higher. By the end of 2000 the US Department of State reported that it was not known whether during the year any child soldiers had been demobilised as required under the 1999 peace agreements.

OPPOSITION
Since 1998 Armed groups have included the Cocoye, under the National Movement for the Liberation of Congo, and the Ninja. These two groups later formed a coalition known as the Resistance Self-Defence Forces (FAR).

Child Recruitment and Deployment
Witnesses reported seeing many children among opposition militia as they entered the capital in December 1998. One observer described: "That day, at about 11 am, there was a sudden clamour, clapping. I heard someone say, "They’re coming, it’s the Ninjas!" I went out and saw young men, not more than 14 or 15 years old, all wearing black shorts, bodies covered with charcoal, a gun in one hand, the bible in the other." Information about minors among the Cocoye is not available, but underage recruitment is thought to have taken place among all armed groups.
DEVELOPMENTS

Demobilisation
In October 2000 UNICEF reported that in the Congo "large numbers of desperate, idle and dropout poor adolescents and youth need urgent assistance and guidance. This group also includes the militia youth and child soldiers of which the precise number is not known." UNICEF cited the need for many of these youths to be reintegrated into the school system and employment.

In March 2001 the International Organisation for Migration and the UNDP reported that the collection of small arms and ammunitions among former militia fighters was gaining momentum. The reintegration programme run by the IOM and UNDP currently provides assistance to some 3,500 ex-combatants. There were no reports regarding underage combatants among this group or special efforts to target them.

479 UNICEF Humanitarian Action: Republic of Congo, 12/10/00.
480 Text at: http://www.uniwuerzburg.de/law/cf00000_.html
481 Goodwin-Gill and Cohn op. cit.; Brett and McCallin op. cit.
483 Les Ecoles en France et dans le Monde, at http://aetorg.citeweb.net/etab.html (as at March 2001)
485 Africa Confidential, 24/10/97; Newsweek, 20/10/97.
486 Reuters, "UN Department of Public Information, "Press conference by Foreign Minister of Republic of Congo", 16/6/98.
487 BBC World Service, "Brazzaville urges demobilisation of child soldiers", 29/1/00.
488 US Department of State op. cit.
489 "Congo: le bain de sang" Le Point, 9/1/99.
490 International organisation for Migration Press Briefing Notes, "Republic of Congo – Small arms collection and reintegration of former combatants", 16/3/01.
COSTA RICA

REPUBLIC OF COSTA RICA

- Population:
  - total: 3,933,000
  - under-18s: 1,532,000
- Government armed forces:
  - active: Nil
  - paramilitary: 8,400
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation
The armed forces were abolished by the 1949 Constitution. Article 12 states that “the army as a permanent institution is proscribed. For vigilance and the preservation of public order, there will be the necessary police forces.” The Constitution further provides for the introduction of both armed forces and military service when deemed necessary. Indeed, “only through continental agreement or for the national defence may military forces be organised; in either case they shall always be subordinate to the civil power.” Article 147 states that the Council of Government (President of the Republic and Ministers) “requests from the National Assembly a declaration of a state of national defence and authorisation to order military recruitment, organise the army and negotiate peace.”

DEVELOPMENTS

International Standards
Costa Rica signed the CRC-OP-CAC on 7 September 2000 and supports a “straight-18” position.
CÔTE D'IVOIRE

REPUBLIC OF CÔTE D'IVOIRE

- Population:
  - total: 14,526,000
  - under-18s: 7,433,000
- Government armed forces:
  - active: 13,900
  - reserves: 12,000
  - paramilitary: 1,500
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 21
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- There are no indications of under-18s serving in government armed forces.

CONTEXT

General Robert Guei assumed power through a bloodless coup on 24 December 1999 and in January 2000 disbanded quasi-military groups (including the Kamajors, Cossa Nostra, Cobra and Red Brigade) and the P.C. Crise that had formed within the military following the coup. However, government security forces acted independently of government authority on several occasions thereafter, most notably in military mutinies in March and July 2000 and during elections in October and December 2000. In October 2000 a people’s revolt brought thousands of protesters to Abidjan where they deposed the military government in support of opposition leader Laurent Gbagbo.

Incursions by Liberian opposition fighters have compelled authorities in Côte d’Ivoire to reinforce patrols along the country’s western border since 1994. France contributes approximately 500 troops to the Côte d’Ivoire.

GOVERNMENT

National Recruitment Legislation and Practice
The minimum age for recruitment has been successively lowered from 21 to 18. The 1961 Law on Military Recruitment No. 61-210 (modified by Law No. 62-230 of 29 June 1962) required all men of 21 years of age to complete six months of military service. It was believed that not all 21-year-old men were enlisted, and some sources have stated that recruitment is selective. Decree No. 89-769 of 21 June 1989 legalised the conscription of all individuals born in 1970. This lowered the minimum age for recruitment to 18½ years of age. Furthermore, the decree required all recruits conscripted on 6 July 1987 to remain in the armed forces until 29 June 1989. Therefore, at least for this group, military service actually lasted for two years.
Article 82 of the Armed Forces Code of 7 September 1995 established a minimum age of 18 for compulsory and voluntary military service, by both men and women, and prohibited acts contrary to international law governing armed conflicts. A postponement or exemption may be granted under article 88 in order to complete education.496

Military Training and Military Schools

The École militaire préparatoire technique of Bingerville, created in 1956, is a military secondary school under military command. Initially known as l’Ecole des enfants de troupe (the school of Children’s troops), it was created to provide children with moral, intellectual, technical and military education in order to prepare for their recruitment into the armed forces. It is attended not only by citizens of the Côte d’Ivoire, but by children from Benin, Togo, Senegal, Cameroon, Burkina Faso and Gabon.497 Information on the age of entrants is not available. Other military schools include the Centre for Naval Instruction and a program of application for the Gendarmerie, both in Abidjan. There is no available data on entry requirements.498

494 A military confrontation between Côte d’Ivoire and Liberia was averted on 23/1/99. "Near military border confrontation averted", Panafrican News Agency, 10 February 1999.
496 Initial report of the Cote d’Ivoire to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.41. para 42 and 92.
497 Military Schools in France and in the World, http://aetorg.citeweb.net/etab.html (as at 3/01); Africa Online, “45 ans après, le général Conté retrouve l’EMPT de Bingerville”, http://www.africamonline.co.ci/AfricaOnline/infos/fratmat/57EVE1.HTM
CROATIA

REPUBLIC OF CROATIA

- Population:
  - total: 4,477,000
  - under-18s: 971,000
- Government armed forces:
  - active: 61,000
  - reserves: 220,000
  - paramilitary: 40,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 16 with consent
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- There are indications of under-18s in government armed forces as voluntary recruitment is permitted from the age of 16. The state reserves the right to conscript 16-year-olds at times of imminent threat.

GOVERNMENT

National Recruitment Legislation

According to information provided by the Government to the Committee on the Rights of the Child, persons are subject to recruitment in the year in they attain the age of 17, but examination and registration take place at the age of 18 and recruits declared fit for service are only sent into the military in the year they reach 19. This information has been confirmed by the government in a recent communication to the Coalition. However in the event of "imminent threat to the independence and integrity of the Republic of Croatia or in the event of war, the President of the Republic can decree the recruitment of persons who have attained the age of 16 years and military service of recruits at age 17". The government stated that recruitment in such circumstances does not amount to conscription and that a proclamation by the Croatian Parliament is required before this decree can be issued.

The length of service is 6 months. Postponement of military service is possible until the age of 27. Women are not required to perform military service but in certain circumstances women up to the age of 50 may be obliged to serve in the reserve forces.

In post-conflict Croatia there have been discussions about the ongoing need for conscription with some reports suggesting it will be retained and others suggesting temporary exemptions for certain Serb nationals. Under the Agreement on Peaceful Reintegration of the Croatian Danube Region the conscription opt-out deadline for ethnic Serbs was deferred to February 2001.
 Accord to information given by Croatia to the Committee on the Rights of the Child, applications for voluntary recruitment can be made in the year of reaching the age of 17, and thus may include 16-year-olds. The Croatian Ministry of Defence affirms that voluntary recruitment of under-18s is only possible at the request of the conscript and with parental or guardian consent. It is believed that Croatia exempts former volunteers from performing compulsory military service.

Military Training and Military Schools
According to information provided by UNICEF there are military schools in Croatia but not at the primary or secondary education levels.

Child Recruitment
In its report to the Committee on the Rights of the Child, the Government declared that "in spite of large-scale war operations on the territory of the Republic of Croatia against a much better-equipped enemy, the President has not used the above-mentioned legitimate authority", referring to the right to recruit 16-year-olds during situations of imminent threat to the Republic. Rather, the Government claimed that at the beginning of the war with the Federal Republic of Yugoslavia, a number of persons from 17 years of age "who had not been recruited nor had served the army, joined the armed units of the Croatian Army of their own accord" and that ", according to the information available to the competent authorities, these persons were released from the army and sent for recruitment and military service in compliance with above-mentioned legal provisions".

499 Blaustein and Flanz op. cit.
502 Initial Report of Croatia to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.19, 7 December 1994, para. 339; Comments on the Report of the Working Group on a draft Optional Protocol to the Convention on the Rights of the Child on involvement of children in armed conflict, UN Doc. E/CN.4/1999/WG.13/2/Add.1, 8 December 1998. Additionally, the Croatian Ministry of Defence stated that "recruitment consists of the assessment of conscripts' capability for military service and of the determining of service -- in other words specialty. The registration, medical examinations and recruitment are not performed within the system of the Armed Forces and during the same conscripts are not given the uniform nor is he in any contact with fire arms" Furthermore, "[a]s the terms of service in the Croatian armed forces is 10 months, the obligation for such conscripts to serve in the reserve forces commences at the age of 18. Therefore, persons younger than 18 are not liable to serve in the reserve forces because they have not served the term of military training, so in the event of armed conflict they cannot be actively engaged in the conflict." (Communication to CSC, 12/11/99).
503 Ministry of Foreign Affairs, 16/3/01 op. cit. reasserts that draft registration takes place in the year the recruit becomes 17, they are sent for medical tests in the year they become 18, and are finally sent for service in the year they become 19.
504 Croatia report to the Committee on the Rights of the Child, op. cit., para. 339; also Ministry of Defence on 12/11/99 op. cit.
505 Ministry of Foreign Affairs, 16/3/01 op. cit.
506 Ministry of Foreign Affairs, 16/3/01 op. cit. Duration of military service pursuant to the amended Defence Act (Official Gazette No. 16, 27/2/01).
507 Horeman and Stolwijk op. cit; also Ministry of Defence, 12/11/99 op. cit.
508 See also AI, Out of the Margins, op. cit.; Ministry of Foreign Affairs, 12/11/99 to CSC.
510 In February 1999 it was reported that although professional brigades will remain the mainstay of the more than 50,000 strong Croatian Army (Hrvatska Vojska - HV), conscription will be retained.20 "BBC Monitoring International Reports: Croatian Minister willing to consider longer conscription opt-out for Serbs". BBC Monitoring Service, 17/8/99.
511 Two months later, the Croatian Defence Minister said "he was prepared to consider a possible extension for exemption of Serb nationals from the Croatian Danube (eastern Slavonia) from military service, however, that he did not agree they should be permanently excused." Information received from UNICEF, 22/6/99.
512 Letter from Croatian Ministry dated 16/3/01 op cit.
513 Ministry of Foreign Affairs, 12/11/99 op. cit.
514 Horeman and Stolwijk op. cit.
515 Croatia report to Committee on the Rights of the Child, op. cit., para. 339; also Horeman and Stolwijk op. cit.
512 Horeman and Stolwijk op. cit.
CUBA

REPUBLIC OF CUBA

- Population:
  - total: 11,160,000
  - under-18s: 2,857,000
- Government armed forces:
  - active: 58,000
  - reserves: 39,000
  - paramilitary(active): 26,500
- Compulsory recruitment age: 16/17 (unclear)
- Voluntary recruitment age: unknown
- Voting age (government elections): 16
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: signed on 13 November 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/API
- There are indications of under-18s in government armed forces. The government has in the past taken a position that 17 should be the minimum recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
Article 64 of the Cuban Constitution states that: "Defence of the socialist homeland is the greatest honour and the supreme duty of every Cuban citizen. The law regulates the military service which Cubans must do." Military conscription is regulated by the 1973 law on general military service (Servicio Militar Activo y el de Reserva). It has not been possible to obtain a copy of the relevant legislation and sources cite differing ages for minimum recruitment age. According to Article 67 of the Law on National Defence, all citizens between 17 and 28 years of age must perform military service for two years. Seventeen years is also the minimum age for conscription indicated in Cuba’s initial report to the UN Committee on the Rights of the Child in 1996, and in a statement to the Commission on Human Rights in 2000.

However, differing information is provided in a 1999 UN report, stating that all citizens aged 16 to 50 are liable for three years of military service. Human Rights Watch has also stated that Cuba's minimum age for compulsory recruitment is 16. Other sources have reported that men between 16 and 27 are liable for military service; in one case, the son of a dissident was allegedly recruited when he had just celebrated his 16th birthday.

The duration of the military service was reduced from three years to two in July 1991. Military service can be performed in the Cuban armed forces or in the National Revolutionary Police Force which is run by the Ministry of Interior. In practice, only men have to perform military service and the government has indicated that they are allowed to complete their service in two years in order to study a profession. Special measures have been taken in order to guarantee the right of women to take part in defence activities, both as professional soldiers and through Women's Voluntary Military Service for a period of two years.
There have been several allegations of the mistreatment of young conscripts, including specifically in Ganusa prison where conscripts between 17 and 21 years of age are detained for going absent without leave from their military base.  

Other reports indicate that the military assigns some conscripts to the Youth Labour Army where they serve their 2-year requirement working on farms that supply both the armed forces and the civilian population. According to Law No. 75, the activities carried out in this form of service are part of compulsory military service. This has led the ILO to conclude that service in the Youth Labour Army is a violation of the ILO Convention No. 29.

**Military Training and Military Schools**

There are several military academies and schools which train officers and specialist members of the armed forces. There is no information available on the age of entry into these institutions.

**DEVELOPMENTS**

**International Standards**

Cuba signed the CRC-OP-CAC on 13 November 2000 but does not support a “straight-18” position. During negotiations on the CRC-OP-CAC, Cuba supported 17 as a minimum age for compulsory recruitment.
CYPRUS

CONTEXT

Cyprus has been a de facto divided country since the Turkish invasion of 1974. Since then the southern part of the island has been under the control of the Government of the Republic of Cyprus. The northern part of the island has proclaimed itself the Turkish Republic of Northern Cyprus and is occupied by Turkish armed forces. This entity, although recognised only by Turkey, has its own authorities and conscription system.\textsuperscript{535} For these reasons it is treated separately in this report without implying any position in relation to its status or legitimacy. The two parts are separated by a buffer zone patrolled by a UN peacekeeping force, UNFICYP.

REPUBLIC OF CYPRUS

- Population:
  - total: 778,000
  - under-18-s: 222,000
- Government armed forces:
  - active: 10,000
  - reserves: 60,000
  - paramilitary: 750
- Compulsory recruitment age: 18
- Voluntary recruitment age: 17
- Voting age (government elections): 21
- Child soldiers: indicated - 200-300 under-18s annually recruited into government forces; possibly less than 5% of annual recruits
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO138+182

- There are indications of under-18s in government armed forces as voluntary recruitment is possible from the age of 17. The annual intake of under-18s is estimated at about 200-300. It is likely that under-18s are deployed since there is no distinction between the age for recruitment and deployment.

National Recruitment Legislation and Practice

Conscription is enshrined in the 1960 Constitution in its Article 10(3) (b). The present legal basis of conscription is the 1961 Military Service Law.\textsuperscript{536} According to information provided by the government, the minimum age for conscription is 18 and one can volunteer for military service from the age of 17.\textsuperscript{537} The Government has stated that there is no distinction between the age of recruitment and the age of deployment.\textsuperscript{538} The police and priests are exempt from military service, as are the Members of the Armenian, Greek Orthodox, Catholic and Maronite churches.\textsuperscript{539}

Child Recruitment

According to the Permanent Mission of the Republic of Cyprus, 17-year-old volunteers comprise not more than 5% of new conscripts each year and have usually turned 18 by the time they complete basic training, “[t]hus in practice there are no under-18s in the main body of the armed forces.”\textsuperscript{540} The number of under-18s recruited annually is approximately 200-300.\textsuperscript{541}
Military Training and Military Schools
Completion of military service is a criterion for admission to institutes of higher education. Sixteen-year-old youths may be prevented from leaving Cyprus if they are thought to be avoiding military service. In 1998 the government stated that the minimum age for enrolment into military schools or institutions was 18. More recently the government reported that there are no military schools in the Republic of Cyprus.

TURKISH REPUBLIC OF NORTHERN CYPRUS

Data presented here represent the de facto situation on the northern part of the island.

- Population: 215,000
- Government armed forces: 
  - active: 5,000
  - reserves: 26,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Child soldiers: unknown
- CRC-OP-CAC: not signed or ratified as not UN member state
- Other treaties ratified: not signed or ratified as not UN member state

- It is not known whether there are under-18s in government armed forces due to lack of information on voluntary recruitment age.

Recruitment Legislation and Practice
Northern Cyprus allegedly applies conscription but its current legal basis is unclear. Most likely the laws and regulations pertaining to it are derived from and similar to the Turkish military service laws. The length of military service is 24 months. Call-up for military service takes place at the age of 18.

In August 1999 the Council of Ministers proposed legislative changes which would exempt citizens from national service for a fee of US$12,000, and exempt those with a doctoral degree for US$9,000.

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532 Horeman and Stolwijk op. cit.
533 Horeman and Stolwijk op. cit.
534 Communication from the Permanent Mission of the Republic of Cyprus to the United Nations sent to QUNO, 6/2/98. Information confirmed by the Permanent Mission in the answer given to CSC, 16/8/99
536 Horeman and Stolwijk op. cit.
537 Permanent Mission of the Republic of Cyprus on 6/2/98 op. cit. and also 16/8/99 op. cit.
539 Horeman and Stolwijk op. cit.
541 Permanent Mission of the Republic of Cyprus, 16/8/99 op. cit.
542 Horeman and Stolwijk op. cit.
545 Horeman and Stolwijk op. cit.
CZECH REPUBLIC

- Population:
  - total: 10,262,000
  - under-18s: 2,157,000
- Government armed forces:
  - active: 57,700
  - paramilitary: 5,600
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections):
- Child soldiers: none indicated
- Other treaties ratified: CRC; GC/API+II
- There are no indications of under-18s in government armed forces. The Czech Republic has been a stronger supporter of the “straight-18” position.

GOVERNMENT

National Recruitment Legislation and Practice
The 1992 Charter of Fundamental Rights and Freedoms, which is part of the Constitutional Order of the Czech Republic states in its Article 9(1) that: "Nobody may be subjected to forced labour or services" but according to Article 9(2) the provisions of paragraph 1 shall not apply to "b) military service or to other service established by law in place of military service." According to the 1992 Military Act, a person may voluntarily join or be drafted into the armed forces only upon reaching the age of 18. According to paragraph 2 of the Law of 14 September 1999 on military service and military administration: "The obligation to do military service starts on the day when a citizen reaches the age of 18 years and ends upon reaching the age of 60 years." According to paragraph 3 of the Law, "citizens who are not subject to obligatory military service and foreigners may volunteer to do it on the day when they reach the age of 18 years." The length of military service is 12 months. Conscripts who take part in preparatory military training while they are students are allowed to reduce their military service to six months.

Women may be liable for military service in time of emergency or wartime. At other times they are able to join the army on the same terms as men, but are not subject to conscription. There are plans to reduce the proportion of conscripts and move towards an increasingly professionalisation alongside the downsizing of the armed forces.

Military Training and Military Schools
There are military schools in the Czech Republic, which apparently accept students below 18 years of age. There are a variety of courses of different lengths, from one to six years, for males and females from secondary professional schools or nine-year primary schools. The conditions of acceptance are good health, meeting the requirements of the entrance examination and parental consent for students below 18. The obligation to do military service can be foregone by students of these schools after reaching the age of 18. In 1999, a total number of 413 students graduated.
from military colleges, military high schools and WO schools and were posted to available vacancies within the Armed Forces.

DEVELOPMENTS

International Standards
The Czech Republic signed the CRC-OP-CAC on the 6 September 2000 and supports the “straight-18” position. It was a strong advocate for this position during the negotiations on the Optional Protocol. According to government sources, the Czech Republic plans to ratify the CRC-OP-CAC prior to the UNGA Special Session in September 2001.  

549 Report of Secretary-General, UN doc. op. cit. quoting War Resisters International, which gives the formal age of liability as 19, but confirms that recruitment takes place at 18 years of age.
550 Blaustein and Flanz op. cit.
553 IISS, Military Balance op. cit.
554 Horeman and Stolwijk, op. cit.
555 Ibid.
556 Permanent Mission of the Czech Republic, 13/1/98, op. cit.
557 Information provided by the Czech Ministry of Foreign Affairs to the CSC on 10/4/01.
DEMOCRATIC REPUBLIC OF THE CONGO

- Population:
  - total: 50,335,000
  - under-18s: 27,553,000
- Government armed forces:
  - active: 55,900
- Compulsory recruitment age: unknown (transitional administration)
- Voluntary recruitment age: unknown (transitional administration)
- Voting age for government elections: unknown (transitional administration)
- Child soldiers: indicated in both government and opposition forces
- CRC-OP-AC: signed on 8 September 2000; does not support “straight-18” position
- Other Treaties Ratified: CRC; GC

The UN estimates that 15-30% of all newly recruited combatants in the DRC are children under age eighteen, and a substantial number are under the age of twelve. Both the Congolese Armed Forces and various opposition groups forcibly recruit children. The Rwandan Patriotic Army and the Ugandan People’s Defense Force facilitated the recruitment of children by opposition groups in the Eastern DRC, and often oversaw the training of child recruits. Congolese child soldiers known as kadogos or ‘little ones’, often serve initially as runners, bodyguards, porters or spies and later learn to use arms and serve in combat.

CONTEXT

The Democratic Republic of the Congo has suffered from a brutal civil war involving the forces of at least eight countries and numerous armed groups. Gross violations of international human rights and humanitarian law have been committed by all parties to the conflict. Laurent Kabila and his Alliance of Democratic Forces for the Liberation of Congo-Zaire, (AFDL) overthrew the regime of Mobutu Sese Seko in 1997 with the help of Rwandan military forces. War broke out in August 1998 when Kabila attempted to expel Rwandan and Ugandan military forces that had helped him to power. Opposition groups supported by Rwandan and Ugandan forces now control over 50 per cent of the territory. Angolan, Namibian and Zimbabwean forces have supported the government. In 1999 these foreign forces signed a cease-fire, but the DRC government and opposition forces were not represented. The armed forces of Burundi also operate in the country against armed Burundi Hutus who use the DRC as a base. By mid-2000, more than 1.3 million Congolese had been displaced by the conflict.558

In January 2001, President Kabila was assassinated by one of his bodyguards, reportedly a child soldier. Kabila has been succeeded by his son Joseph Kabila, who has renewed peace negotiations.559 The disengagement of several countries involved in the conflict is to be monitored by a UN force expected to consist of 3,500 peacekeepers by the end of May 2001.560 UN Security Council Resolution 1341 (2001) called for all armed forces and groups involved in the DRC conflict to bring an effective end to the recruitment and use of children as soldiers and to ensure the speedy demobilisation, return and rehabilitation of such children.561
GOVERNMENT

National Recruitment Legislation and Practice
The Sovereign National Conference initially set 18 as the age for recruitment into military service and participation in hostilities, but the relevant provisions were not included in a transitional constitution subsequently adopted (but now suspended). In its report to the Committee on the Rights of the Child in August 2000, the government further noted that military criminal code provisions regarding children who take part in hostilities or are recruited into armed forces must be revised in accordance with the Standard Minimum Rules for the Administration of Juvenile Justice.

On 9 June 2000, former President Laurent Kabila issued a decree to reduce the Government’s use of child soldiers and to curtail forcible conscription of children, but this decree is not believed to have been implemented.

Child Recruitment and Deployment
The Alliance of Democratic Forces for Liberation (ADFL) under the leadership of Laurent Kabila liberally recruited and used child soldiers during its war against former President Mobutu in 1996-97. It is estimated that more than 10,000 children fought with the ADFL. Living conditions in military camps were at times deplorable, in one case resulting in the death of several hundred recruits.

After 1997, children recruited before the change of regime continued to serve in the government Congolese Armed Forces (FAC), while many others became street children. In March 1998 the first training centre was established to target kadogos in a new national service scheme. By August the government was urging youths between the ages of 12 and 20 to enlist in response to anti-government insurgency, and soon after some 6,000 youths were sent for military training, many of them street children some reportedly abducted. An informal survey of troops in Kinshasa in November 1998 found that one out of fourteen FAC soldiers was under the age of 13. FAC continued to forcibly conscript children and in 2001 it was reported that children as young as ten years old have been allowed to enlist despite President Kabila’s 9 June 2000 decree.

There has been no demobilization of child soldiers in the FAC.

The Mai-Mai are a loose association of Congolese local defence forces aligned with government forces. The Mai-Mai, whose name in Swahili means ‘water’ in reference to the idea that Mai-Mai fighters were protected by magical powers that would turn bullets to liquid, recruited children as young as eight during the 1996-97 uprising. Reports of child recruitment continued into 2001.

“...I joined Kabila’s army when I was 13 because my home had been pillaged and my parent were gone. When I found myself alone, I decided to become a soldier. Usually I was at the font-line. I’ve fought a lot... It is hard. I’m only a little soldier, I should return to school.” – Dieudonné, age 16.

OPPOSITION
Opposition forces since 1998 consist of the Movement for the Liberation of the Congo (MLC, estimated strength 18,000) and the Congolese Rally for Democracy (RDC, estimated strength 30,000) which in 1999 split into two factions, the RCD-Goma and the RDC-Liberation
Movement (RDC-ML). The armed forces of Uganda have supported the RCD-ML and the MLC, and Rwandan forces have supported RCD-Goma.

Child Recruitment and Deployment
The RCD-ML, the RDC-Goma and the MLC have been known to regularly recruit and conscript children. Opposition politicians have claimed that many young recruits join voluntarily, often as orphans seeking protection, food and a place in society. Other sources report that many under18’s are recruited forcibly by opposition groups, often with the assistance of Ugandan and Rwandan armed forces.

- The MLC, RDC-ML and Ugandan forces
The MLC and RCD/ML, supported by the Ugandan People’s Defense Force (UPDF), have recruited large numbers children as soldiers. Reports that the UPDF has trained and equipped thousands of young recruits, including many children, continued into 2001. During 2000, recruiters for the RCD-ML routinely toured villages in recruitment missions, returning with truckloads of 100 to 200 children and youth aged 13 to 18. UPDF instructors would then provide three to six months of infantry and weapons training at Nyaluke camp, where conditions were so deplorable that many children died before completing the training, due to abuse and lack of health assistance. In particular the UPDF trained hundreds of recruits from the Hema and Lendu ethnic groups at RCD-ML camps in Beni and Bunia. Lendu children, often orphaned by interethnic killing, provide easy targets. Throughout 2000 Ugandan forces and RCD groups also abducted many young women from the villages they raided.

In August 2000 the Ugandan Government transported 693 RCD-ML defectors, including many under the age of 18, to Kampala for military training. In mid-February 2001 the Ugandan Government granted UNICEF full access to the training camp and agreed to release those under the age of 18. The 163 children identified, including three girls, are to be rehabilitated and reunified with their families.

“The children] were trained on how to use arms and how to shoot, and that was the end of it. Some of the kids were even sent to battle without arms. They were sent ahead of battle-ready troops of the RCD and RPA to create a diversion. They were ordered to make a lot of noise, using sticks on tree trunks and the like. When they succeeded in diverting the attention of government troops, that is to say when they drew government fire on their unarmed elements, these units, known as the Kadogo Commando, would be literally allowed to fall like flies under government fire. The experienced troops would then attack the government troops when their attention was diverted to the Kadogo Commando.”

- The RCD-Goma and Rwandan forces
In March 1999, RCD leader Ernest Wamba dia Wamba stated, “We want to make sure that the age of recruitment doesn’t go beyond the accepted age of 18”. He promised to speak with opposition military commanders to ensure no children under the age of 18 were recruited or deployed, and that young recruits would be ‘eased out’ of the military. In May 2000 the RDC-Goma announced a decision to create an inter-departmental commission for the demobilisation and social rehabilitation of the Congolese National Army child soldiers. However child recruitment continued into 2001, with no indication of under-18’s being demobilised.
The RCD/Goma is supported by Rwandan forces which have not only sent reinforcements including voluntarily and forcibly recruited children, but have also assisted in recruitment drives and military training. \(^{584}\) Child recruits include both Rwandans and citizens of the DRC who are press-ganged or kidnapped by the RDC-Goma and the Rwandan Patriotic Army (RPA). In 2001 Human Rights Watch reported the RPA and the RDC-Goma’s systematic abduction of children and young men from roadsides, markets and their homes in Eastern DRC. \(^{585}\) Children were reportedly often sent unarmed into battle as a diversionary force, resulting in large numbers of casualties. According to the US Department of State many young women were also abducted throughout 2000. \(^{586}\) The UN estimated that at Mushaki, a training camp in Masisi, more than 60% of 3000 newly trained soldiers were under age eighteen. \(^{587}\) The UN Special Rapporteur on the situation of human rights in the DRC reported to the Commission on Human Rights that children between the ages of 9 and 13 had been recruited into the RPA and used as human shields, and that about 300 had been recruited in Congolese territory and sent to Kigali for training. \(^{588}\)

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“I have no interest in going to school. I’ve fought and killed many people. I’m a soldier, it’s all the experience I need” – Musimbi became a soldier with the RCD-Goma at the age of 13. \(^{589}\)

Despite this evidence the RCD-Goma claimed in December 2000 that its commanders had been instructed not to recruit children and denied that such recruitment was occurring. Instead it was claimed the RCD-Goma had "inherited" child soldiers recruited by the late President Kabila. These previously recruited child soldiers are also known to have been trained by Rwandan forces. \(^{590}\)

- **Other foreign support**
  The exiled Rwandan *Interahamwe* Hutu militia is also thought to be associated with armed groups in the DRC. In the ranks of the *Interahamwe* are Kenyan street boys recruited with the assistance of Kenyan agents. Sources say payments of $500 are made for every 150 street boys delivered to armed groups and their agents. The children are typically lured in with offers of money, well-paying jobs and good living conditions in Uganda, Rwanda and Tanzania. The *Interhamwe* reportedly began recruiting Kenyan children in February 1999, reaching highest recruitment levels between May and August as Kenyan authorities prepared for the Common Market for East and Southern Africa meeting by arresting Nairobi street children, who became particularly vulnerable to recruitment offers. \(^{591}\)

### DEVELOPMENTS

#### International Standards
The DRC signed the CRC-OP-CAC on 8 September 2000 but does not uphold the “straight-18” principle.

#### UN bodies
In February 2001 the UN Security Council passed Resolution 1341 (2001) calling for all armed forces and groups involved in the DRC conflict to bring an effective end to the recruitment and use of children as soldiers and to ensure the speedy demobilisation, return and rehabilitation of such children. \(^{592}\) The Commission on Human Rights passed a resolution in April 2001
expressing concern at the continued recruitment of child soldiers throughout the DRC, including cross-border recruitment. The CHR called for an immediate end to this practise and welcomed the commitment by the Government of the DRC to co-operate with UN agencies and NGOs to ensure the demobilisation and reintegration of child soldiers.\textsuperscript{593}
DENMARK

Kingdom of Denmark

- Population:
  - total: 5,282,000
  - under-18s: 1,105,000
- Government armed forces:
  - active: 21,840
  - reserves: 64,900
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 182

- There are no indications of under-18s in government armed forces. The minimum age for voluntary recruitment has recently been raised to 18.

GOVERNMENT

National Recruitment Legislation and Practice

Article 81 of the 1953 Constitution states: "Every male person able to bear arms shall be liable with his person to contribute to the defence of his country under such rules as are laid down by Statute." The present legal basis of conscription is the 1980 National Service Act, as amended by Consolidating Act No. 190 of 2 April 1993 and Consolidating Act No. 1088 of 23 December 1998. According to Section 13 of the National Service Act, "[c]onscripts who are residents of or living in this country shall appear before the medical draft board in the year when they reach the age of 18. However, the Minister of the Interior may decide that the duty to appear shall occur later." Reportedly, conscripts who have applied voluntarily are drafted first. The minimum age for compulsory recruitment is 18.

Military service lasts four months to two years. The selection of conscripts is by ballot, as the number of young men available for military service is much greater than the number required by the Danish National Forces. Therefore only 30 to 50 per cent of those liable to conscription are actually called up for military service.

According to Danish law it was previously possible to apply for voluntary membership of the Danish Home Guard from the beginning of the year in an applicant turns 18, i.e. the minimum age for voluntary service in the Danish Home Guard was 17. At the end of May 1998 it was decided to raise the minimum age for membership to 18. An amendment to the Danish Home Guard Act to this effect was adopted by the Danish parliament in February 2001 and came into force on 1 March 2001. The Minimum age for voluntary military service in all branches of the Danish Armed Forces is now 18.
In February 1999, it was announced that the armed forces will be reduced by approximately 3,500. There are reportedly about 870 women in the armed forces, comprising 5 per cent of Denmark's regular military personnel (excluding conscripts).

**Military Training and Military Schools**
The Danish government has confirmed that minimum age for entry into military schools is 18.\(^{500}\)

**DEVELOPMENTS**

**International Standards**
A declaration made by Nordic Foreign Ministers in August 1999 strongly supported the adoption of an Optional Protocol prohibiting all recruitment and deployment of under-18s. In June 1999 Denmark was one of the few European countries to support a clear prohibition on the use of children as soldiers as one of the worst forms of child labour in ILO Convention 182.\(^ {601}\) Denmark signed the CRC-OP-CAC on 7 September 2000 and supports a “straight-18” position.

\(^{594}\) [http://www.urich.edu/~jpjones/confinder/const.htm](http://www.urich.edu/~jpjones/confinder/const.htm)

\(^{595}\) Consolidating Act No 1088 of 23rd December 1998

\(^{596}\) Horeman and Stolwijk op. cit.

\(^{597}\) Information provided by the Royal Danish Ministry of Foreign Affairs to CSC, 7/3/01.

\(^{598}\) Ibid

\(^{599}\) Ibid.

\(^{600}\) Information provided by the Permanent Mission of Denmark in Geneva, 23/7/99.

\(^{601}\) Declaration by the Nordic Foreign Ministers against the Use of Child Soldiers, Reykjavik, 29/8/99.
DJIBOUTI

REPUBLIC OF DJIBOUTI

- Population:
  - total: 629,000
  - under-18s: 302,000
- Government armed forces:
  - active: 8,400
  - paramilitary: 3,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- It is not known if there are under-18s in government armed forces due to lack of information on the minimum voluntary recruitment age.

CONTEXT
Sporadic clashes between government military forces and the FRUD armed wing, mainly in the Djibouti-Ethiopia border areas, have been reported.

GOVERNMENT

National Recruitment Legislation and Practice
Military service is not compulsory and recruitment is apparently only on a voluntary basis. No information is available regarding minimum recruitment age or current recruitment practices. The army is mainly composed of members of the Issa, the dominant Somali clan in Djibouti.

OPPOSITION

- Front for the Restoration of Unity and Democracy (FRUD)

On December 26, 1994, a peace agreement was signed between the government and the Afar guerrilla movement, the Front for the Restoration of Unity and Democracy (FRUD). The FRUD reportedly included many young men and boys. An armed faction of the FRUD (FRUD-Dini), which was opposed to the peace process, has continued military activities against the government with attacks on military posts and mine planting mainly in the Djibouti-Ethiopia border areas

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602 RB website
603 Coubba, A., Djibouti, Une Nation En Otage, January 1997
604 AI website
DOMINICAN REPUBLIC

- Population:
  - total: 8,364,000
  - under-18s: 3,306,000
- Government armed forces:
  - active: 24,500
  - paramilitary: 15,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age in government elections: 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

- There are no indications of under-18s in government armed forces. National legislation provides for the special protection of children at times of war.

GOVERNMENT

National Recruitment Legislation and Practice
The 1966 Constitution, as amended in 1994, provides in Article 9(b) that “Every able-bodied Dominican has the duty to perform the civilian and military services his country may require for its defence and preservation,” but there is no compulsory military service. Persons may voluntarily enlist in the armed forces as from the age of 18.\textsuperscript{605}

Act No. 14-94, which established the Code for the Protection of Children and Adolescents, stipulates that in the event of war, priority protection shall be given to children and adolescents.\textsuperscript{606}

\begin{footnotesize}
\textsuperscript{605} Initial report of the Dominican Republic to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.40, para. 35.(26/8/99).
\textsuperscript{606} Ibid; Dominican law defines children as persons up to the age of 12 and adolescents as persons aged between 13 and 18.
\end{footnotesize}
EAST TIMOR

- Population: unknown
- Government armed forces currently forming – expected strength.\textsuperscript{607}
  - active: 3,000 (including 1,500 light infantry force)
  - reserves: 1,500
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age: not applicable
- Child soldiers: none indicated
- CRC-OP-AC: legislative and constitutional bodies still at formation stage
- Other treaties ratified: legislative and constitutional bodies still at formation stage

- New legislation being adopted for an independent East Timor will set 18 as the minimum age for recruitment. The reintegration of child soldiers, some as young as 12, who were used by both government and opposition forces during the conflict still presents a major challenge. The abduction and recruitment of children by anti-independence militia for the purposes of indoctrination has been reported.

CONTEXT

Since 1975 armed opposition to Indonesia's presence the territory has been mounted by the Armed Forces of National Liberation of East Timor (FALINTIL).\textsuperscript{608} During the final years of occupation the Indonesian military established a number of local militia groups, ostensibly to protect pro-integration sections of the local community from pro-independence forces. According to an agreement concluded between Portugal and Indonesia on 5 May 1999 under the auspices of the UN, a popular referendum on the future status of the province was held.\textsuperscript{609} After an overwhelming vote for independence in the face of widespread violence and intimidation, pro-government militias went on the rampage, burning and looting property, killing hundreds of people and displacing hundred of thousands. An Australian-led International Force for East Timor (INTERFET) arrived in East Timor in 20 September 1999 to restore order. All Indonesian soldiers left East Timor at the end of October 1999 but pro-Indonesia militiamen remained active in refugee camps in West Timor, preventing East Timorese refugees from returning home, blocking access by humanitarian organisations\textsuperscript{610} and clashing sporadically with peacekeeping forces.\textsuperscript{611} The INTERFET force left East Timor on February 2000 and was replaced by a UN peacekeeping force, UNTAET.\textsuperscript{612}

GOVERNMENT

The East Timor Transitional Cabinet approved the establishment of the East Timor National Defense Force (ETDF) on 12 September 2000 after a review of a number of proposals. The new defence force will consist of a light infantry force of 1,500 regulars and 1,500 reservists with a phased approach to reaching that number over three years. Reintegrated FALINTIL members will be at the core of the force. Recruitment for the first battalion was completed on 28 January. The UN is responsible for guarding the security of the territory until the ETDF is fully operational.\textsuperscript{613} UNTAET has set about drafting new laws for the independent East Timor. The first regulation to be adopted by the new administration requires public officials to observe international human rights standards.
National Recruitment Legislation and Practice

In January 2001, a National Council on the Defense Force overseeing the development of East Timor’s military capacity adopted a regulation which states that “Members of the Defense Force must be at least 18 years of age on recruitment into the Defense Force”. Women may also be recruited into the new force. In addition, the new force will have to respect human rights law in peace time and during armed conflict. This regulation has been adopted provisionally for 2 months but it is expected that this age limit will be reconfirmed later on. Other regulations currently being discussed concern the Draft regulation on Firearms, Ammunition and Explosives.

Past Child Recruitment And Deployment (Pro-Independence Forces)

Both pro-independence and pro-integration armed groups in East Timor used children during the conflict. The age range on both sides was 10 to 18 although most children involved tended to be between 15 and 18. Accurate figures for both sides are impossible to obtain. A comparative study has indicated that the treatment of children involved with pro-independence groups was significantly better than that of children involved with pro-integration militias.

- Armed Forces of National Liberation of East Timor (FALINTIL)

The number of children under 18 who served with FALINTIL is unknown as consistent records of names and ages were not kept. FALINTIL only began keeping a comprehensive list in 2000-2001 once demobilisation began but by this time many child soldiers had already been unofficially demobilised. Many anecdotal accounts of child involvement have emerged. In October 1999, a French journalist reported about 250 guerrilla members were living in one FALINTIL camp, among them girls wearing berets and teenagers in tracksuits carrying machetes.

As FALINTIL refused to lay down its arms after the independence vote, reports of child recruitment have continued until as recently as February 2000. Its Deputy Chief of Staff, Commander Lere, said that “[o]lder people are leaving but many young people want to join FALINTIL.” A UN military expert from New Zealand said that “[i]f they [FALINTIL] are taking young unemployed people off the street and giving them discipline and training, that is something positive”. No information on the age of these more recent recruits is available.

“I had to find information for FALINTIL. I had to listen to other people talking and report on this… when I did this I was afraid… I also brought water and vegetables to FALINTIL in the fields behind the village… I was afraid of the Indonesians. I was most afraid in the afternoon when I did my duties…”

– Former Pro-independence Child Soldier, 12 years old (Source: Lyndal Barry)

Children seem to have joined FALINTIL voluntarily, often spurred by abuses committed by the other side and a belief in the cause of an independent East Timor. Children involved with FALINTIL almost certainly suffered fatalities and severe injuries during the course of the conflict and thousands are believed to have been detained or executed. Apart from child soldiers, many other youth were also involved in clandestine work through pro-independence associations which
supported the work of FALINTIL. This involved for example, organising demonstrations or collection and deliveries of supplies.

PRO-INTEGRATION FORCES

Past Child Recruitment and Deployment
The Indonesian armed forces provided pro-integration militias – particularly KOPASSUS special forces – with training, arms and funding. It was estimated that in early 1999, militias comprised some 50,000 people – according to one authority, “a vicious rabble of local criminals, paid conscripts and Indonesian trans-migrants.” Recruitment of under-18s was widely reported. There is little available information on numbers although the militias kept lists of recruits (including under-18s), because the relevant documents were destroyed or taken out of the territory. In September 1999 a journalist reported that most militia groups members were teenagers and in some cases children apparently not more than 12 or 13 years of age.

Although some children may have joined voluntarily, it appears most were forcibly recruited. Recruitment was carried out among poor youths using violence, drugs and alcohol, and sometimes promises of money. The UN High Commissioner for Human Rights reported that young East Timorese men were also forcibly recruited into the militia: “Parents were threatened and bribed to coerce the young men and the youths were harassed and intimidated into becoming members of the militia.” Militia youth reportedly suffered injuries and fatalities, including execution by the militia. Militia commanders appeared to use fear, intimidation and praise to control and manage young recruits.

“The first time they took me from my house we had to rape a woman and then kill anything we could find like animals and people. They ordered us to rape. We did this together. Everyday we were taken by them by car to burn houses, kill animals and harass people... They beat me with a piece of wood everyday. The first time they beat me was the most difficult. They killed many people but I don’t know where they put the bodies. They screamed and shouted when they had killed people and showed off their machetes covered in blood and said “Eat the People”. ”
– Former Militia Child Soldier, 16 years old. (Source: Lyndal Barry)

The main militia groups during the conflict were as follows:

**Aitarak** (‘thorn’): based in Dili and led by Eurico Gueteres who was a leading figure in Gardapaksi (Youth Guard for Upholding Integration), an organisation gathering youths trained to counter pro-independence youth groups. Children were seen in this group at checkpoints armed with home made weapons, some of them wearing the black T-shirt which marks Aitarak.

**Mahidi** (‘life and death for integration’): from sub-district Ainaro and led by Cancio Lopez da Carvalho. This militia was created in December 1998 and by April 1999 was between 1,000 and 2,000 strong. It forcibly recruited youths and other people from villages in the Ainaro district.

**Besi Merah Putih** (‘red and white iron’): from district Liquiça and led by Manuel de Sousa. This militia was created in December 1998 and claimed by early February 1999 to have a membership...
of 2,890. Shortly after its establishment, this group recruited its members from among ordinary peasants, old people and boys under 18 years of age. According to some sources, recruitment was conducted through terror, intimidation, death threats and stigmatisation of “pro-independence” people.

Saka: based in the village Lai-Sorulai, from district Bacau, and led by Vice-commander Sgt. Joanico da Costa. This militia was formed in 1983. Nothing is known about child recruitment.

Halilintar (‘lightning’ or ‘thunderbolt’): from Bobonaro district, led by Joao da Silva Tavares. This militia was originally formed in 1975.628 Nothing is known about child recruitment.

“...The militia came in April 1999 after they had attacked the church (the Liquica massacre on 17 April). I was shocked and afraid because they came here with machetes covered in blood. They said “If you don’t come with us then we will kill you”…. (Then after joining)….. I had to drink (palm wine). They also drank blood. The older ones took capsules…..they went crazy (afterwards)”
– Former Militia Child Soldier, 17 years old. (Source: Lyndal Barry)

**Current Child Recruitment and Deployment (Pro-integration forces)**
Pro-Indonesian groups have reportedly abducted at least 130 East Timorese children from refugee camps in West Timor in October 2000 in order to train them as anti-independence activists. Pro-Indonesian groups are also reported to have subjected East Timorese children removed from the refugee camps with their parents’ permission to orphanages in central Java to intimidation and indoctrination.629 Octavio Soares, nephew of East Timor’s former pro-integrationist governor Abilio Soares, was quoted as saying “There is a plan for East Timor to come back to Indonesia even if it takes 20 years or more.... The plan is to use these children to help their cause”.

**DEVELOPMENTS**

**Demobilisation**
A programme run by the International Organisation for Migration (IOM) and funded by World Bank/USAID, the “FALINTIL Reinsertion Assistance Programme”, was launched in January 2001. Its aim is to help reintegrate into civilian life former FALINTIL fighters who will not take part in the new defence force.631 FALINTIL commanders reportedly sent most under-18 soldiers back to their villages, but so far there has not been a programme to assist their demobilisation; the IOM programme is not available to youth who left earlier in 1999 and 2000. There is no support for youth involved in the clandestine movement although some local groups provide training for them.632

Most former child combatants from pro-integration militias remain in refugee camps in West Timor. Many others who returned to East Timor have been ostracised by their community. Village leaders were asked to promote reconciliation and reintegration from these youth but the success of programmes has varied.633
Programmes for children affected by armed conflict

In June 2000, the Special Representative of the UN Secretary-General for Children and Armed Conflict stressed the need for programmes addressing the general psycho-social trauma of children involved in the conflict.634

607 UNTAET communication to CSC dated 3/2/01
608 UN Doc. A/55/726, S/2000/59, 31/1/00
611 See for instance Paterson, H. “Timor peacekeepers, militia clash”, Associated Press, 18/1/00.
613 UNTAET communication to CSC, 7/2/01, op. cit.
614 Ibid.
615 Information provided by Lyndal Barry on 16/4/01.
616 Lyndal Barry op cit.
617 Lyndal Barry op cit.
620 Fawthrop, T., “Armed wing of East Timor struggle must now win the peace”, Sydney Morning Herald, 9/2/00.
622 Lyndal Barry op cit.
624 Lyndal Barry op cit.
626 Lyndal Barry op cit.
629 JRS-AP Information Update 19/3/01
630 BBC 26/10/00.
631 UNTAET 7/2/01, op. cit.
632 Lyndal Barry op cit.
633 Lyndal Barry op cit.
ECUADOR

REPUBLIC OF ECUADOR

- Population:
  - total: 12,411,000
  - under-18s: 5,063,000
- Government armed forces:
  - active: 57,500
  - reserves: 100,000
  - paramilitary: 270
- Compulsory recruitment age: 18; registration from 17
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: signed on 6 September 2000; apparently supports the “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are no indications of under-18s in government armed forces but further information is needed on the minimum age for voluntary recruitment. There is no armed conflict in the country, although there have been reports of Colombian insurgents using Ecuadorian territory.

GOVERNMENT

National Recruitment Legislation and Practice
Article 188 of the 1998 Constitution provides that “Military service is compulsory. However, under Article 108 of the 1994 Law on the Regulation of Compulsory Military Service, citizens will be assigned to civil service in the community if a conscientious objection is invoked because of moral, religious or philosophical grounds in the manner determined by law.”

The 1994 law on military service provides that it is mandatory to be 18 years old to be included in the ballot to perform military service. Article 45 states that military service lasts 12 months. In cases of war or national emergency, the President of the Republic, at the request of the Defence Ministry, can extend military service for as long as needed under the circumstances. During such time, the National Security Law empowers the armed forces to mobilise the reserve forces. Article 55 of the National Security Law provides that Ecuadorians and foreigners residing in Ecuador, who are between the ages of 18 and 60 years, are obliged to perform individual service during mobilization without distinction based on sex or living conditions.

The 1994 Law establishes procedures for compulsory recruitment. Military registration takes place every year in which military lists are drawn up and a ballot conducted to choose those who will actually be required to perform military service. Those who have not been selected must buy their military certificate by paying the so-called compensation quota. Article 14 of the Law allows for exemption from military service, such as for military and police school students, or postponement of the obligation.

Child Recruitment and Deployment
The Permanent Mission of Ecuador to the United Nations Office in Geneva informed the Coalition in March 2001 that “there are no individuals under 18 serving in the Ecuadorian Armed Forces”, nor does the Government have evidence of individuals under 18 years of age participating in military activities in Ecuadorian territory. 637

Military Training and Military Schools
Boys and girls in their 5th year of secondary school are given the option of taking a pre-military course which lasts for one academic year and consists of helping out in military barracks and receiving military instruction on Saturdays. According to officials, students have the right to choose one of three options for extracurricular activities on Saturday morning: (a) Pre-military preparation; (b) Community Services; and (c) Alphabetization/Literacy activities. Students in the program are not part of the Ecuadorian Armed Forces. Military schools also exist for the children of military personnel but according to officials, students are not instructed in military life and are not members of the Ecuadorian military. 638

DEVELOPMENTS

International Standards
Ecuador signed the CRC-OP-CAC on 6 September 2000 and it is now before the National Congress for ratification. Ecuador appears to uphold the ‘straight-18’ position. 639

638 Ibid.
639 Ibid.
EGYPT

THE ARAB REPUBLIC OF EGYPT

- Population:
  - total: 67,226,000
  - under-18s: 28,745,000
- Government armed forces:
  - active: 448,500
  - reserves: 254,000
  - paramilitary: 230,000 active
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown in government armed forces; indicated in armed opposition groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138
- There are some indications of teenage involvement in armed opposition groups. There are not likely to be under-18s in government armed forces due to a surplus of candidates for military service.

CONTEXT

The government faces Islamist opposition movements, which are known to target politicians, police and army officials, tourists and intellectuals. It responded to these threats in 1992-93 with widespread arrests and scores of executions. This led to a shift in strategy by opposition groups, including carrying out attacks abroad. In recent years, attacks against tourists in Egypt have again intensified. Authorities have responded by arresting, and in some cases executing, leaders of Islamist groups.

GOVERNMENT

National Recruitment Legislation and Practice
According to article 58 of the 1980 Constitution, "Defence of the homeland and its territory is a sacred duty and conscription is compulsory, in accordance with the law." The minimum age for conscription is 18. The 1980 Military and National Service Act No. 127 regulates military service. Under this law all men between 18 and 30 years of age are liable for military service, which lasts for 3 years. Graduates serve for a period of 18 months. After completing military service, conscripts belong to the reserves for seven years. There is no available information on voluntary recruitment under 18. Egypt reportedly has surplus candidates for military service.

Military Training and Military Schools
There are six main military training centres, including the Military Academy, Heliopolis, Cairo; the Air Defence College; the Egyptian Naval College, Alexandria; the Military Technical College, Cairo; the Egyptian Air Academy, Belbais; and the Armed Forces Technical Institute. Entry requirements vary and some state that the applicant must have completed high school or
have an undergraduate university degree. Many specify a maximum age limit of between 21 and 24 but no information is available on minimum age requirements.

OPPOSITION

- **Al-Gama’a Al-Islamiyya (The Islamic Group”)** 644

This Islamist group has been active since the late 1970s with the aim of establishing an Islamic state. It mainly operates in southern Egypt with support from urban locations, particularly among unemployed graduates and students. The group has conducted attacks against tourists, governmental forces and Coptic Christians. The group has halted armed operations since 1997. 645 A "teenage boy" was among 39 males brought to trial for membership of the Al-Gama’a al-Islamiyya in November 1997. 646

- **Al-Jihad al-Islami**

This armed group first emerged in 1977 to establish an Islamic state through attacks targeting high-level Egyptian government officials. 647 Since the mid-1990s al-Jihad has not claimed responsibility for any attacks. There is no evidence of child involvement in this group.

DEVELOPMENTS

**International Standards**

In May 2001, the Egyptian Parliament approved unanimously most provisions of the African Charter on the Rights and Welfare of the Child, subject to Islamic law and Egyptian customs and traditions. 648

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640 Goodwin-Gill and Cohn op. cit.; Brett and McCallin op. cit.
644 Balencie and de La Grange, op. cit.
646 Brett and McCallin, op. cit.
EL SALVADOR

REPUBLIC OF EL SALVADOR

- Population:
  - total: 6,154,000
  - under-18s: 5,063,000
- Government armed forces:
  - active: 16,800
  - reserves: ex-soldiers registered
  - paramilitary: 12,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: signed on 18 September 2000
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

- There are indications of under-18s in government armed forces since voluntary recruitment can take place from the age of sixteen. During the civil war, some 80 per cent of government and 20 per cent of opposition forces were estimated to be children.

GOVERNMENT

National Recruitment Legislation
Article 215 of the 1983 Constitution states that “military service is compulsory for all Salvadorans between 18 and 30 years old.” The Law on Military Service and Reserve Armed Forces of July 1992 adopted shortly after the peace treaty ending the civil war, governs recruitment into the armed forces, although the regulation of ‘cases of necessity’ is included in the Law on Armed Forces.

The treaty itself prohibited forced recruitment in favour of military service based on universality, obligation, equity and non-discrimination. The 1992 Law requires all men to register for their military service at the age of 18 and further stipulates that selection of recruits is to be made by ballot. In 1994 the Government made women liable for military service, although they are not required to serve in a combat capacity. According to information provided to the Committee on the Rights of the Child, Articles 2 and 6 of the Military Service and Armed Forces Reserve Act regulate voluntary military service between the ages of 16 and 18.

Past Child Recruitment and Deployment
During the civil war, children were forcibly recruited into the armed forces, notably from poor suburbs and in the rural areas. It has been estimated that 80 per cent of troops were under 18 years of age. The opposition force Farabundo Marti Liberation National Front (FMLN) also recruited children; it was estimated that 20 per cent of the FMLN combatants were under 18.

One commentator reported that the reintegration of former child soldiers has not been fully successful due to lack of support from the international community and lack of follow-up at the national and international level. In 1999 UNICEF reported that 61 per cent of FMLN children
were not integrated into the demobilization programme. Among those who did pass through this programme, only 5 per cent completed the education programme.  

The phenomenon of youth gangs and youth crime has become more significant in the country since the war, although according to one study only a few of these youths are former child combatants.  

**DEVELOPMENTS**

**International Standards**

El Salvador signed the CRC-OP-CAC on 18 September 2000 but does not support the “straight-18” position.  

In its concluding observations on El Salvador’s 1993 report, the Committee on the Rights of the Child said “there was a need to consider seriously questions relating to the legal definition of the child, in particular the minimum age for … military service”.  

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649 Ley del Servicio Militar y Reserva de la Fuerza Armada, D.L. No. 298, 30/7/92.  
650 Article 6, Ley organica de la Fuerza Armada, D.L. No. 353, 9/7/98.  
652 Horeman and Stolwijk op. cit.  
653 Initial Report of El Salvador to the Committee on the Rights of the Child, UN Doc.CRC/C/15/Add.9, 18/10/93.  
654 Leskinen, Reeta, 1995 quoted by Horeman and Stolwijk.  
655 Statement of Dr. F. Melendez (Technical Cooperation Project on Human Rights) at the Latin American and Caribbean Conference on the Use of the Children as Soldiers, Montevideo, Uruguay, 5-7/7/99.  
658 Concluding observations of the Committee on the Rights of the Child, UNDOC CRC/C/15/Add.9, 18/10/93
EQUATORIAL GUINEA

REPUBLIC OF EQUATORIAL GUINEA

- Population:
  - total: 442,000
  - under-18s: 219,000
- Government armed forces: unknown
- Compulsory recruitment age: not specified
- Voluntary recruitment age: not specified
- Voting age (government elections): unknown
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; API+II; ILO 138

- It is not known whether there are under-18s in government armed forces as there appears to be no legislation regulating the minimum recruitment age. There have been no reports about the recruitment of under-18s.

GOVERNMENT

National Recruitment Legislation
The Constitution makes military service compulsory, but there appear to be no laws to regulate national service. There are no reports that the armed forces conscript anyone under the age of 18.

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659 Horeman and Stolwijk; also report of Secretary-General, UN Doc. E/CN.4/1997/99 op cit.
ERITREA

- Population:
  - total: 3,719,000
  - under-18s: 1,885,000
- Government armed forces:
  - active: 200,000-250,000
  - reserves: 120,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): transitional system
- Child soldiers: indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC ; ILO 138

It is widely acknowledged that children were used as soldiers by Eritrea in the war of independence against Ethiopia. Children may have participated in the border conflict since 1998, in part due to lack of systematic birth registration. Recruits as young as 14 were reportedly used as reinforcements after Eritrea experienced massive military losses. Reports of a major new recruitment drive including children since the signing of the December 2000 peace accord have not been confirmed.

CONTEXT

Border disputes between Eritrea and Ethiopia erupted into armed conflict in the Bamde region in May 1998 and turned into a full-scale war by 1999, resulting in an estimated 100,000 deaths and massive population displacement. In June 2000 Ethiopia and Eritrea signed a ceasefire agreement and a UN peacekeeping mission (UNMEE) was deployed. After signing a peace accord on 12 December 2000 Ethiopia and Eritrea began withdrawing troops, however in response to remaining tensions over the disputed buffer zone the UN announced the extension of its mandate to mid-September 2001.

Eritrea faces sporadic internal armed opposition from the Sudan-based Islamic Salvation Movement, the Eritrean Liberation Front (ELF) and other Eritrean exile opposition groups.

GOVERNMENT

National Recruitment Legislation and Practice
Article 25 of Eritrea’s constitution (July 1996) states that all citizens shall have the duty to: “(2) be ready to defend the country; (3) complete one's duty in the National Service.” According to Articles 8 and 9 of the National Service Proclamation (No. 82/95, 23 October 1995), national service is obligatory for all Eritrean citizens between the ages of 18 and 40, both male and female. National service is 18 months, including a six-month induction period at Sawa in the north-west of the country. Military service includes non-military tasks such as development work, but is carried out within the armed forces and run by the Ministry of Defence. By October 1998, 120,000 people had undergone the 6-months training. Some 35% of the Eritrean armed forces are female.
Child Recruitment

It is widely acknowledged that children were used as soldiers ("Red Flags") by the Eritrean People's Liberation Front (EPLF) during Eritrea’s 30-year war of independence against Ethiopia. At the 1999 African Conference to Stop the Use of Child Soldiers, the representative of Ethiopia denounced the use of hundreds of children by Eritrea, both before and after Independence, and circulated a list of Eritrean prisoners of war between ages 15 and 18. The Eritrean Ministry of Foreign Affairs denied this, claiming that the EPLP was consistently against the use of child soldiers and had abided by the 1995 Proclamation regarding minimum age. In July 2000 the Eritrean government, while denying the use of children as soldiers in the most recent conflict with Ethiopia, acknowledged that lack of systematic birth registration could lead to oversights in recruitment practice.

However there is evidence that the Eritrean Government continued to use children as soldiers in the recent border conflict. After the war with Ethiopia erupted, Eritrea reportedly accelerated the pace of training and called all those who had been trained earlier - typically some 20,000 who are enlisted every six months – resulting in the mobilisation some 250,000 in addition to the regular army. Intensive fighting and massive losses in 2000 further increased pressure on personnel levels. During the massive attack by Ethiopia in May 2000, Eritrean troop convoys reportedly brought in reinforcements that included recruits as young as 14. Recent interviews with female combatants in the recent border conflict also revealed that some had joined the EPLF as children during the war of independence.

Shortly after the Eritrean government signed the December 2000 peace accord, the internal opposition group Alliance of Eritrean National Forces (ELF) claimed the EPLF launched massive forced military conscription of civilians, including people over the age of fifty and underage children, beginning 16 January 2001. According to the ELF news bulletin many civilians were fleeing to Sudan to escape conscription. Refugees were quoted as saying that the EPLF cadres were telling the people that Eritrea continues to be surrounded by avowed enemies, and therefore the regime must continue building its military capability. Armed opposition groups have also provided evidence of underage recruitment by the Eritrean government at other times; for example it was reported that ELF insurgents in the Danakil region came into conflict with government officials over young men refusing conscription. The Coalition has not been able to confirm these reports.

OPPOSITION

Internal opposition groups include the Sudan-based Islamic Salvation Movement (formerly known as the Islamic Jihad Movement), and the recently formed Alliance of Eritrean National Forces (ELF) (estimated strength 3,000), which includes the Eritrean Liberation Front of Abdullah Idris (ELF-AI) and Eritrean Liberation Front – National Congress (ELF-NC). There is no information regarding underage recruitment among these opposition groups.

DEVELOPMENTS

Government Position
The representative of Eritrea at the African Conference to Stop the Use of Child Soldiers in April 1999 stated that Eritrea recognised 18 years as the age limit for recruitment and involvement in warfare. The Eritrean government also responded to an appeal issued by the Coalition to Stop the Use of Child Soldiers in July 2000, denying underage recruitment but acknowledging difficulties related to insufficient birth registration.

The Eritrean government invited further dialogue with the Coalition, including on ratification and implementation of the CRC-OP-CAC.

Demobilisation

Eritrea, like Ethiopia, plans to demobilise only about 60,000 troops in 2001. There is no information on special plans to demobilise child soldiers.

International Standards

Eritrea ratified the African Charter on the Rights and Welfare of the Child, prohibiting all forms of recruitment under 18, in December 1999. Eritrea has not yet signed the CRC-OP-CAC.

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674 Text provided at: http://www.uniwuerzburg.de/law/er00000.html
675 Other sources claim that military service lasts 16 months with 4 months of military training. See IISS, The Military Balance, 2001.
ESTONIA

REPUBLIC OF ESTONIA

- Population:
  - total: 1,412,000
  - under-18s: 322,000
- Government armed forces:
  - active: some 4,800
  - reserves: some 14,000
  - paramilitary: 2,800
- Compulsory recruitment age: 18 or 19 (unclear)
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated; 30 in government armed forces in September 1999
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II
- There are indications of under-18s in government armed forces as volunteers can enter military service at 17 years of age.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is enshrined in Article 124 of the 1991 Constitution which states: "Estonian citizens shall be obligated to participate in national defence, in accordance with the bases and procedures established by law." The legal basis of conscription is the 1994 Law on Service in the National Defence Forces. Military service can be performed in the Estonian armed forces or the border guards.

Compulsory recruitment for 12 months is said to apply to all men between the ages of 19 and 27. Another source states that all young men above the age of 18 are liable for compulsory military service. According to the UN, "Every young man over the age of 17 can start the compulsory military service as a volunteer. In such case, the law gives him the possibility of choosing the place where he wants to serve". The Permanent Mission of Estonia in Geneva confirmed that 17-year-olds can volunteer and reported approximately thirty 17-year-olds in the Estonian armed forces. Students were exempt from military service until 1994, when new legislation stipulated that all male students who started their courses in 1994 must perform military service afterwards. Most conscripts are not highly educated and come from the lower socio-economic classes. It is reported that the number of volunteers is usually sufficient to fulfil the requisite number of recruits.

677 Blaustein and Flanz op. cit.
678 Horeman and Stolwijk op. cit.
681 Ibid.
682 Ibid.
683 Permanent Mission of Estonia – op. cit..
ETHIOPIA

FEDERAL REPUBLIC OF ETHIOPIA

- Population:
  - total: 61,095,000
  - under-18s: 32,108,000
- Government armed forces:
  - active: 352,500
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: indicated in government and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- Thousands of children were recruited, many forcibly, during the recent border conflict with Eritrea. Testimonies of former child soldiers, NGO and journalists provide evidence of child deployment on the front lines and in massive waves across mine fields. The absence of a system for verifying the age in Ethiopia exacerbates the problem of underage recruitment. Internal armed opposition groups have also been known to recruit children, some as young as 11 years old.

CONTEXT

Border disputes between Eritrea and Ethiopia erupted into armed conflict in the Bamde region in May 1998 and turned into a full-scale war by 1999, resulting in an estimated 100,000 deaths and massive population displacement. In June 2000 Ethiopia and Eritrea signed a ceasefire agreement and a UN peacekeeping mission (UNMEE) was deployed. After signing a peace accord on 12 December 2000 Ethiopia and Eritrea began withdrawing troops, however in response to remaining tensions over the disputed buffer zone the UN announced the extension of its mandate to mid-September 2001. Ethiopia is also confronted by internal armed opposition groups.

GOVERNMENT

National Recruitment Legislation
Military service is not compulsory in Ethiopia. Article 4 of the Defence Force Proclamation No. 27/1996 states that "[t]he Ministry [of Defence] may, in accordance with criteria issued by it from time to time, recruit persons fit and willing for military purposes." These criteria have been made public in notices calling recruits, and have included a minimum age of 18 years.

Article 36(1) of Ethiopia's Constitution specifically states that children will "not be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to [their] health or well-being."

Military Training and Military Schools
There are at least six known military training camps in Ethiopia, all operational. They are located in Birr (Gogjam), Tolay (Shoa), Hursso (Hararge), Blatte (SNNPR), Dedessa (Wellega) and
Tatek, in addition to officer’s and specialised training schools. A new defence force engineering college was established in 1996, but information on age of recruitment is not available.

**Child Recruitment**

The Ministry of Foreign Affairs stated that national recruitment practice has followed clear guidelines since May 1991. These guidelines include *inter alia* that recruits must be between ages 18 and 25, a minimum of 1.60m tall, and over 50kg. To foster the participation of marginalised regions, recruits from less developed areas (Gambella, Afar, Somalia and Benshangul) must have completed 8th grade education while others must have completed 12th grade education.  

However, there is no system of verifying age in Ethiopia, which is left to recruitment officers to determine and leaves minors at high risk. There have been credible reports that thousands of children have been forcibly recruited into the Ethiopian army, particularly during the build-up to a major offensive in May 2000.

Recruitment reportedly focused on Oromos and Somalis, ethnic groups that traditionally formed the backbone of political opposition to the government, and on grades 9 to 12 of secondary schools. However there were also reports of children pressganged from marketplaces and villages. Peasant associations and *kebelles* (urban-dwellers associations) were given recruitment quotas to fill and initially targeted unemployed youth. A number of schools in the Oromo region were closed in 1999 while heavy conscription took place. One boy from the area who was recruited at age 16 reported there were over 1,000 students – more students than adults – in his group in Hursso, where one of six main military camps is located. Several hundred minors from the Hursso training camp escaped to Yemen but were reportedly in danger of being classified as deserters and severely punished by Ethiopian authorities if they return.

17-year-old Dowit Admas reported that he was playing football in Gondar High School when Ethiopian government soldiers rounded up 60 boys and sent them to Bershelk Military Training Camp in Gojam.

In June 2000 Oromo students demonstrated in the streets “against the massive and forceful conscription of teenagers into the army”, and the opposition Oromo Liberation Front denounced the massive forced conscription and detention taking place, including the detention of traditional leaders and elders “for opposing the conscription of their children to be used as cannon fodder”. Minors were reportedly used on the frontline, including in massive human waves across minefields to clear a path for the regular standing army. Many of these children reportedly were also recruited from regions in which internal opposition groups operate (see below).

> It was very bad. They put all the 15 and 16 year olds in the front line while the army retreated. I was with 40 other kids. My friends were lying all over the place like stones. I was fighting for 24 hours. When I saw that only three of my friends were alive, I ran back.

- Mohammed, a 17 year old forcibly recruited at age 15, describing a battle in early 1999.

Large numbers of Ethiopian youths have been reported at prisoner of war camps in Eritrea. The majority of the 940 Ethiopians in a camp in Digidita were thought to be between 14 and 18 years of age. Ethiopian authorities claimed that previous testimonies of underage Ethiopian prisoners of war documented in February 1999 were false.
Internal armed opposition is posed by the Oromo Liberation Front (OLF, created in 1973 and with an estimated strength of several hundred), the Ogaden National Liberation Front (ONLF) in the Somali region, and Al-Itihad, an Islamist group allied to the ONLF. At the end of 1999 some 10,000 suspected opposition supporters were in detention, some of whom had been held for several years without charge or trial.

Child Recruitment
The OLF was alleged to have recruited children and peasants by force before 1995. The recent testimonies of young veteran soldiers in the OLF however suggest that many young boys and girls voluntarily joined the OLF. Two 22-year-olds who claimed they had been fighting in the OLF for 11 years additionally reported the existence of a battalion of about one hundred women and girls. They described fighting against many other young boys "tricked or forced to fight for the TPLF [government forces]", many of whom are killed.

Ethiopian representatives at the African Conference on the Use of Child Soldiers in April 1999 stated that throughout the protracted war "child soldiers have always remained a large factor and consequently a serious social and political matter... while government policy recognised the 18-year age limit for recruitment into its armed forces, armed groups continue to conscript youngsters from school and from villages."

DEVELOPMENTS
In July 2000 the Coalition appealed to the governments of Ethiopia and Eritrea to end the recruitment of children under 18, to rehabilitate children who have served as soldiers, and to sign and ratify international instruments on children in armed conflict, in particular, the CRC-OP-
CAC. The Ethiopian government has not responded to the appeal nor has it to date signed the Optional Protocol.

Demobilisation
Ethiopian representatives at the African Conference on the Use of Children as Soldiers in April 1999 stated that the government had put in place programmes to demobilise children and to reintegrate them, but that efforts have been hampered by the conflict with Eritrea. Ethiopia, like Eritrea, plans to demobilise only about 60,000 troops in 2001. There is no available information on special plans to demobilise child soldiers.

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686 Information provided by Rädda Barnen.
688 Rädda Barnen op. cit., citing War Resisters International.
689 AI Report 2000
690 Lucy Hannan, The Independent, 10 and 11/2/99.
691 IRIN, “Oromo Liberation Front claims forced conscription and mass detentions”, 9/6/00.
693 Ministry of Foreign Affairs, 28/4/99 op. cit.
695 AI op cit.
696 Horeman and Stolwijk op. cit.
697 Rädda Barnen, Children of War Newsletter No. 1/01, March 2001.
698 Economist, “Hope in the Horn”, 15/2/01.
FIJI

- Population:
  - total: 786,000
  - under-18s: 319,000
- Government armed forces:
  - active: 3,500
  - reserves: 6,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Child Soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC

- There are no indications of under-18s in the armed forces.

CONTEXT

Political disturbances followed an attempted coup in May 2000 by Fijian nationalists led by George Speight, although there were no reports of the involvement of children. After the group released hostage parliamentarians, Speight and other leaders were arrested and put on trial and an interim government established. In March 2001 Fiji’s court of appeal held the interim government illegal and parties continued to manoeuvre towards a new election.

GOVERNMENT

National Recruitment Legislation and Practice

There is no conscription in Fiji. According to information given by the Fiji government to the Committee on the Rights of the Child, a person must be at least 18 years of age to be recruited into the army. The Fiji Military Forces, a small professional army, comes under the authority of the Ministry of Home Affairs, as do the police. There is no evidence of underage recruitment.

Fijians may also be recruited into the British Army. Up to 3,000 Fijians have apparently applied to join, and some have been sent to Britain for the selection. As Commonwealth citizens, Fijians will receive the same pay and conditions as domestic recruits.

The Fiji Military Forces are involved in UN peacekeeping duties in East Timor (UNTAET), Egypt (MFO), Iraq/Kuwait (UNIKOM) and Lebanon (UNIFIL). One infantry battalion is serving with the Peace Monitoring Group on Bougainville.

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699 Brett and McCallin op. cit.
700 Initial Report of Fiji submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/28/Add.7, 24/9/96, para. 28.; this information has been confirmed by UNICEF, 19/8/99.
“Fiji Minister’s complaint over army recruitment offends British High Commission”, BBC Monitoring Service, 28/1/00; “The south pacific islanders hoping to prop up the army”, Daily Mail, 14/12/99; “Fiji candidates to travel to Britain for final army selection trials”, BBC Monitoring Service, 26/1/00.

See <http://www.un.org/Depts/dpko>
FINLAND

REPUBLIC OF FINLAND

- Population:
  - total: 5,165,000
  - under-18s: 1,144,000
- Government armed forces:
  - active: 31,700
  - reserves: some 485,000
  - paramilitary: 3,400
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138; ILO 182
- There are no indications of under-18s in government armed forces. Finland has recently changed its legislation to prohibit all recruitment of under 18-year-olds. The recruitment of children by armed groups and use of children in hostilities have been criminalised.

GOVERNMENT

National Recruitment Legislation and Practice
The Defence Forces and their activities are governed by the Act on the Defence Forces, passed in 1974. In terms of national security as a whole, the key legislation comprises the Readiness Act and the State of Defence Act both passed in 1991. Article 75 of the 1919 Constitution states: "Every Finnish citizen shall be under an obligation to participate or assist in the defence of the country in the manner prescribed by Act of Parliament." According to a government statement in January 2001, provisions concerning minimum recruitment age in the Finnish Conscription Act were amended by an Act of Parliament in May 2000 which prohibited entry into military service before the age of 18, even on a voluntary basis. The same provisions are included in the Act on the Voluntary Military Service of Women. Previously, 17-year-olds were eligible for conscription although call-up usually took place at the age of age 19 or 20.

The use of a person under 18 to participate in hostilities could be considered a war crime under the Finnish Penal Code. A person guilty of compulsory recruitment of persons under 18 could be convicted of an offence against freedom. The recruitment and use of children in hostilities by armed groups distinct from the armed forces of a state may also be punished as illegal military action.

The length of service is between six and twelve months. Citizens of the Ahvenanmaa (Åland) Islands, a demilitarised area, are exempt from military service. Under current legislation, conscientious objectors serve a period of alternative civilian service which is more than twice as long; this alternative service was to be reviewed beginning in July 1999.
Military Training and Military Schools
Voluntary national defence training, which started in 1991, has gained great popularity in Finland. At the start of 1999 voluntary national defence work and training were placed under the newly established National Defence Training Association. The task of this peacetime training organisation is to complement the training of conscripts, prepare men and women volunteers for the work of defence force and other organizations which would operate in times of crisis, and to provide information and skills relevant to such exceptional conditions for all Finnish citizen volunteers over the age of 15.

Past Child Recruitment
The government reported that under previous legislation, less than 300 men under 18 served in the Defence Forces each year, or less than one per cent of recruits.

DEVELOPMENTS

International Standards
Finland signed on the CRC-OP-CAC on 7 September 200 and supports a “straight-18” position. A government bill for ratification was to be presented in spring 2001 and ratification was expected by European autumn 2001.

During the negotiation of the CRC-OP-CAC, the government of Finland strongly supported 18 as the minimum age for all forms of recruitment and participation of children in armed conflict. In a statement made at a Coalition event in January 2001, Finland stated that it “…did not want to make a difference between compulsory and voluntary recruitment but was in favour of the minimum age of 18 for any recruitment. The text of the Optional Protocol, which was a compromise, remained far behind the objectives of the Finnish government. We had to agree on a compromise not only in respect of the Article on voluntary recruitment, but also in respect of the Article concerning participation in armed conflict, for which we would have favoured a stronger wording. Furthermore, Finland would have preferred a clause prohibiting any reservations to the Protocol”.

A declaration made by Nordic Foreign Ministers in August 1999 strongly supported the adoption of an Optional Protocol prohibiting all recruitment and deployment of under-18s.
FRANCE

THE FRENCH REPUBLIC

- Population:
  - total: 58,886,000
  - under-18s: 13,421,000
- Government armed forces:
  - active: 294,430
  - gendarmerie: 94,950
  - reserves (operational; 1999 figures due to reorganisation): 419,000
- Compulsory recruitment age: 18 (no conscription after end 2002)
- Voluntary recruitment age: 17 with consent
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces - several hundred per year
- CRC-OP-CAC: signed 6 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/APII; ICC; ILO 138

- There are indications of under-18s in government armed force, some several hundred per year. The PKK, a Kurdish opposition group from Turkey, is known to have recruited children in France.

CONTEXT

France has forces stationed overseas – over 20,000 men in 2000, including more than 6,000 in several African states with which it has defence agreements. France also provides sizeable contingents to UN peacekeeping operations, including Bosnia, Croatia, East Timor, Egypt, Georgia, Georgia, Iraq/Kuwait, Lebanon, the Middle East, Saudi Arabia, Sierra Leone, Western Sahara and Yugoslavia.

GOVERNMENT

National Recruitment Legislation and Practice

Since 1996 France has been implementing a transitional programme aimed at fully professionalising and reducing the size of its military forces. Under this programme selective conscription currently exists, however it is not included in the French Constitution and has begun to be phased out and replaced by an alternative volunteer-based system. Under Law No. 97-1019 (28 October 1997) amending the 1972 National Service Code, conscription will be fully suspended as of 1 January 2003. However, according to Article L112-2 the government retains the right to reinstate conscription at any time.

The 1997 law promoting the new National Service scheme grants exemption from military service to all men born after 31 December 1978 and to all women born after 31 December 1982 (Art. L112-2). Instead these age groups attend a compulsory one-day "call-up for defence preparedness" or JAPD(Journée d’Appel de préparation à la défense) (Article L112-1). The JAPD consists of a day of information and education intended to attract young people to a military career. All youths are required to register for the call-up after their 16th birthday (Article L 113-1) and attend the one-day defence-preparation before their 18th birthday (Article L 114-2). Obligatory registration enables government to restore conscription if necessary.
national service also involves compulsory education in the principles and organisation of defence in France as part of the curriculum in the first few years after primary school. Youths may ultimately volunteer to join the armed forces, the national gendarmerie, the reserves or the French Foreign Legion.

Compulsory recruitment in the armed forces: As compulsory military service is being suspended rather than abolished, National Service legislation specifies a minimum compulsory recruitment age of 18 (Article 88, Law No. 72-662 of 13 July 1972). During the transition period (1997-2002) all men born before 1 January 1979 remain obliged to perform 10 months of military service (Article L112-2). Men born in 1979 are exempt from the JAPD but may volunteer to attend. Men born between 1980 and 1982 are called to the JAPD between the time of their registration and their 19th birthday (Article L 112-4).

Voluntary enlistment in the armed forces and gendarmerie: According to Article L 121-1 the minimum age requirement for voluntary enlistment, both men and women, is 18. Service lasts 12 months and may be renewed every year for up to five years. Article L5 in Book II of the Code du Service National specifies that volunteers may enlist from 1 October of the year during which they turn 18, thus previously some recruits could be 17. However, under the 1997 law, Articles L.1 - 159 of Book II were suspended for all persons born after 31 December 1978. While Article L.5 remains applicable to all other persons until 1 January 2003, there are no longer any 17-year-olds born before 1 January 1979. *Volunteers under the age of 18 may, however, still enlist if they obtain the consent of a legal guardian*, as per Article 88 of Law No. 72-662 (13 July 1972).717

Voluntary enlistment in the military reserves: The new military reserves (law of 22 October 1999) for the armies and national gendarmerie are comprised of youths between the ages of 18 and 30 who volunteer for a duration of one to five years.718 Under the restructured military system, the new reserves have been reduced in number, fully trained and readily available for action, and are being more closely integrated into professional units. About 30% of reservists will be available at very short notice to supplement these units.

Voluntary enlistment in the French Foreign Legion: Volunteers between the age of 17 and 40 may enlist in the French Foreign Legion, however minors must obtain parental or guardian consent. After preliminary medical check-ups, the candidate is transferred to the selection centre for further medical, IQ and physical tests. If successful the candidate is asked to sign a five-year unconditional contract to serve wherever needed in the French Foreign Legion. Legionnaires receive four months basic military instruction at the 4th Foreign Regiment after which they are posted to a regiment.719

Between 3 October 1998 and 31 March 2000 approximately 950,000 young men participated in the one day defence preparation call-up (JAPD), at 220 sites around the country. About 30 per cent indicated interest in voluntary service, military training or serving as a reserve.720 Registration for the JAPD became obligatory for young women after 1 January 1999. They participated in the JAPD for the first time on 8 April 2000, coinciding with a phase during which the number of females and the types of posts they may serve in the armed forces was being augmented. In 2000, nearly 26,000 women comprised 8.3% of the country’s military.721
Since the new national service scheme went into effect, volunteers (who may later choose to pursue a military career) still comprise a minority of members of France’s armed forces. At the end of 1999 there were 9,757 volunteers serving in the armed forces. That number has risen to about 14,000 per year, with a projected number of 27,170 by the end of the transition phase (December 2002).\textsuperscript{722}

\textbf{Child Recruitment}

According to the Permanent Mission of France in Geneva, in 1997 there were 456 recruits under 18, or 2\% of annual recruits.\textsuperscript{723} In 2000, between two and three per cent of all male recruits were between the ages of 16 and 19, and a slightly higher proportion of females were in that age grouping.\textsuperscript{724}

\textbf{Military Training and Military Schools}

There are a number of military schools in France - four for the Army (\textit{Prytanée militaire de La Flèche}, Saint-Cyr-l’Ecole, Aix-en-Provence and Autun), one for the Air Force (\textit{L’école d'enseignement technique de l'armée de l'air de SAINTES - EETAA}) and one for the Navy (\textit{Lycée naval de Brest}) with a total of 4,100 students. A school was also established for children from families whose head had disappeared during the course of duty in the air force (military or civil), which in 1982 became a military school \textit{L'Ecole des pupilles de l'air}, in Grenoble-Montbonnot.\textsuperscript{725} These military schools are under the control of the army although teachers are provided through the national education system.\textsuperscript{726} According to the Permanent Mission of France to the UN in Geneva, only the Air Force technical education school of Saintes accepts pupils at the age of 16 or under. This school provides 24 months of studies and access to the Air Force technical school of Rochefort. After the two-year period students are obliged to sign a 5-year contract with the Air Force.\textsuperscript{727}

There is also a Polytechnic School (\textit{Ecole Polytechnique}). Under Law No. 70-631 of July 1970, as amended by Law 94-577 of July 1994, candidates must be 17 to sit admission exams. Students may enter the school during the year they turn 18. According to Article 4 of the Law, these students are in a "situation of activity in the army".\textsuperscript{728}

Traditional initiation rituals at some military schools which have resulted in injuries have received serious attention in recent years.\textsuperscript{729} As a result a three-month study was launched into the future of the different military academies.\textsuperscript{730} The Army Chief of Staff subsequently announced a series of measures to end the excesses, improve supervision and lighten discipline.\textsuperscript{731} France supported the inclusion of a minimum age limit of 16 for entry into military schools during negotiations on the Optional Protocol.\textsuperscript{732}

\textbf{CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES}

\begin{itemize}
  \item \textbf{Kurdish Workers Party (PKK)}
\end{itemize}

France hosts a large Kurdish community which has been the target of child recruitment by the PKK. In 1999 French police estimated the number of active PKK members in France at 300. Kurdish families have been known to support the PKK by giving up their own children, who are often indoctrinated by the PKK through ‘cultural associations’. The oldest children receive
paramilitary training, and some have reportedly been sent to fight on the front line after a final training period at the Iranian border.

**DEVELOPMENTS**

**International Standards**  
France signed the CRC-OP-CAC on 8 September 2000 but does not support a “straight-18” position. France was one of the few European countries to support a clear prohibition on the use of children as soldiers in the ILO Convention on the Worst Forms of Child Labour.

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721 “La première participation des filles à la JAPD”, op. cit.  
723 Information provided by the Permanent Mission of France to the UN in Geneva 3/9/99.  
725 [see www.defense.gouv.fr](http://www.defense.gouv.fr)  
729 In one case a student of the Military Academy of La Flèche was seriously injured. A report to the Minister of Defence on 15/2/99 denounced the “weakness of the supervision” of the students and the strength of the traditions. See "Les nouveaux exploits intégristes du Prytanée militaire", Le Canard enchaîné, 24/2/99.  
732 "Rectificatif de la Fiche d’information concernant la France", Information provided by the representative of France to the Conference on the Use of Children as Soldiers in Europe, Berlin, 18-20 October 1999.  
GABON

GABONESE REPUBLIC

- Population:
  - total: 1,197,000
  - under-18s: 545,000
- Government armed forces:
  - active: 4,700
  - paramilitary: 2,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 21
- Numbers of under-18s: none indicated
- CRC-OP-CAC: signed 8 September 2000 supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC

There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Article 1 (21) of the Constitution of Gabon states that each citizen has the duty to defend the country, to protect and respect the Constitution, laws and regulations of Gabon. Article 1 (22) stipulates that the defence of the nation and public order are assured essentially by the defence forces and national security. In times of peace, the armed forces are to participate in the economic and social development of the nation.\(^{734}\)

Compulsory military service is regulated by Law-Decree No. 4 of 6 December 1960 which established the national armed forces. However, according to the UN it is not clear if conscription is enforced.\(^{735}\)

Until recently the minimum age for recruitment was believed to be 20.\(^{736}\) But in March 2001 Gabon’s Ministry of Defence launched a recruitment drive with the aim of enlisting, over a five-year period, 1,500 young men and women between the ages of 18 and 25. The recruitment is part of recent measures to curb violence and insecurity and enables Gabon to contribute troops to peacekeeping missions.\(^{737}\) In addition to its national force Gabon is also supported by approximately 680 French troops.

Military Training and Military Schools
There is at least one military school in Gabon; the *Projet d’Ecole d’Etat Major* in Libreville. Another military school is being developed in Abidjan. Information on the entrance requirements is not available.\(^{738}\)

DEVELOPMENTS

International Standards
Gabon signed the CRC-OP-CAC on 8 September 2000 and supports the “straight-18” principle.

734 Original text in French at: http://194.206.43.70/recueil/constitution/constitution.html
735 Report of the Secretary-General, UN doc. no E/CN.4/2000/55 op. cit.
736 CIA World Factbook: Gabon
THE GAMBIA

REPUBLIC OF GAMBIA

- Population:
  - total: 1,268,000
  - under-18s: 586,000
- Government armed forces:
  - active: 800
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 21 December 2000; supports “straight-18” position
- Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 138
- There are no indications of under-18s in government armed forces.

CONTEXT

In 1999, The Gambia sent troops to Sierra Leone and Guinea-Bissau as part of ECOMOG forces.

GOVERNMENT

National Recruitment Legislation and Practice
There is no conscription in The Gambia. According to Section 23(2) of the Armed Forces Act, Cap 19 Laws of The Gambia, “Where a person enlisting has not attained the age of 18 years, his period of enlistment shall commence from the date he attains the age of 18 years”. The legislation further specifies that persons under the age of 18 should not be enlisted in the armed forces (The Gambia National Army). This is reinforced in the Constitution. Volunteers may include both men and women. After enlistment they undergo training for four to six months.

DEVELOPMENTS

International Standards
The Gambia signed the CRC-OP-CAC on 21 December 2000 and supports a “straight-18” position. In October 1999, The Gambia issued a Joint-Declaration with the Republic of Costa Rica, recognising the importance of the work of the Coalition to Stop the Use of Child Soldiers, the promotion of the ratification of the CRC-OP-CAC and the necessity of eliminating child labour and the use of children for the practise of violence.

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739 Committee on the Rights of the Child, Consideration of reports submitted by states parties under Article 44 of the Convention: Gambia, 28/9/00. UN doc. CRC/C/3/Add.61., para 68.
740 Letter of the Department of State for Defence, Republic of the Gambia, to the Friends World Committee for Consultation, Banjul, 7/1/98.
741 Vista de Estado a la República de Costa Rica del Presidente de la República de Gambia, Declaración Conjunta, 29-31/10/99.
GEORGIA

- Population:
  - total: 5,006,000
  - under-18s: 1,362,000
- Government armed forces:
  - active: 26,000
  - reserves: 250,000
  - paramilitary: 6,500
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-AC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- There are no indications of under-18s in government armed forces. Children were reportedly recruited forcibly during the civil war in Abkhazia.

CONTEXT

There is low-level conflict in the breakaway region of Abkhazia, where approximately 1600 Russian peacekeeping troops have been stationed under the auspices of the United Nations.

GOVERNMENT

National Recruitment Legislation and Practice

Article 101 of the 1995 Constitution states: “1. The defence of Georgia is the duty of every citizen. 2. The defence of the country and the performance of the duties of military obligations is the duty of able-bodied citizens of Georgia. The form of military obligations is determined by law.”

Pursuant to the 1992 Law on Military Service, as amended in 1996, all men of 18 are liable for two years of military service. In its 1997 report to the Committee on the Rights of the Child, the government asserted that the law “does not provide for the possibility of accepting volunteers in the army at a lower age [than conscripts]”. 742 UNICEF confirmed in 1999 that the recruitment of children under the age of 18 and their participation in military activities in Georgia is prohibited by law. 743

Military Training and Military Schools

There are reportedly three military schools in Georgia with a minimum age for entry of 15 years. Up to 400 children are attending these schools where they receive military training but they are not considered part of the armed forces. They are not allowed to participate in any kind of military operations, and are not obliged to continue military training upon graduation. 744

Child Recruitment

It is alleged that during the civil war in Abkhazia, illegal recruitment methods, including press-ganging, were used by the armed forces when legal forms of recruitment failed to achieve the
necessary number of recruits. There were reports that children under 18 were among those forcibly recruited.\textsuperscript{745} According to UNICEF, there are currently no under-age recruits in the country.\textsuperscript{746}

**OPPOSITION**

The Abkhazia Forces of the self-proclaimed state of Abkhazia, under the leadership of Vladislav Ardzinba, are estimated to number 5,000 men.\textsuperscript{747} The South Ossetia forces are estimated to have 2,000 men.\textsuperscript{748} It is not known whether either of these opposition forces use child soldiers.

\textsuperscript{742} Initial Report of Georgia submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/41/Add.4/, 26/5/97, para. 18.  
\textsuperscript{743} Information provided by UNICEF, 25/6/99.  
\textsuperscript{744} Ibid.  
\textsuperscript{745} Horeman and Stolwijk op. cit.  
\textsuperscript{746} UNICEF op. cit.  
\textsuperscript{747} www.rb.se  
\textsuperscript{748} Ibid.
GERMANY

FEDERAL REPUBLIC OF GERMANY

- Population:
  - total: 82,178,000
  - under-18s: 15,587,000
- Government armed forces:
  - active: 321,000
  - reserves: 364,300
- Compulsory recruitment age: 18
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: signed on 6 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/API+II

- There are indications of under-18s in government armed forces as the minimum recruitment age is 17.

GOVERNMENT

National Recruitment Legislation and Practice

Article 12(a) of the Basic Law deals with compulsory military or alternative service. Its first paragraph states that “[M]en who have reached the age of 18 may be required to serve in the Armed Forces, the Federal Border Guard or civil defence organisation”. The legal basis of conscription is the 1956 Law on military service. All men from the age of 18 are liable for military service (Article 1) which lasts 10 months (Article 5(1)), but this period can change in case of wartime. Recruits are usually called up the year during which they turn 19. Various types of ‘special services’ are referred to in Article 13(a) and 13(b), and alternative service for is regulated by the 1986 Law on civilian service. Many young men opt for alternative service, some 30 to 40 per cent of potential recruits each year being conscientious objectors.

In time of war women between 18 and 55 years of age may be assigned to civil service in the civilian health system or in a stationary military hospital if there are needs which cannot be met on a voluntary basis. Until 2000 women could on no account be assigned to military service involving armed combat; they may now volunteer for combat positions.

According to the Military Career Regulations and Article 5(1) of the Law on Military Service, volunteers may be recruited into the armed forces at the age of 17 with authorisation from a legal representative. Boys of 16 may enrol in the police forces and border guards. In its report to the Committee on the Rights of the Child the government reported that 17-year-olds are prohibited from participating in hostilities. Debate about conscription was renewed following the announcements of defence budget cuts in early 2001.

CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES

See Turkish entry for information on the recruitment of children by the Kurdish Workers Party (PKK) in Germany and the country profile of the Federal Republic of Yugoslavia for information on the recruitment by the Kosovo Liberation Army (KLA) in Germany.
DEVELOPMENTS

International Standards
Germany signed the CRC-OP-AC on 6 September 2000 but does not support the “straight-18” position. Germany made a declaration upon ratification of the Convention on the Rights of the Child (CRC) regretting the fact that under Article 38(2) of the CRC even fifteen-year-olds may take part in hostilities as soldiers, because this age limit is incompatible with the consideration of a child’s best interest protected under Article 3(1) of the Convention. It declared that it will not make any use of the possibility afforded by the Convention to set the national age limit at 15.

A number of proposals have been made in Parliament to raise the minimum age of recruitment into the armed forces to 18 years or to support 18 as the minimum age in negotiations on the Optional Protocol. During the European Conference on the Use of Children as Soldiers, hosted by Germany in October 1999, the Minister of Foreign Affairs, Joschka Fischer, declared his personal support for 18 as the minimum age for all military recruitment and participation in armed conflict. The Minister of Defence, Rudolf Sharping, also expressed his support for 18 as the minimum age for deployment, however he did not refer to recruitment.

749 Wehrpflichtgesetz, BGBl. 1995 I 1756, 1757.
750 Zivildienstgesetz, BGBl. 1994 I 2811.
752 Blaustein and Flanz op. cit.
753 Article 7(1), No.1; Article 11(1) No.1; and Article 18(1), No.1 of the Military Career Regulation (Soldatenlaufbahnverordnung - SLV), BGBl. 1994 I 2404, 2405.
755 Summary record of the 245th meeting of the Committee on the Rights of the Child, consideration of the report of Germany, UN Doc. CRC/C/SR.245, 13/11/95.
756 Information from German Coalition in 3/01 op cit.
758 ARD, Tagesthemen, 19/10/99.
GHANA

REPUBLIC OF GHANA

- Population:
  - total: 19,678,000
  - under-18s: 9,917,000
- Government armed forces:
  - active: 7,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II; ICC; ILO 182

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
According to Article 41(h) of the 1992 Constitution “[i]t shall be the duty of every citizen to defend Ghana and render national service when necessary”. In its initial report to the Committee on the Rights of the Child the government reported that there is no law on conscription, thus the Ghanaian armed forces consist purely of volunteers. The minimum age for recruitment is 18. The UN confirmed in 2000 that there is no conscription in Ghana.

However according to other sources a form of conscription was established through the 1980 National Service Act (Act 426), according to which all graduated students over age 18 must perform two years of national service including an eight-week period of military training. Recruitment procedures and training are based on the British model.

There is no evidence of underage recruitment in Ghana. However, the UN Committee on the Rights of the Child expressed its concern over the fact that in many rural areas regulations on birth registration are not fully implemented. Lack of proper documentation can pose difficulties in enforcing minimum recruitment age requirements.

DEVELOPMENTS

International Standards
Ghana hosted the West African Regional conference on war-affected children in May 2000 which launched several regional initiatives for the protection of children in armed conflict but, at the time of publication, had not yet signed the CRC-OP-CAC.

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759 Initial Report of Ghana to the Committee on the Rights of the Child, UN Doc. CRC/C/Add.39, 19/12/95.
761 Horeman and Stolwijk op. cit.
762 According to Social Service International.
763 Concluding observations of the Committee on the Rights of the Child: Ghana. UN Documents. CRC/C/15/Add.73, 18/6/97.
GREECE

HELLENIC REPUBLIC

- Population:
  - total: 10,626,000
  - under-18s: 2,034,000
- Government armed forces:
  - active: 159,170
  - reserves: some 291,000
  - paramilitary: 4,000
- Compulsory recruitment age: 18; younger during war or mobilisation
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: signed on 7 September 2000; does not support the “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are indications of under-18s in government armed forces as volunteers may serve from the age of 17. There is no armed conflict in the country but Greece remains in a state of general mobilisation.

CONTEXT

Since 20 July 1976 Greece has been in a continuous state of general mobilisation owing to the Cyprus conflict and tension with neighbouring Turkey.

GOVERNMENT

National Recruitment Legislation and Practice
The Constitution of 1975, as amended in 1986, states in its Article 4(6) that: "Every Greek capable of bearing arms is obliged to contribute to the defence of the fatherland as provided by law." Law No. 2510 of June 1997 (amending Article 1 of the Law 1763/1988 governing military service) on conscription entered into force in January 1998. Article 3 states that men may be called to military service beginning in January of the year they turn 19 – thus including 18-year-olds. However, the government retains the right to recruit men from January of the year they turn 18, in special circumstances when the country faces increased mobilisation needs – thus including 17-year-olds. Furthermore, Article 14(2) specifies that “[d]uring a general mobilization or war period, it may be permitted, by decision of the Minister of National Defence not published in the Government Gazette, the voluntary enlistment, as volunteers, of conscripts or reservists who belong to an age-group or category which has not been called up for enlistment, as well as of fellow countrymen, who have completed their seventeenth-year of age and do not exceed their fiftieth one. (...)” This suggests that individuals under 17 years of age could, in theory, be conscripted.

Article 5 states that full military service lasts twenty-four months and a reduced service twelve, six or three months. However it is possible to postpone enlistment for the purposes of higher
education, or to fulfill a reduced or alternative social-civil service (e.g. conscientious objectors). Eighteen per cent of conscripts do not perform military service.

Greece’s armed forces are currently in the process of reform and will be based on an increased number of professional personnel. As part of this process the Greek Parliament adopted in 1999 the Law on Universal Defence, according to which all Greeks between 18 and 60 (excluding pregnant women, women with children under the age of 12, and persons already serving in the armed forces) must complete up to four days’ service a year in universal defence units. Although defence units perform a range of functions, units in border areas may be armed in certain circumstances “in cases of war, mobilization or tension or for the purpose of scheduled exercises in peace time”. Failure to report for service is punishable by one month imprisonment; repeat offences carry a three-month prison sentence.

Greece became the first European Union country to conscript women, and only the second in the Western world, after Israel. In 1998 there were 717 women in uniform making up about 3.75 per cent of the Greek armed forces. In early 1999, a 'Mum's Army' was to be created and women were to receive compulsory military training for several weeks each year, excluding sick and pregnant women as well as mothers of children under 12 would be exempt.

**Military Training and Military Schools**
There are military schools and academies in Greece including: the Hellenic Army Academy; the Hellenic National Defence College which provides advanced education to officers from the Armed Forces, Law Enforcement Agencies, the Coast Guard, as well as to officials; and the Hellenic Nursing Military Academy. Information about minimum entry age is not available.

**DEVELOPMENTS**

**International Standards**
Greece signed the CRC-OP-CAC on 7 September 2000 but does not support the “straight-18” position.

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764 Horeman and Stolwijk op. cit.
765 http://www.urich.edu/~jpjones/confinder/const.htm
766 AI Report 1999
770 http://www.mod.gr/english/index.htm
771 Horeman and Stolwijk op. cit.
772 AI Report 1999
773 “Athens sets up Mum's Army”, The Guardian, 22/8/98
GUATEMALA

REPUBLIC OF GUATEMALA

- Population:
  - total: 11,090,000
  - under-18s: 5,650,000
- Government armed forces:
  - active: 31,400
  - reserves: 35,000
  - paramilitary: 19,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: GC/API + II; ILO 138

- There are no indications of under-18s in government armed forces. During the internal armed conflict, child soldiers were used by both the government forces and opposition forces. Opposition fighters were subsequently demobilised and reintegrated.

CONTEXT

The 1996 Peace Agreement, brought an end to an internal armed conflict in which over 100,000 people died, tens of thousands disappeared and one million people were displaced.

GOVERNMENT

National Recruitment Legislation and Practice

Article 135 of the 1985 Constitution provides that citizens have the duty to “serve and defend the homeland” and “to perform military and social service in accordance with the law.” A 1998 constitutional reform approved by Congress would have amended Article 135(g) to require citizens “to perform military or social service in accordance with the law”, but this reform was rejected when submitted for approval by referendum.775

After the 1994 Comprehensive Agreement on Human Rights, the Government was asked to adopt a new Military Service Act to establish a fair and non-discriminatory system of military service. The same year, conscription procedures were changed to a totally voluntary system in which citizens serve for a determined period of time as mutually agreed with the Armed Forces.776 In June 1994, the President of the Republic asked the Minister of Defence “to accept for military service only persons aged 18 or over who volunteer for military service and meet the legal requirements.”777

On 19 September 1996, the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society was concluded, enshrining provisions for a new military service.778 This agreement requested the practice of voluntary military recruitment be continued “until the Government of Guatemala, on the basis of the Comprehensive Agreement on Human Rights, adopts the necessary administrative decisions, and the Guatemalan Congress
approves a civil service law, which shall include military service and community service; this law shall entail fulfilment of a duty and a constitutional right, which is neither compulsory nor a violation of human rights, is universal and non-discriminatory, and would reduce the length of service and offer options to citizens.”

Nevertheless, de jure, the 1988 legislation on military service (ley Constitutiva del Ejercito) is still in force. According to this law, all men aged 18 to 30 are liable for 30 months military service. Permanent exemptions are possible for medical reasons, election candidates and clergy.

Article 59 of the Children and Young Persons Code (Decree No. 78-96) states that “In the event of armed conflict, children and young persons shall have the right not to be recruited and the state shall ensure compliance with the international humanitarian law standards applicable to them. The state shall adopt all possible measures to ensure that persons who have not reached the age of 18 shall neither participate directly in the hostilities nor be recruited for military service at any time.” The government informed the Coalition in March 2001 that this law has not yet entered into force.779

Military Training and Military Schools
There are many military schools in Guatemala, including military high schools and technicians schools that accept pupils from 14 years. Their status in relation to the armed forces.780

Past Child recruitment
During the internal armed conflict child soldiers were used by both government and opposition forces. Many of the mechanisms of forced and underage recruitment during the civil war have since been dismantled. Voluntary Committees have been demobilised since 1996 (according to Decree 143-96) and the Guardia de Hacienda no longer exists. Similarly, the military commissioners (recruitment agents paid for and armed by the armed forces) were abolished by Decree 79-95 in 1996.781

DEVELOPMENTS

International Standards
Guatemala signed the CRC-OP-CAC on 7 September 2000 and supports the “straight-18” principle.

Truth Commission
On 25 February 1999, the Guatemalan Historical Clarification Commission published its final report on human rights violations during the civil war and denounced the use of forced recruitment, including of children, by the Armed Forces (partly through the Military Commissioners), by the Civil Defence Patrol and by the guerrillas.782

Demobilisation
Since the end of the war 3,000 ex-guerrillas from the Guatemalan National Revolutionary Unit were the beneficiaries of a reintegration programme. Of 2,959 guerrillas who have reported to the camps for their demobilisation, 214 were minors.783 At the time of demobilisation, of 2,778
URNG troops who responded to a survey, 99 (30 females) were between the ages of 10 and 15 and 737 (153 females) were between the ages of 16 and 20.

777 Initial report of Guatemala to the Committee on the Rights of the Child, UN Doc. CRC/C/3/Add.33, 20/4/95.
780 Letter to CSC, 5/3/01
781 La Prensa, 24/1/97
782 <http://hrdata.aaas.org/ceh/mds/Spanish/toc/html
783 Guatemala NewsWatch Vol. 12, No.3, 3/97
GUINEA

REPUBLIC OF GUINEA

- Population:
  - total: 7,360,000
  - under-18s: 3,770,000
- Government armed forces:
  - active: 9,700
  - paramilitary: 2,600
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II; ICC

It is not known whether there are under-18s in government armed forces due to insufficient information on voluntary recruitment age.

CONTEXT

Guinea faces insecurity due to events in neighbouring countries, Liberia and Sierra Leone. According to the UNHCR there are some 400,000 refugees from these countries in Guinea. Their presence has increased economic strain as well as ethnic tension and cross border attacks. A number of armed groups, mainly the RUF from Sierra Leone, and the ULIMO and NPFL from Liberia, use Guinea as a rearguard military base while committing atrocities against refugees and Guinean civilians.

In October 2000 the Guinean interior minister announced that Guinea was effectively in a state of war due to a series of attacks in border areas by RUF fighters and Liberian security forces, which resulted in the deaths of hundreds of Guinean civilians as well as massive displacement of Sierra Leonean and Liberian refugees. Guinean armed forces have also committed human rights abuses against the refugees, who are often blamed for the attacks. The Guinean military also launched counter attacks in rebel-held areas of northern Sierra Leone, in which thousands of Sierra Leonean civilians were killed and displaced between September and February 2001. The deployment of an ECOWAS border monitoring force, delayed by the upsurge in fighting, was finally agreed in January 2001, with troops supplied by Nigeria, Mali, Senegal and Niger.

Guinea currently contributes several hundred troops to peacekeeping operations in Sierra Leone and Western Sahara. In June 1998 Guinea also sent troops to Guinea-Bissau to help the government resist an attempted coup.

GOVERNMENT

National Recruitment Legislation and Practice
According to Article 1 of Order No. 072/PRG/SGG/90 of 25 July 1990, all Guinean citizens between the ages of 18 and 25 may be called to army service for 18 months. The rate of
recruitment is 95 per cent among men and 5 per cent among women. There is no information about the minimum age for voluntary recruitment.

**Child recruitment**
There is no evidence of underage recruitment in Guinea. However, the detention and ill-treatment of refugees in early September 2000 was reportedly committed by Guinean authorities and “militant youths”. The age of these youths is not known, nor whether they were civilians or armed forces members.

In 1999 the Committee on the Rights of the Child expressed its concern at the insufficient birth registration practices and lack of awareness of registration procedures in Guinea. Such deficiencies could potentially pose the risk of underage military recruitment.

**DEVELOPMENTS**

**Special programmes**
In March 2001, UNHCR announced it would begin training local military and civilian administrators in Guinea on human rights and issues related to children and gender. The workshop will involve members of the Guinean military, police and *gendarmerie*.

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784 HRW “Guinean Forces Kill, Wound Civilians in Sierra Leone”
785 UN IRIN, “ECOMOG capable of defending border, ECOWAS head says”, 24/1/01.
786 Report of the Secretary-General, UN Doc. E/CN.4/1997/99 op. cit. Other sources including the IISS state that military service lasts 24 months.
787 Initial Report of Guinea to the Committee on the Rights of the Child, UN Doc. CRC/C/Add.48, 17/6/97, para. 16.
789 Concluding observations of the Committee on the Rights of the child: Guinea. UN Doc. CRC/C/15/Add.100, 10/5/99. Para. 19.
GUINEA-BISSAU

REPUBLIC OF GUINEA-BISSAU

- Population:
  - total: 1,187,000
  - under-18s: 581,000
- Government armed forces:
  - active: 9,250791
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: signed on 8 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC, GC/API+II, ICC

- It is not known whether there are under-18s in government armed forces due to lack of information on the minimum age of voluntary recruitment. Children under age 18 were among both government and opposition armed forces during the civil war in Guinea-Bissau. It is not known whether former underage combatants were included in official demobilisation and reintegration programmes established since the peace agreement was signed.

CONTEXT

Between June 1998 and May 1999 Guinea-Bissau was engaged in civil war in which an estimated 2,000 persons were killed. Opposition groups were supported by a Military Junta including 90% of Guinea-Bissau’s armed forces and backed by the Casamance Separatist Movement from southern Senegal. With little national backing, President Vieira was forced to rely on Senegalese and Guinean troops.792 Despite two cease-fire agreements, fighting continued until the signing of a third agreement in February 1999, following which a government of national unity was appointed.793 Guinean and Senegalese troops withdrew by March and ECOMOG forces withdrew in June 1999. The leader of previous coups, former Armed Forces Chief of Staff General Ansumane Mané, attempted another uprising in November 2000, however Mané lacked sufficient backing and was subsequently killed by government forces.794

GOVERNMENT

National Recruitment Legislation and Practice
Military service is compulsory for all citizens between ages 18 and 25. Service lasts 24 months and recruitment is selective.795 There is no information available on the minimum age for voluntary recruitment.

Due to economic constraints only two national recruitment drives have occurred since 1974 and enlistment generally occurs on a voluntary basis.796 Before Guinea-Bissau’s civil war 90 per cent of armed forces members were students from the secondary school in the capital.797 The size of the armed forces was to be reduced after the February 1999 peace agreement.
Child Recruitment
During the civil war government forces loyal to President Vieira are known to have included at least a small number of children. Concerns regarding possible underage recruitment on a larger scale were raised on several occasions. According to UNICEF there were reports that at the start of the conflict some 500 “youths” were recruited for training in Guinea Conakry, and later youths were recruited forcibly during a food distribution by the National Red Cross.\textsuperscript{798} In November 1998, rebel leader Mané also accused government troops of deploying about 350 forcibly recruited youths on the front-line.\textsuperscript{799} After the final cease fire agreement, a small number of child soldiers between the ages of 15 and 18 serving with the Águetas militia – the militia loyal to President Vieira – were discovered among militia members detained during an outbreak of fighting. The children were later released and returned to their families.\textsuperscript{800} It is not known if legislated minimum age requirements are currently implemented in practice.

OPPOSITION

Child Recruitment
The military junta consisted mainly of forces from the regular army, backed by veterans from the liberation war. Amnesty International reported the use of children as young as 14 among the Military Junta troops.\textsuperscript{801} Eye-witnesses also reported that in early stages of the conflict youngsters between 17 and 18 years of age volunteered for the military junta. The number of minors thought to have been involved is low – about 50 – and there is no evidence of their participation in hostilities. It is generally agreed that the junta did not lack personnel but rather materiel.\textsuperscript{802}

DEVELOPMENTS

Demobilisation
In November 1999 special units were established for the demobilisation, reintegration and reinsertion of former combatants. These units were to establish vulnerability criteria for the demobilisation of former combatants and oversee a census of the armed forces. It is not known whether these vulnerability criteria targeted underage combatants. Guinea-Bissau’s estimated 23,000 troops were to be decreased to about 11,000.\textsuperscript{803} A month later the government announced that more than 10,000 "military and paramilitary" volunteers who took part in the armed forces' uprising would be fully integrated into the military, replacing others who had been demobilised.\textsuperscript{804} In November 2000, the United Nations Security Council underlined the importance of the continuation of the disarmament, demobilisation and reintegration process as well as the need for an urgent and accurate census of the military forces in Guinea-Bissau.\textsuperscript{805}

International Standards
Guinea-Bissau signed the CRC-OP-CAC on 8 September 2000 but does not support the “straight-18” position.

\textsuperscript{791} Note: figures to be treated with caution due to the 1998 revolt - IISS, The Military Balance op. cit.
\textsuperscript{793} Gueye, J. S. "Fadul pledges to save all Guinea Bissau nationals", Panafriican News Agency, 22/2/99.
795 Report of the Secretary-General, UN doc. E/CN.4/2000/55 op. cit.; Information on recruitment supplied by UNICEF.
796 UNICEF op. cit.
797 Horeman and Stolwijk op. cit.
798 UNICEF op. cit.
799 Mané reported that some of these youths had fired gunshots, constituting a violation of the cease-fire. OCHA: Integrated Regional Information Network (IRIN)-West Africa, Update No. 343, 20/11/98.
802 UNICEF op. cit.
804 IRIN-WA Weekly Round-up 49, 4 – 10/12/99 “Guinea-Bissau: War volunteers to be reintegrated”.
GUYANA

REPUBLIC OF GUYANA

- Population:
  - total: 855,000
  - under-18s: 311,000
- Government armed forces:
  - active: 1,600
  - reserves: 1,500
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

- It is not known if there are under-18s in government armed forces due to lack of information on minimum recruitment age.

CONTEXT

Social unrest followed elections in December 1997. In July 1998, political leaders signed a "peace agreement" to end the violent protests. Long-standing ethnic tensions, primarily between citizens of African descent and those of South Asian origin, have continued to polarise the society and political life.  

GOVERNMENT

National Recruitment Legislation and Practice

The Guyana Defence Force (GDF) is recruited on a voluntary basis only. No information on the minimum age of recruitment is available. There are two militias currently operating in the country: the Guyana National Service (GNS) and the Guyana People's Militia (GPM). These paramilitary forces have a combined strength of approximately 3,000. The GNS is a voluntary organisation with limited military potential, which was created in 1973 in order to provide the government with a manpower source for public works and services. The militia is divided into various corps for young people from ages eight to twenty-five and composed of members of the Afro-Guyanese ethnic group. The GPM was created in 1976 during a period of heightened tension along the Guyana-Venezuela border. This corps was envisioned as a more ethnically diverse force than the GDF. The government agreed to form the People's Militia, but only as a supplementary security force, to assist regular forces in times of emergency.

Both police and armed forces are mainly staffed by Afro-Guyanese. The low percentages of Indo-Guyanese in the police and GDF is partly due to the low pay and status, but also as a result of the marginalisation of the Indo-Guyanese community. Recent recruitment efforts targeted at the Indo-Guyanese community generally have met with unenthusiastic response, with most
qualified Indo-Guyanese candidates opting for a business or professional career over military, police, or public service. \(^{811}\)

\(^{810}\) http://www.amnestyusa.org/ailib/aireport/ar99/amr35.htm, AI/USA
\(^{811}\) Centre on Conscience & War op. cit.; also http://www.bharat-rakshak.com/monitor/ISSUE3-2/sanay.html, Bharat Rakshak, The consortium of Indian Military Websites.
\(^{812}\) US Library of The Congress op. cit.
\(^{813}\) US Department of State, Country Reports on Human Rights Practices 2000 – Guyana; also Bharat Rakshak op. cit.
\(^{814}\) Bharat Rakshak op. cit.
\(^{815}\) US Department of State op. cit.; also www.bharat-rakshak.com/monitor/ISSUE3-2/sanjay.html
HAITI

REPUBLIC OF HAITI

- Population:
  - total: 8,087,000
  - under-18s: 3,930,000
- Government armed forces:
  - active: nil
  - paramilitary (National Police Force): 5,800
- Compulsory recruitment age: no conscription
- Voluntary recruitment age (police forces): 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC, GC

- There are no indications of under-18s in the government police forces as the minimum recruitment age is 18. There are no government military forces.

CONTEXT

In September 1994, a UN-sanctioned multinational force restored the country's democratically elected president, President Aristide. Following the fall of the military regime which had ruled Haiti since 1991, the armed forces were demobilised in 1994 and officially dismantled in April 1995. In 1999, the situation in Haiti was reported to be unstable with continuing activities by armed paramilitary groups, as well as significant levels of crime and corruption.

GOVERNMENT

National Recruitment Legislation and Practice

The only government security forces in Haiti are the Haitian National Police (Police nationale d’Haiti, PNH). Recruitment into the Haitian National Police Force is voluntary. However, the institution of the armed forces still exists in national legislation and conscription is still enshrined in Article 268 of the Constitution of 1987, which states that "military service is compulsory for all Haitians who have attained eighteen years of age." Only a constitutional amendment can eliminate these provisions. Candidates must be 18 or older in order to join the police.

Controversy has surrounded the admission of former military personnel into the police force and their appointment at command positions, as the armed forces have been responsible for gross human rights violations in the past. According to the Haitian authorities, the recruitment of ex-soldiers is necessary as there are not enough suitable civilian candidates.

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812 Communication received by CSC from Permanent Mission of Haiti to the United Nations in Geneva, 1/4/01.
814 Balencie and de La Grange, op. cit.
815 Ibid.
816 RB: www.rb.se
817 Horeman and Stolwijk op. cit.
820 Permanent Mission of Haiti, 1/4/01, op. cit.
HOLY SEE

- Population: 813
- Government armed forces:
  - active (Swiss Guard): 106
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): not applicable
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 10 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II

- There are no indications of under-18s in government armed forces, which comprise the smallest army in the world.

GOVERNMENT

National Recruitment Legislation and Practice
The Swiss Guard is the world’s smallest army, consisting of only 106 men: the commander, five officers (including a chaplain) and 100 soldiers. To qualify for the guard, one must be Swiss at birth, Roman Catholic, unmarried and between 18 and 25 years of age. Candidates must be over 1.74 metres tall and good looking but this regulation is not enforced strictly. Candidates must have a secondary school diploma, initial military training required by Swiss law, and a certificate of good conduct from an ecclesiastical and a civil authority. A number of changes have been made to centralise and standardise recruitment procedures. New directives were issued in May 1999 concerning qualifications, promotions and discipline.

The members of the Swiss Guard reside in Vatican City and their official language is German. They serve for two years, with the possibility of extending the period to a maximum of 25 years. During this period they receive training in self-defence, languages and spiritual formation. At the end of the first year they must take a very thorough examination.

DEVELOPMENTS

Declarations
The Holy See has expressed its concern about the use of children in armed conflicts on many occasions. In 1997, Pope John Paul II urged political and social leaders "inspired by the principle of morality and law, (to) do everything to prevent children from becoming participants in war, being forced to bear arms and kill their peers." On 1 January 1999, in his message for the celebration of the World Day of Peace, Pope John Paul II reiterated his concern on child soldiers. In February 2001, Pope John Paul II devoted a month of prayer to an end to the exploitation of children in armed conflict: "that children never again will be obliged to participate in any war, but may be freed from hatred and violence and may live, as children should, enjoying friendship in their family, school and society."
International Standards
The Holy See signed the CRC-OP-CAC on 10 September 2000 and supports the “straight-18” principle.

821 http://members.ncbi.com/ntritz/vatican/guard.html
822 “Curia profile: the Pontifical Swiss Guard”, Vatican Information Service, 17/7/96
823 “Swiss Guard commander sees year of mourning, recovering as complete just as Swiss Guard prepare to formally receive new recruits, officers”, Daily Catholic, Vol. 10, No. 88, 5/5/99
825 Regina Caeli, 6/4/97.
826 Peace’s Day, Message of His Holiness John Paul II, Rome, 1/1/99. This position was reiterated by the Holy See delegation to the European Conference on the Use of Children as Soldiers, 18-20 October 1999. Its representative stated that: “It is the clear and constant position of the Holy See that children should have no role in armed conflicts, and the Holy See accordingly regrets the lack of consensus in the discussions on the Optional Protocol.”
827 CSC, Update 8 and Press Release, 2/01
HONDURAS

REPUBLIC OF HONDURAS

- Population:
  - total: 6,316,000
  - under-18s: 3,094,000
- Government armed forces:
  - active: 8,300
  - reserves: 60,000
  - paramilitary: 6,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice

Article 276 of the 1982 Constitution was amended by Decree No.24-94, ratified by Congress in 1995, establishing voluntary military service from the age of 18 during peacetime and calling for the 1985 Military Service Act and corresponding regulations to be redrafted. In its periodic report to the Committee on the Rights of the Child, the Government asserted that “military service is now voluntary and educational” and that “there is no compulsory conscription.” The Government also reported that “for incorporation into the armed forces the minimum age is 18 years.” However, the 1985 Military Service Act has not yet been redrafted, nor has new legislation been passed since 1994.

Although forced recruitment was the norm in the 1980’s and early 1990’s, there have been no reported cases since 1994. There is no evidence of underage recruitment.

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830 Horeman and Stolwijk op. cit.
832 Ibid, para.328.
833 CSC 1999 report on Honduras
834 Ibid.
HUNGARY

REPUBLIC OF HUNGARY

- Population:
  - total: 10,076,000
  - under-18s: 2,123,000
- Government armed forces:
  - active: 43,790
  - reserves: 90,300
  - paramilitary: 14,000
- Compulsory recruitment age: 17; at 18
- Voluntary recruitment age: 18
- Voting age in government elections: 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

There are no indications of under-18s in government armed forces. Students at military schools are not considered part of the armed services until they have reached the age of eighteen.

GOVERNMENT

National Recruitment Legislation and Practice

Article 70-H of the 1949 Constitution states: "(1) All citizens of the Republic of Hungary have the duty to defend the homeland. (2) Subject to their general defence obligation, citizens are expected to undergo military service, armed or unarmed, or civil service on terms specified in the law." The present legal basis of conscription is the 1993 National Defence Law (amended in 1997).

The law on National Defence provides for the general registration for conscription by all males from the age 17 who are citizens and residents of Hungary, but military service before the age of 18 years is not permissible. The Permanent Mission of Hungary has stated that “Military service is compulsory for men in Hungary from the age of 18”. The minimum age for volunteers is also 18, "though volunteers are accepted only after completion of the compulsory service", thus "the age for voluntary military service is 19 in practice".

Between 6,000 and 7,000 young men are enrolled four times a year for a period of nine months. Only about 50% of liable conscripts are actually recruited. The Hungarian armed forces are being reduced and transformed into a professional army. The abolition of conscription is an eventual goal and there has been considerable public support for this.

Military Training and Military Schools

In November 1997 a new system of training was introduced, under which conscripts spend the first three months of military service at two national training centres, receiving basic and individual training, followed by platoon, company and battalion training. The training of Hungarian career soldiers also takes place in military colleges in other Western countries.
government plans to establish a new training institution from August 2001. Students at military schools are only considered members of the armed forces after they have reached the age of eighteen.

**Child Recruitment and Deployment**

According to information provided by the Hungarian government “There is no distinction between the age of recruitment and the age of participation in hostilities. It is to be stressed, however, that only volunteers can be deployed in zones of danger, i.e. peacekeeping operations.”

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835 [http://www.urich.edu/~jpjones/confinder/const.htm](http://www.urich.edu/~jpjones/confinder/const.htm)
836 Horeman and Stolwijk op. cit.
838 Communication from the Permanent Mission of the Republic of Hungary to the United Nations sent to QUNO, 9/12/97
840 RFE/RL Newsline 20/1/00, Hungarian Opposition Party Launches Anti-Conscription Drive
842 Hungarian Ministry of Defence website op. cit.
843 Permanent Mission of Hungary, 9/12/97, op. cit.
844 Ibid.
ICELAND

REPUBLIC OF ICELAND

- Population:
  - total: 279,000
  - under-18s: 78,000
- Government armed forces:
  - active: nil
  - paramilitary (Coast Guard): 120
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: not applicable
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO

- There are no armed forces in Iceland and legislative provisions governing potential recruitment for the defence of the country indicate that only those over 18 would be required to participate if such a situation were to arise.

GOVERNMENT

National Recruitment legislation and Practice
Iceland has no armed forces and only a small Coast Guard is maintained.\(^{845}\) Iceland relies on the United States for its defence under the 1951 Defense Agreement, which established the Keflavík base.\(^{846}\)

There have never been armed forces or compulsory military service in Iceland.\(^{847}\) However, Article 75 of the Iceland Constitution (No. 33, 17 June 1944, as amended 30 May 1984 and 31 May 1991) seems to reserve this right as it states that: “Every person able to carry arms shall be obliged to take part in the defence of the country, as may be further provided by law.”\(^{848}\) This provision has never been put to the test, but in its report to the Committee on the Rights of the Child the government indicated that "men capable of bearing arms" would be interpreted with the age of 18 as an absolute minimum.\(^{849}\)

Iceland has contributed medical personnel and police officers to peacekeeping operations in the Balkans and is planning to increase and broaden its participation in the civilian aspects of peacekeeping.\(^{850}\)

DEVELOPMENTS

International Standards
A declaration made by Nordic Foreign Ministers in August 1999 strongly supported the adoption of an Optional Protocol prohibiting all recruitment and deployment of under-18s. Iceland signed the CRC-OP-CAC on the 7 September 2000 and supports the “straight-18” principle.
TEXT VERSION: CHILD SOLDIERS GLOBAL REPORT 2001

845 IISS, Military Balance, op. cit.
846 Horeman and Stolwijk op. cit.
848 http://www.urich.edu/~jpjones/confinder/Iceland2.htm
850 http://for.stjr.is/interpro/for/for.nsf/0/, Speech by Prime Minister of Iceland at Millennium Summit of the United Nations, New York, 6 September 2000
INDIA

REPUBLIC OF INDIA

- Population:
  - total: 998,056,000
  - under-18s: 398,306,000
- Government armed forces:
  - active: 1,303,000
  - reserves: 535,000
  - paramilitary: 1,069,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces and armed opposition groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC

There are indications of under-18s in government armed forces as voluntary recruitment is possible from 16. There is widespread use of child soldiers, some as young as 11, by armed groups in various regions.

CONTEXT

Jammu and Kashmir has been the focus of armed conflict between India and Pakistan, as well as internally between security forces and various armed factions, some of which favour accession of the area to Pakistan, while others advocate independence for a reunified Kashmir. Northeast India has also been beset by internal conflicts for decades. Several other states have seen conflict involving leftist Naxalite armed groups, communal and caste-based movements and other private militias.

GOVERNMENT

National Recruitment Legislation

The 1950 Constitution (art. 51A) states: “It shall be the duty of every citizen of India … to defend the country and render national service when called upon to do so.” However there is currently no compulsory recruitment in India. According to the 1972 National Service Act, certain persons can be called to perform national service but no minimum age is specified. The Armed Forces are governed by the Army Act, the Air Force Act, and the Navy Act, respectively, none of which regulate minimum enlistment age.

Information provided by the Indian Government indicates that the minimum age of recruitment into the Army is 16. “Persons who are recruited at the age of 16 years undergo basic military training for up to two and a half years from the date of enrollment and are then inducted into regular service.” In its report to the Committee in the Rights of the Child, India claimed that, “children are not inducted into the armed forces and hence do not take a direct part in hostilities.” During the 1998 session of the UN Working Group negotiating the Optional Protocol, the representative of India reported that: “discussion was going on within the
Government about the possibility of raising the age limit for voluntary recruitment from 16. Minimum age requirements for various programmes are as follows: National Defence Academy (NDA) – 16.5; Selection Boards 18/19; University Entry – final/pre-final-year students; short-service commission (technical entry scheme) – 19; Women officers – 19 and restricted to officer cadre on short-service commission in certain branches. Less information is available on the recruitment of other (non-commissioned) ranks of the Indian armed forces. Recruitment into the Armed Forces is reportedly open to Indian nationals irrespective of caste, creed, community, religion, and region.

India also has a Territorial Army (TA) – a voluntary part-time civilian force consisting of departmental and non-departmental units raised from among the employees of government departments and the public sector. The TA is reportedly used in support of the armed forces in areas of insurgency.

Military Training and Military Schools
There are a number of military schools and other institutions such as the Sainik schools which provide preliminary training for school age students wishing to join the army at a later stage.

All regular students of schools and colleges may join the National Cadets Corps (NCC) on a voluntary basis. The NCC has 1,160,000 boys and girls in the Senior and Junior Divisions in the Army, Navy and Air Force wings. Cadets receive intensive practical and theoretical training in the use of arms and military subjects at NCC camps conducted throughout the academic year. A total of 499,677 cadets were reportedly to have attended Annual Training Camps during 1997. It is claimed that NCC cadets have “no liability for active military service." In August 1999 it was reported that the Indian Government ordered some NCC cadets to be deployed during elections, a task normally left to paramilitary forces. It was claimed that only students aged between 18 and 22 were authorised to participate in this activity, and that they were to be used “only at non-sensitive booths.”

Child Recruitment and Deployment
The Indian Government claims that even though children can join the armed forces, they are not formally enrolled into regular service before the age of 18. Since there is no systematic birth registration in some rural areas it is sometimes difficult to prove one’s real age. Therefore it is possible for children to be recruited into defence and paramilitary forces.

In Jammu and Kashmir, the Indian army has armed local Village Defence Committees (VDC) – primarily Hindus – in Doda, Udhampur and the border districts to assist security forces in anti-insurgency operations. So far more than 15,000 inhabitants, reportedly including teenagers, have joined these self-defence groups. At the Asia-Pacific Conference on the Use of Children as Soldiers in May 2000 the representative of the state government of Jammu and Kashmir denied the involvement of children in VDCs. He acknowledged that there may have been some instances of young boys taking up arms to defend themselves under attack, but that there was “no policy to encourage young boys to become members of the Village Defence Committees.”

Government Treatment of Suspected Child Soldiers
The presence of children in armed groups has led to the targeting of children, “especially boys… by [government] soldiers who believe that these boys might be supporters or future members of
army groups.” Criminalisation of suspected dissident children has been problematic particularly in the north-eastern region. The UN Special Rapporteur on Torture reported the arrest of a 15-year-old student from Manipur in February 1997 by members of the 57th Mountain Division of the armed forces, “on suspicion of having links with an armed opposition group. He was then allegedly handed over to the police on 19 February 1997 and kept incommunicado detention. Late in the evening, his condition supposedly deteriorated and he was taken to hospital where he died the next day.” In February 1998, 15-year-old Yumlembam Sanamacha was arrested and allegedly tortured by members of the 17th Rajputana Rifles. Two others -- Bimol Singh (aged 15) and Inao Singh (aged 22) who were also arrested were later released. A local survey presented to the Asia-Pacific Conference on the Use of Children as Soldiers reported 28 children arrested or injured and 10 children killed in Manipur between January and May 2000.

OPPOSITION

Child Recruitment and Deployment

- Armed groups in Jammu and Kashmir

A number of armed groups are active in Jammu and Kashmir, some of which favour accession of the area to Pakistan, while others advocate independence for a reunified Kashmir. The main groups include Lashkar-e-Taiba (Army of the Pure); Hizb-ul-Mujahideen; the Jammu & Kashmir Liberation Front (JKLF), Harkat-ul-Mujahideen (HUM; formerly Harkat-ul-Ansar, HUA), the Al-Badr, and the Tehrik-e-Jehad.

During the Asia-Pacific Conference on the Use of Children as Soldiers, a representative of the Jammu and Kashmir state government claimed that none of the armed groups had been using young children and that during the entire insurgency there had only been a few instances of children being ‘bribed’ to commit violence or being intercepted at the border by security forces. Sources in Pakistan suggest that while armed groups might identify prospective recruits at 15 or 16 (often from poor and disadvantaged families), they are generally over 18 by the time they infiltrate Indian territory or engage in operations. Zaki-ur-Rehman, chief of the Lashkar-e-Taiba says there is no shortage of recruits: “We train 600 to 700 men every month in the summer, and we have to turn many more away because we just don't have the facilities.”

However, press reports indicate that some armed groups have recruited “teenagers” for the conflict in Kashmir. In April 2000, Kashmir’s first suicide bomber turned out to be 18 years old and the number of young Kashmiris crossing the line to receive training in Pakistan apparently rose sharply in 1999. In August 1998 alone, more than 50 teenagers headed toward Pakistani-held Kashmir were reportedly intercepted by security forces and the state police. Two groups of 23 teenagers between the ages of 14 to 18 were intercepted by the army in Kupwara and Gure sectors, while the state police detained a group of nine from Poonch sector in Jammu region.

In May 1999 Reuters reported on 250 young recruits at a Lashkar-e-Taiba in Pakistani-held Kashmir: “All are Pakistanis from villages and small towns in Punjab and the North Western Frontier Province. ... The training is divided into three stages: 21 days of small weapons training, wilderness skills and fitness. The boys are then sent home, where they are monitored by party elders to see if they are spiritually and physically fit enough to continue.” During the Kargil
conflict in 1999, *The Guardian* described a young *Hizb-ul-Mujahideen* recruit, “baby-faced Mohammed Aijaz … who puts his age at an improbable 18, is unwilling to admit that he did not make the cut for Kargil.” According to the *Lashkar-e-Taiba*, recruits need parental consent to join. Young British Muslims have reportedly been recruited in Britain for training at camps run by the *Lashkar-e-Taiba*, although there is no evidence of these recruits being under 18.

> “I pray to Allah in all my prayers to give me a martyr’s death, but not before I have killed at least one Indian.”
> - 16 year old Lashkar-e-Taiba recruit

**North-Eastern conflicts**

For decades armed groups in Northeast India have been fighting Indian security forces and each other, in often overlapping conflicts and with competing demands for independence or autonomy. Children under 18 have reportedly been used by many of these groups as fighters, spies, messengers and in other support roles. One local survey estimated that up to half of all combatants in most groups are children, with the recruitment of girls increasing – sometimes for sexual services and domestic labour – to about 6 or 7 per cent of these children. The lowest age reported is 11. Government mistreatment of children suspected of being involved in these opposition groups has also been reported (see above). Children have also been victims of armed opposition groups themselves. In mid-June 1998, for example, ULFA fighters reportedly killed a 16-year-old girl alleging that she had been an army informant.

**Assam:** Armed groups active in Assam include the Bodoland Liberation Tigers Force (BLTF), Bodo Security Force (BSF) and United Liberation Front of Assam (ULFA). One participant in a state level seminar reported that “hundreds of children have been separated from their families, physically abused, exploited and abducted into militant groups.”

**Manipur:** Different separatist armed groups, mainly from the Naga and Kuki communities, have been fighting state security forces or each other in Manipur since the beginning of the 1990s. The Maoist Revolutionary People’s Front (RPF) and its armed wing, the People’s Liberation Army (PLA), as well as other Maoist groups such as the United National Liberation Front (UNLF), the People’s Revolutionary Party of Kangleipak and the Kangleipak Communist Party, have been fighting for Manipur’s independence. The Kuki National Front (KNF) and its armed wing, the Kuki National Army (KNA), lead a separatist fight for the constitution of a “Kukiland”, which would have autonomy within the Indian Union. The Zomi Revolutionary Organisation (ZRO) is a Pait armed group mainly opposed to the KNF/KNA. According to a local research project “there are child soldiers in every insurgent group in Manipur.”

**Nagaland:** Armed groups include the National Socialist Council of Nagaland (NSCN). The Nagas, a majority of whom are Christian, have been engaged in a separatist war since 1953. Photos taken by the Political Editor of the *North East Sun*, who spent four days inside council Headquarters of the NSCN-M, indicate that children are among the Nagas fighters. A journalist who spent two weeks in April-May 2000 with the NSCN-M faction reported that of the 250-300 troops in the group, “the vast majority were children between 13 and 17 years of age”

**Tripura:** Armed groups including the Tripura National Volunteers Force (TNVF), the All Tripura Tribal Force (ATTF), and the National Liberation Front of Tripura (NLFT) are fighting
in Tripura against the immigration of Bengali people. Children have reportedly been used as soldiers by armed groups in Tripura.

- **Naxalite conflicts, including in Andhra Pradesh**
The Naxalite movement, inspired by Maoism, started in 1968 as an armed response to the oppression of peasants, workers and lower castes by the landlord class and upper castes. Although Naxalite insurgents are reportedly weak in numbers, the geographical spread of their activities is wide. The most active groups are the Marxist Communist Centre (MCC), the Revolutionary Youth Forum, the Parakala Dalam and the People’s War Group (PWG). According to local human rights groups, 174 persons were killed in police “encounters” in Andhra Pradesh in the first eight months of 1998, many allegedly extra-judicially.

Amnesty International has found that Naxalites have “reportedly begun recruiting boys aged between 8 and 15. The boys usually come from scheduled castes or tribes, or socially or economically disadvantaged classes. Boys are recruited to the Bala Sangham, a militant children’s organisation based in district towns such as North Telengana … There are reportedly around 75 Bala Sanghams in Andhra Pradesh with over 800 children in their ranks. The People’s War Group (PWG) founded the Bala Sanghams believing that they could train children more effectively than women to resist police interrogation. Tribal girls are reportedly used as couriers in areas of Adilabad and Dandakarnya. Organisations such as the PWG also reportedly use children to provide food and to deliver ransom notes without arousing police suspicion.”

- **Other groups**
Several Indian states have also seen violence between Hindus and Muslims, resulting in the creation of Hindu extremist paramilitary self-defence groups linked with the Bharatiya Janata Party (the political wing of the Hindu ultra-nationalist movement) as well as Muslim self-defence militias such as the Jamaat-i-Islami-Hind and the Islamist Sevak Sangh.

Human Rights Watch documented the workings of one such group, the sangh parivar, a collective of Hindu nationalist organisations. The sangh recruits young boys and men for local cells known as shakhas and provides them with extensive physical and ideological training for the purpose of instilling “Hindu fervour” and military-like discipline. The sangh has set up approximately 300,000 shakhas across the country, each with an estimated fifty to one hundred participants. Training reportedly involves physical fitness, patriotic songs, prayer and discussion of national events, but also the use of lathis (batons). One activist responsible for recruiting and training new members in Ahwa town, Dangs district, Gujarat from 1990 to 1995 reported, “There could be fifteen to 150 boys at a time, as young as pre-school children, ages five and six, up to college and above.”

**DEVELOPMENTS**

**Committee on the Rights of the Child**
In discussions with the Committee on the Rights of the Child (CRC) the representative of India claimed “it was the militant groups which recruited children under 18 for military purposes, thereby violating Article 38 of the Convention.” Shortly after, in its concluding observations
on the Initial State Report submitted by India, the CRC expressed “its very serious concern at reports of children who are involved in and are victims of these conflicts. Moreover, it is concerned at reports of involvement of the security forces in disappearances of children in these conflict areas.”

887 Blaustein and Flanz op. cit.
853 Initial Report of India submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/28/Add.10, 7/7/97, para. 65; Statement to UN Working Group on an Optional Protocol, UN Doc. E/CN.4/1998/102, op. cit. para. 58; a Indian Army’s website, which states that the minimum age to be a soldier is 16 years.
855 Statement to UN Working Group on an Optional Protocol, op. cit.
858 See http://www.bharat-rakshak.com/RECRUITMENT/.
859 See http://www.bharat-rakshak.com/RECRUITMENT/.
863 AI, India: Manipur : the Silence of Youth , ASA 20/05/98.
865 RB Children of War Newsletter, 2/00.
868 AI, Children in South Asia Securing Their Rights, Report ASA 04/01/98.
870 RB research, op. cit.
871 RB: www.rb.se; also Brett and McCallin op. cit.
872 “Pakistan in turmoil at ‘climbdown’”, The Guardian, 16/7/99.
873 RB: www.rb.se; also Brett and McCallin op. cit.
875 www.rb.se quoting Peter Standberg
876 AI, Children in South Asia Securing Their Rights, Report ASA 04/01/98.
877 Ibid. pp. 671, 715.
INDONESIA

REPUBLIC OF INDONESIA

- Population:
  - total: 209,255,00
  - under-18s: 77,805,00
- Government armed forces:
  - active: 297,000
  - reserves: 400,000
  - paramilitary: 195,000 active
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 17
- Child soldiers: indicated in government-allied militias and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: GC; ILO 138; ILO 182

There are no indications of under-18s in government armed forces. However, militias supporting the government are known to recruit child soldiers. In addition armed groups in Indonesia’s troubled provinces are said to use child soldiers as young as 12.

CONTEXT

Indonesia continues to face internal conflict in West Timor, Aceh, Irian Jaya, Kalimantan and Maluku. East Timor gained independence from Indonesia in 1999 in the violent aftermath of a popular referendum (see East Timor entry). A May 2000 accord between the government and Free Aceh Movement (GAM) has been shaken by further violence. In Moluccas (also known as the Spice Islands) there have been clashes between Christian and Muslim groups since the beginning of 1999. There is also ongoing insurgency in the province of Irian Jaya and ethnic violence has flared up recently in Kalimantan.

GOVERNMENT

National Recruitment Legislation and Practice
According to Article 30 of the 1945 constitution, “(1) all citizens have the right and the duty to participate in the defence of the State. (2) Matters concerning national defence shall be provided by law.” The prevailing legislation on military service is the 1988 Law on Conditions of Military Service, according to which Indonesians may be conscripted into the regular armed forces for two years and into the reserve forces for five years. Separate legislation deals with the mobilisation of citizens in situations of war and national emergency. The 1997 Law on Mobilisation and Demobilisation authorises the President to call up all citizens aged between 18 and 50 years into both the armed forces and the reserve forces. However, a formal declaration of war is required for such conscription.
In its initial report to the Committee on the Rights of the Child, Indonesia declared that the 1982 Law on National Defence sets a minimum age of 18 for any voluntary recruitment into the armed forces. This was confirmed by the Indonesian Government representative at the Asia-Pacific Conference on the Use of Children as Soldiers (Kathmandu, May 2000).

In practice, voluntary recruitment appears to make general call-ups for military service unnecessary.

There is one Armed Forces Academy in Indonesia, which is sub-divided into the Army, Air Force, Navy and Police academies (The Police Force is now being formally separated from the military). According to UNICEF, the minimum age for entry is 18 years.

Government-allied paramilitary forces
In addition to the regular armed forces, there are a variety of militia-style paramilitary formations throughout the country. In the early 1990s, their total strength was estimated between 70,000 and 100,000. These forces come under the army’s territorial hierarchy which provides them with officers and training; in times of emergency, they are under the command of the army area commander. The Ratih civilian militia was established in 1982 to resist invasion and internal rebellion, but replaced in recent years with the Kamra People’s Security Force (internal) and Wanra People’s Resistance (external). Other forces include Hansip, the Civil Defence Force, established under government control in each village community and the Pam Swakarsa, (literally “self-security”) voluntary militia, which has a more irregular status.

Child Recruitment and Deployment
According to UNICEF there are no under-18s in the regular armed forces of Indonesia. However, paramilitary groups supported by the government in regions such as Aceh and East Timor have reportedly used children as soldiers (See East Timor entry).

Youths are also involved in various civilian militia, often associated with political parties and sometimes deployed to help the military keep order. In November 1998, for instance, one 17-year-old student said he was promised 10,000 rupiah (USD 1.30) plus food for working with the Pam Swakarsa militia during a session of Indonesia’s legislature. The militia were given green headbands and bamboo staves and ordered to stop demonstrators marching on parliament. Acting under the banner of the Islamist movement Furkon, they engaged in acts of intimidation against opponents of the government.

“If I knew I was recruited to do this, I would have refused and stayed hungry.”


In Aceh, there have been reports of militias similar to those set up in East Timor. In November 1999, young pro-Indonesian students were seen in the back of a police vehicle in the centre of Banda Aceh carrying modern rifles. In January 2000, a representative of the International Commission of Jurists claimed that child soldiers had been used by such groups to terrorise the pro-independence populace. Other abuses of children have also been reported. Two girls, aged
15 and 24, were abducted by Police Mobile Brigade personnel in Lhok Jamin. They were held for two months and forced to act as sex slaves and perform domestic tasks.\textsuperscript{895}

\section*{OPPOSITION}

\section*{Child Recruitment and Deployment}

In \textit{Aceh}, the Free Aceh Movement (\textit{Gerakan Aceh Merdeka} - GAM) movement was created in the 1950s and is reported to have more than 1,000 trained fighters. GAM is said to carry out voluntary and forced recruitment of children, for example during a recruitment drive in November 1999. \textit{The Guardian} newspaper pictured one child soldier holding an AK47 rifle.\textsuperscript{896} Amnesty International has received information about a number of 16 and 17-year-old boys who recently joined the GAM, but numbers are difficult to gauge. Those who refuse to join reportedly face threats, while those who join are encouraged to carry out revenge attacks on those responsible for killing their relatives.\textsuperscript{897}

In \textit{Maluku}, reports have indicated that children between 7 and 12 years of age have been participating on both sides of the conflict on the islands. Church sources say at least 200 boys have been forcibly recruited. Some are allegedly sent into combat with firebombs in their backpacks. In 2001 the US State Department confirmed information that children from outside the province are being brought in to fight. Islamist students have been mobilised and trained in Java with a view to joining in the conflict in Maluku. In one incident, a 16-year-old from Java who had joined the \textit{Laskar Jihad} militia was killed while fighting on Saparua island, Maluku province. Islamist groups have called for a jihad against Christians in the Maluku islands, a move condemned by Indonesian President Wahid.\textsuperscript{898}

\begin{quote}
“My job is to burn buildings. Sometimes the Whites (Muslims) shoot at me, but they never hit. I go very fast behind the walls, running. It is hard to shoot the agas (small insect) because we are so small so I am not afraid”.

- 16 year old recruit with Christian armed group in the Moluccas (Source: The Australian, 21/6/00, Indonesia: Deadly day’s play for child soldiers).
\end{quote}

Units of boys as young as 12, known as AGAS (meaning Church Children who Love God, but also meaning ‘gnats’)\textsuperscript{899} are fighting with Christian armed groups. According to one Christian leader: ‘They are very valuable in our fights with the Whites (Muslims) because they are young and small. They can sneak into the area and burn everything. Even the Indonesian troops who shoot at the Reds (Christians) will hesitate to shoot a very young person.’\textsuperscript{900} An international NGO has recently come across a group of 30 “agas” children living in a cathedral.\textsuperscript{901}

In \textit{Irian Jaya/Papua}, the Free Papua Organisation (OPM) has engaged in a low intensity campaign for the independence of Papua/Irian Jaya since its annexation by Indonesia in 1969 and is thought to number 200-300. While little is known about the OPM’s recruitment practice, it is feared that children could be drawn into armed activities in Papua’s tribal society.
Elsewhere, in Indonesia, militias and paramilitary groups have also proliferated, usually as wings of political parties or Islamist movements, e.g. the Hisbullah Brigade in Jakarta; the Bulan Sabit (the Crescent Star); the Islamic Defence Front (FPI) and the pro-Megawati Wirapati Task Force. These groups come from a long political tradition in Indonesia, but have become increasingly engaged in political and communal violence.

888 Horeman and Stolwijk op. cit.
889 Ibid.
890 Initial State Report of Indonesia to the Committee on the Rights of the Child, UN Doc. CRC/C/3/Add. 10, 14/1/9393, para. 41.
892 Information provided by UNICEF, 8/99.
894 “Acehnese cower from escalating reign of violence”, The Australian, 17/1/00.
895 Jean Michael Hara to Aceh Forum dated 7/1/001
897 Af: Indonesia – A cycle of violence for Aceh’s children, 23/1/00
898 Paterson, H. “Timor peacekeepers, militia clash”, Associated Press, 18/1/00.
899 Economist, 17/3/01.
901 Jesuit Refugee Service Communication to CSC, 16/2/01.
IRAN

THE ISLAMIC REPUBLIC OF IRAN

- Population
  - total: 66,796,000
  - under-18s: 30,092,000
- Government armed forces:
  - active: 513,000 (including the Pasdaran)
  - reserves: 350,000
  - paramilitary: 40,000 (plus 200,000 Basij reserves)
- Compulsory recruitment age: 18 (no age limit for paramilitary)
- Voluntary recruitment age: 16 (no age limit for paramilitary)
- Voting age (government elections): 15
- Child soldiers: indicated in government and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- There are indications of under-18s in government armed forces as the voluntary recruitment age is sixteen. There is also reportedly extensive child involvement in paramilitary organisations. Child soldiers, some as young as nine, were used extensively during the Iran-Iraq war. Some opposition groups are said to recruit children, including from expatriate communities living in Europe.

CONTEXT

The Islamic Republic of Iran was established in 1979 after the fall of Shah Muhammad Pahlavi. An eight-year war with Iraq began in September 1980, fought initially on Iranian soil and then taken into Iraqi territory. During this period, Kurdish insurgents seeking an autonomous state intensified activities in north-western Iran. The Kurdish revolt has since dissipated but the Iranian Mojahedin, a heavily armed guerrilla group based in Iraq, still launches armed incursions into Iran.

GOVERNMENT

National Recruitment Legislation

- Regular armed forces
  Article 3, section 11 of the Constitution stipulates “All round strengthening of the foundations of national defence to the utmost degree by means of universal military training . . . ” as a state goal. Article 144 states, “The Army of the Islamic Republic of Iran must be an Islamic Army, i.e. committed to Islamic ideology and the people, and must recruit into its service, individuals who have faith in the objectives of the Islamic Revolution and are devoted to the cause of realising its goals.” Article 151 states “the government is obliged to provide a programme of military training, with all requisite facilities for all its citizens, in accordance with the Islamic criteria, in such a way that all citizens will be able to engage in the armed defence of the Islamic Republic of Iran.”

The legal basis of conscription is the 1984 Military Service Act. Originally, according to article 2 of the Act, 19 was the age of conscription; all males who turned 19 by March of each year were
eligible for military service in the same year. In the later phases of the Iran-Iraq war the age for conscription was lowered to 18. Currently all men between 18 and 50 are liable for military service, and between 18 and 60 in times of emergency.  

Military service is performed in both the Iranian Armed Forces and the Revolutionary Guards. Military service used to last for 2 years, but was reduced to 18 months after the Iran-Iraq war. Students may postpone military service in order complete their studies. Exemptions are available to those whose brothers or fathers were killed in the Iran-Iraq War. Girls are exempt from military service altogether.  

The minimum age for voluntary recruitment appears to be 16. According to Iran’s initial report to the Committee on the Rights of Child, "The minimum employment age for the armed forces for the purpose of receiving military training is 16 and the minimum age of employment for the Police Forces is 17."  

**Government-allied Paramilitary Groups**  
After the Iranian Revolution, Ayatollah Khomeini created a standing fighting force, known as the Pasdaran, or Revolutionary Guards, to check the power of counter-revolutionary elements within the Imperial Army. The Constitution entrusted the defence of Iran's territorial integrity to the military, while the Pasdaran was responsible for preserving the revolution itself. In November 1979 Ayatollah Khomeini also created the Basij, a voluntary, auxiliary military unit of the Revolutionary Guards. It is a popular, emergency, mobilisation army, consisting mostly of those too young (under 18) or too old (usually age 45 and older) for regular conscription. The Basij are under the authority of the Ministry of the Pasdaran.  

There are no defined age limits for joining paramilitary organizations such as the Basij. During the Iran-Iraq War, the Basij included approximately one million volunteers, and it was through this force that many children came to participate in armed combat. Today, it still plays the role of a “moral police force” in Iran, relying heavily on youths to fill its ranks. According to a Rädda Barnen report, it is still possible for 16-year-olds to volunteer to serve with the Basij.  

Ansar-e Hezbollah is a movement of vigilantes which seeks to enforce Islamic standards in Iranian society and consists mostly of young people. It has no minimum age limit for membership. The Basij and the Ansar-e Hezbollah militia fought student protesters in Tehran in July 1999.  

**Past Child Recruitment and Deployment**  
The Iranian government has denied the use of child soldiers under 16 during the war, saying: “Iran categorically rejects suggestions that the use of children in its armed forces is an established practice or one that is encouraged by it. Military conscription in Iran officially starts at 18. The Iranian government proudly extols the virtues of young volunteer martyrs in the battlefield, but all are said to be at least 16, when an Iranian comes of age.” However, a report submitted to a session of the UN Human Rights Commission paraphrased comments by an Iranian government representative who in a closed-door sub-commission hearing admitted that children did participate in the war against Iraq: "Their heroism and enthusiasm were based on the notion of martyrdom, which materialists were unable to understand. Every Muslim had a religious duty to defend human honour and dignity against aggression ... The children were helping their parents to
fight to liberate their soil, to defend the values in which they believed and to protect the revolution." Two weeks later, the Iranian mission to the UN in Geneva sent a letter to the UN Centre for Human Rights stating that it "categorically rejects the suggestion that the use of children in the (Iranian) armed forces is an established practice or one that is encouraged by the government."914

Government-allied groups were known to recruit children during the Iran-Iraq war. The Hezbollahi organization for example made announcements in various newspapers inviting registration with the sole entry requirement being a "belief in God" and sympathy for the Hezbollahi. Age was "unimportant": according to the advertisement, students could range from 14 to 90 years of age.915 The leadership of Iran also urged youths to take an active part in fighting.916 In a series of rulings issued in the autumn of 1982, Ayatollah Khomeini declared that parental permission was unnecessary for those going to the front, that volunteering for military duty was a religious obligation, and that serving in the armed forces took priority over all other forms of work or study. Various sources reported that children were indoctrinated into participating in combat.917 They were given “keys to paradise” and promised that they would go directly to heaven if they died as martyrs against the Iraqi enemy.918

No estimates are available on the number of children who participated in the Iran-Iraq war, but Hojjatoleslam Hashemi Rafsanjani, later president, stated in 1982 that Iran's armed forces had been supplemented by 400,000 volunteers. An exiled source claims that since military service was compulsory from the age of 18, most of these "volunteers" were likely to be younger.919 Gulf war statistics about prisoners, casualties and their ages are unreliable, but according to the International Committee of the Red Cross at least 10 per cent of Iranian prisoners were under 18.920 Iranian officers captured by the Iraqis claimed that nine out of ten Iranian child soldiers were killed.

According to one journalist, most recruits had between one and three months of military training before being sent to the front, but some had no training at all.921 Boys as young as nine were reportedly used in human wave attacks and to serve as mine sweepers in the war with Iraq.922 Many child soldiers were captured by the Iraqis and transferred to a special Prisoner of War camp for children.923 Some 300, most believed to be 15 or younger were held by Iraq in a special, separated compound at Al-Ramadi, about 60 miles west of Baghdad, where they were exploited by the Iraqi authorities for propaganda purposes.924

Martyrs’ families enjoyed some social prestige and reportedly received monetary compensation per child, plus a martyr's card entitling the family to food and other privileges. Child soldiers were nearly all from poor villages or slum families.925 All families of martyrs and those handicapped by the war received a stipend for their loss from the Bunyad-e Shaheed (Martyrs’ Foundation).926

**OPPOSITION**

**Child Recruitment and Deployment**
• The Mojahedin Khalq Organization (MEK or MKO) also known as the People's Mojahedin of Iran (PMOI) - 15,000 fighters

This group includes the National Liberation Army (NLA) of Iran as an armed wing and the Muslim Iranian Student's Society as a front organisation. It is the largest and most active Iranian opposition group outside the country. The MKO was founded in 1965, advocating an anti-Western platform which combines Marxism and Islam. It is now based in Iraq. The MKO has launched an international campaign against the Iranian Government through propaganda, street demonstrations and violence. Women play a prominent role in the organisation.

There are reports that children under 18 have been recruited from Sweden to MKO camps. In 2000, following a visit by President Khatami, the German Government closed hostels that were reportedly used by the MKO to raise money and train cadres. There have also been regular but unconfirmed reports of the MKO trafficking children from camps in Iraq to Europe and North America.

• The Kurdish Democratic Party of Iran (KDPI) – 1,200-1,800 fighters

The KDPI currently operates from bases in Iraq and is reportedly the largest of the Iranian Kurdish opposition groups. The KDPI seeks Kurdish autonomy within the Islamic Republic. In the 1990s armed clashes continued between the KDPI and government forces, including attacks against Iranian Kurds, both in western Iran and inside Iraqi territory. It is not known whether the KDPI uses children as soldiers.

• Komaleh: approx 200 fighters

In 1979, Komaleh began to wage a guerrilla war against the Islamic Republic with the aim of achieving Kurdish autonomy, but later came in conflict with the KDPI. The group is currently based in Iraq. It is not known whether Komaleh uses children as soldiers.

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927 Brett and McCallin op. cit.
928 Ibid.
930 Ibid. Iranian law regarding the age of majority – 15 lunar years for boys and 9 for girls – differs considerably from international standards and was criticised by the UN Committee on the Rights of the Child (CRC/C/15/Add.123)
934 Ibid.
935 See RB, Childwar database, http://www.rb.se
936 Horeman and Stolwijk
937 US Department of State Human Rights Report 2000
938 AI Report 2000
939 Cassway, p.71
940 “Gulf war; The child soldiers of the ayatollahs” Economist, 17/9/83
941 Teheran Times, “Youth future of the Islamic Republic-Khamenei,” 23/2/82, p.1
919 Ibid.
920 "Economist, 17/9/83, op. cit.
921 Hanns Neuerbourg, "Young, Fearless and Denied by Iran", Associated Press, 12/3/84
923 Kate Dorian, "Another Iranian Attack Launched, Iraq Says Child Soldiers Captured", Associated Press, 2/5/82
924 Neuerbourg, 12/3/84
925 Economist, 17/9/83 op. cit.
926 Cassway, p.71
927 IISS op. cit.
928 Longman, p. 149
929 http://www.rb.se:8082/www/childwar.nsf
930 IISS, op. cit. p.140
932 IISS, P.140.
IRAQ

REPUBLIC OF IRAQ

- Population:
  - total: 22,450,000
  - under-18s: 10,853,000
- Government armed forces:
  - active: 429,000
  - reserves: 650,000
  - paramilitary: 45,000-50,000
- Compulsory recruitment age: 18; younger during war
- Voluntary recruitment age: 15 (unclear)
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces; some 3,000 in Kurdish opposition groups in 1998
- CRC-OP-CAC: not signed
  Other treaties ratified: CRC; GC; ILO 138

There are indications of under-18s in government armed forces. Reports suggest that children participated with Iraqi forces in the Gulf War and the Iran-Iraq war. The militarisation of children is currently widespread through military-style youth organizations. Kurdish groups are also known to use child soldiers, the youngest being only seven years old.

CONTEXT

During the eight-year war between Iraq and Iran in the 1980's, the Kurdish Democratic Party and the Patriotic Union of Kurdistan launched sustained insurgency in the north of Iraq. In more recent years, Kurdish parties have continued with intermittent insurgency against the Iraqi government, but intra-Kurdish infighting has been more prevalent. The intra-Kurdish conflict has been complicated by the Kurdish Workers' Party, which has used northern Iraq to launch attacks against Turkey.

In 1990, Iraq’s invasion of Kuwait led to the Gulf War, in which Iraqi forces were driven out of Kuwait by a multi-national force. The international community established a UN-sponsored weapons inspection regime, “no-fly zones” in northern and southern Iraq (backed by periodic bombardments by US-led forces in the region), and heavy reparations. A sanctions regime has also been implemented, with catastrophic effects on the Iraqi population, particularly children.

GOVERNMENT

National Recruitment Legislation

Article 31 of the Constitution states “The defence of the homeland is a sacred duty and honour for the citizens; conscription is compulsory and regulated by the law.” The legal basis of conscription is the 1969 Military Service Act, together with several subsequent resolutions made by the Revolutionary Command Council (RCC). In times of peace, all men between 18 and 45 are liable for military service. In times of war, the RCC may determine who to conscript.
Military service is normally for two years, or 1½ years in the case of university students and college graduates. During wartime, the RCC can extend the length of service indefinitely. Students can postpone military service until completing their studies, but not during times of war.\footnote{936}

According to some sources Iraq accepts voluntary recruits from the age of 15.\footnote{937} Admission to the officer academy for formal military training is possible from the age of 16. Since the course is only one year, some officers in the armed forces can be as young as 17.\footnote{938}

**Military Training and Military Schools**

Children have participated in repeated and wide-scale mobilisation and training schemes carried out by the Iraqi government since 1991. In 1998, a military-preparedness project was adopted to equip all those aged between 15 and 65 with the basics of self-defence and the use of small arms. Iraqis were reportedly required to conduct drill exercises and to assemble and dismantle machine-guns and rifles for two hours every day over a period of forty days.\footnote{939}

In recent years, the Iraqi government launched campaigns to introduce military training for school children between the ages of 12 and 17. The Iraqi authorities have arranged two sessions, "Raad" and "Al Anfal", for a total of 23,000 children. Children are reportedly taken to boot camps for three weeks and are trained in light arms and Ba'ath ideology.\footnote{940} Iraqi opposition sources and the US State Department have reported that students who fail to join military camps face various sanctions.\footnote{941}

According to the Iraqi magazine, *Alef-Ba*, thousands of boys as young as 10 have graduated from a military training programme educating them in the use of weaponry. Col. Reza Mezal Hamd commander of the Baghdad camp claimed that "Some families tried to get their less than 10-year-old boys in the training course, but we refused to do that because they are too young." The training was designed to prepare boys for unspecified emergencies.\footnote{942}

Special militarised organisations for youths also exist. Founded in 1975, *Futuwah* (Youth Vanguard) was a Ba'ath party initiative aimed at creating a paramilitary organisation for secondary-school students. Boys and girls between the ages of 14 and 18 could join and receive training in the use of light arms. By early 1988, several thousand Iraqi youth had volunteered. Drafting young students became unpopular, and the loss of young life later created labour force shortages.\footnote{943} The Futuwah units took part in fighting against Iran between 1983 and 1985. During the Gulf War in 1990-91 journalists noted that boys as young as 12 were part of the Iraqi military and photographed them training with Kalashnikov rifles.\footnote{944}

The *Ashbal Saddam* (Saddam Lion Cubs) youth movement was formed after the 1991 Gulf War. There are an estimated 8,000 child members of Saddam Cubs in Baghdad alone.\footnote{945} According to the US State Department, thousands of boys between the ages of 10 and 15 were recruited into a military training program called "Saddam’s Youth". The programme operated from 14 camps in Iraq, and was designed to prepare boys for national emergencies.\footnote{946} Training courses reportedly include small-arms use, hand-to-hand combat, and infantry tactics for children from 10 to 15 years of age, for up to 14 hours per day.\footnote{947}
OPPOSITION

Child Recruitment and Deployment
There are several Kurdish and other armed opposition groups based in northern Iraq, Iran and Turkey which have been fighting their respective governments and amongst themselves for decades. While it is difficult to confirm reports, several of these movements have reportedly recruited children as soldiers. According to one source, children as young as 12 took part in the Kurdish liberation movement in Iraq, “while a substantial amount were in their mid teens.”

- Kurdish Workers Party (PKK): 500 – 10,000 active plus militia of 50,000
The PKK is based in Turkey and has training camps in Iraqi Kurdistan as well as in the mountainous region close to the Turkish and Iranian borders. The PKK issued a military service law in 1990 by which every Kurdish youth aged 18 to 25 without exception was obliged to join the PKK army. Compulsory recruitment was later ended as due to sufficient voluntary recruitment. From 1994, it appears that the PKK began systematically and increasingly child recruitment, and children's regiments were even created. A children's battalion named Tabura Zaroken Sehit Agit, for instance, was composed of three divisions and was, in theory at least, run by a committee of five children aged between 8 and 12.

Following the PKK attack on the Kurdish Democratic Party in 1995 the PKK reportedly lost as many as 1,000 guerrillas, many of whom were boys and girls according to KDP sources. In 1997 a 14-year-old Syrian girl was one of several female guerrillas taken prisoner by the Turkish army during an offensive in Turkey's Cudi Mountains. She had joined the PKK the previous year and received political and military training at a PKK camp in northern Iraq. In 1998, the PKK was reported to have 3,000 children in its ranks, more than 10 per cent of whom were girls. The youngest child reported among the PKK was 7 years old.

- Patriotic Union of Kurdistan (PUK): 10,000 active, 22,000 reserve tribesmen
The PUK was established in July 1975 and has intermittently been supported by Iran and Turkey. The PUK reportedly uses children as young as 10 as soldiers.

- Kurdish Democratic Party (KDP): 15,000 active, 25,000 reserve tribesmen
The KDP has been fighting against the Iraqi government since 1975. There is no information on the use of child soldiers by this group.

- Supreme Council for the Islamic Revolution In Iraq (SCIRI): 4,000 active
SCIRI was formed in November 1982 as a coalition of Shi'a Islamist parties opposed to the Iraqi Ba'ath party with the aim of toppling the government of Saddam Hussein. There is no evidence that SCIRI uses children as soldiers.

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948 Iraq’s constitution. www.uni-wuerzburg.de/law
949 Horeman and Stolwijk op. cit.
951 www.globalmarch.org
952 Horeman and Stolwijk op. cit.
Richard Downes “Iraqi Army Starts Mass Training”, BBC, 28/10/98
Referring to the 1968 revolution which brought Saddam Hussein’s wing of the Ba’th party to power.
US State Department Human Rights Report 2000
RB Childwar database, citing AP, 13/8/97
Ibid.
Ibid. p 219.
US State Department op. cit.
“10-year-olds given military training”, Children in Arms, 3/1997, RB
US State Department op. cit.
Victoria Sherrow, Encyclopaedia of Youth and War: Young People as participants and Victims Phoenix, Arizona: Oryx Press, 2000 p.159
IISS, p.142, Waxman, D.,
Martin van Bruinessen, “Turkey, Europe and the Kurds after the Capture of Abdullah”, Utrecht, 4/99.
Ismet, I. G.,
RB, Children of War, No. 2, Stockholm, 1996.
Couturier, C., “Kurdish rebels send teenagers to war: Turkish soldiers say they are gaining the initiative in the war on the south”, Financial Times, 28/6/97.
IISS, p.141
IISS, p.141
IISS, p.142. SCIRI is also known as SAIRI, the Supreme Assembly for the Islamic Revolution in Iraq.
IRELAND

- Population:
  - total: 3,705,000
  - under-18s: 996,000
- Government armed forces:
  - active: 11,460
  - reserves: 14,800
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: signed on 7 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC, GC, ILO 138; ILO 182
- There are indications of under-18s in government armed forces as voluntary recruits are accepted at seventeen.

GOVERNMENT

National Recruitment Legislation and Practice
There is no conscription in Ireland. In Irish defence provisions, permanent and reserve defence forces have always been based on voluntary service. Article 53 of the Defence Act of 1954, the principal statute providing for the regulation of the Defence Forces, states: "1. (a) A person (including a minor) may be enlisted as a man of the Permanent Defence Force for service for a period of twelve years or for such less period as may from time to time be prescribed, but not for any longer period, and the period for which a person enlisting under this section is enlisted is in this Act referred to as the term of his original enlistment. (b) The Minister, in special cases or classes of cases, may direct that where a boy is enlisted under this section before attaining the age of eighteen years the period of twelve years mentioned in paragraph (a) of this subsection shall be reckoned from the day on which he attains the age of eighteen years." Article 54 also states that: "A person (including a minor) may during a period of emergency be enlisted as a man of the Permanent Defence Force to serve for that period of emergency in the Permanent Defence Force."

The usual methods of entry into the Permanent Defence Force are as an officer cadet, an apprentice or as a recruit. The government reported to the Committee on the Rights of the Child that “[t]he general rule with regard to enlistment is that a person under the age of 18 years (other than a person who is or has been married) may not be enlisted until the consent of his/her parent, guardian or other person in loco parentis, has been obtained.” The minimum age required to enter cadetships in the Army, Air Corps and Naval Service is 17, but the minimum age of recruitment for apprentices is apparently 16. Recruits as private soldiers in the Permanent Defence Force must be not less than 17 years old. Seventeen is also the minimum enlistment age for the Reserve Defence Force that comprises An Forsa Cosanta Aitiuil (FCA), or the Army Reserve, and for An Slua Muiri, or Naval Reserve. The minimum recruitment age is the same
at times of conflict or emergency. Women may serve in the Irish defence forces.966

Military Training and Military Schools
There are a number of military schools in Ireland. The Military College is the institution designated for officer and non-commissioned officer career education in the Defence Forces. It consists of four schools which are the Cadet School, the Infantry School, the Command & Staff School and the UN Training School.967

Child Recruitment and Deployment
Although under 18-year-olds can be recruited into the defence forces, the government has stated that they are unlikely to be deployed operationally. "... persons under the age of 17 years can be recruited for specialist positions and must undergo courses of specialist training. It is highly unlikely that such persons would be involved in operational situations."968 In a speech to a conference on child soldiers and small arms held in Dublin in early October 1999, the Irish Foreign Minister declared that recruitment legislation could be reviewed following the adoption of a "straight-18" Optional Protocol.

DEVELOPMENTS

International Standards
Ireland signed the CRC-OP-CAC on 7 September 2000 but does not support the “straight-18” position.

966 Horeman and Stolwijk op. cit.; also Initial Report of Ireland submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/11/Add.12, 17/6/96, para. 74.
961 http://www.irlgov.ie/defence
962 www.military.ie.
964 www.military.ie; Report of Ireland submitted to the Committee on the Rights of the Child, op. cit., para. 536.
965 http://www.military.ie
966 Ibid.
967 Ibid.
ISRAEL

THE STATE OF ISRAEL

- Population:
  - total: 6,101,000
  - under-18s: 2,031,000
- Government armed forces:
  - active: 172,500
  - reserves: 425,000
  - paramilitary: 8,050
- Compulsory recruitment age: 17
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC; ILO 138

- There are indications of under-18s in government armed forces as recruitment is possible under 18. The government is considering changes that would end the "early admission" of conscripts and the deployment of under-18s.

CONTEXT

Israel has militarily occupied East Jerusalem, the West Bank and Gaza Strip, and Golan Heights since 1967. Israel agreed to transfer most administrative responsibilities for civil government in the Gaza Strip and parts of the West Bank to the Palestinian Authority (PA) under the May 1994 Gaza-Jericho agreement and the September 1995 Interim Agreement. Israel withdrew from its occupation of a ‘security zone’ in southern Lebanon in 2000. Renewed conflict began in September 2000 with clashes between various Palestinian factions and the Israeli Defence Forces (IDF), as well as demonstrations by unarmed Palestinian civilians dubbed the ‘Al-Aqsa Intifada’.

GOVERNMENT

National Recruitment Legislation and Practice
Section 4 of Israel's Basic Law on “The Army” adopted on 31 March 1976 states, “The duty of serving in the Army and recruitment for the Army shall be prescribed by or by virtue of Law.”

The legal basis of conscription in Israel is the 1986 National Defense Service Law. Interviews and assessments for military service begin at age 16, call up occurs formally at 17 with a medical examination, and military service begins at the age of 18. However some applications for early admission are accepted from the age of 17 and some months. Israel accepts voluntary recruits from the age of 17.

Officers serve 48 months. Male non-officers serve 36 months and female non-officers serve 21 months. Reserve duty, which was increased again during the Al-Aqsa intifada, is obligatory for men and certain categories of women. New immigrants are subject to the same terms of conscription when they reach 18. Older immigrants are required to serve shorter periods of
military service. Each year 90 per cent of all Israelis who turn 18 are drafted. Ultra-Orthodox students studying at religious schools are usually exempt from military service. Other students may defer military service or combine it with their studies. Conscientious objectors are not excused and may be sentenced to prison for refusal to perform military service.

The minimum physical and educational standards for conscription are low so that the maximum number of conscripts are able to perform some form of service in the IDF, although it is reported that more than 20 per cent are discharged early on physical or psychological grounds. Parental permission to join the IDF is needed for the sons and brothers of soldiers who have died in service.

Minorities serve in one of the specialised units: the Minorities Unit, the Druze Reconnaissance Unit and the Trackers Unit, which consist mostly of Bedouin Arabs. The intelligence corps and the air force are closed to minorities. Christian and Muslim Arabs are exempt from compulsory military service but some volunteer, particularly the Bedouin. Israel's Druze and Muslim Circassian minorities, on the other hand, are subject to conscription.

Child Recruitment
Minors are recruited into the IDF but the number of such recruits is not known. The Yediot Achronot newspaper pictured the IDF's youngest officer on 4 March 2001: "After she celebrated her 18th birthday Maayan Carpi got her rank as officer. Maayan ... is now the youngest officer in the IDF and in the history of the army. Maayan skipped a class and was drafted at 17½. She's in charge of a unit of soldiers on reserve duty now."

Palestinian and Israeli NGOs report working with juvenile detainees recruited as informers by Israeli intelligence agencies. In one case Palestinian authorities arrested four suspected collaborators in Beit Sahour. Two were 19 at the time and one claimed to have been recruited by the Israeli internal intelligence service at 16 years of age.

DEVELOPMENTS

International Standards
During the UN working group on the Optional Protocol in January 2000 Israel announced a change in position in favour of 18 as the minimum age for deployment. This was confirmed by Israeli Defence Force representatives in March 2001 who told a Knesset committee that “17-year-olds would no longer be allowed to serve as volunteers in combat units, even if their parents agree and would only be allowed to take courses until reaching 18”.

Israel is currently considering signature and ratification of ILO Convention 182 and the CRC-OP-CAC. At a Knesset committee hearing in March 2001 IDF representatives said they were willing to limit the age for compulsory service to 18, based on the Gregorian calendar, subject to the following conditions: (1) Amendment of section 20 of the Military Service act to prolong the period of time for enlisting, which is currently measured according to age calculation method rather than the Gregorian calendar; (2) Maintaining the power to enlist volunteers over the age of 17 and six months who wish to be enlisted before the age of 18. This may include special service programs that do not involve actual service in early stages but demand enlistment. In the
Academic Reserve programme, in which recruits report for one-day before deferring military service, persons can be enlisted after reaching the age of 17½ by the Gregorian calendar.  

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967 Israel’s Basic Law: www.uni-wuerzburg.de/law/is
970 Brett and McCallin op. cit.; Horeman and Stolwijk op. cit.; under sections 2(2) of the National Defence Service Law, the army use a special method to calculate age allowing a person of 17.5 years to considered 18 for the purpose of the law.
971 Ibid.
972 Helen Chapin Metz op. cit.
973 Information provided by the NGO New Profile based in Tel Aviv.
974 CSC Update 6, 19/10/01.
975 Jerusalem Post, 6/3/01.
976 Information provided by Israeli Defence Force to CSC, 3/01.
ITALY

ITALIAN REPUBLIC

- Population:
  - total: 57,343,000
  - under-18s: 9,976,000
- Government armed forces:
  - Active: 250,600
  - Reserves: 65,200
  - Paramilitary: 252,500
- Compulsory recruitment age: 18 (conscription being phased out)
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: recruitment of under-18s now prohibited; 509 in 1999
- CRC-OP-CAC: signed on 6 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138; ILO 182
- Recent legislative changes prohibit both compulsory and voluntary recruitment of under-18s.

GOVERNMENT

National Recruitment Legislation and Practice
Article 52 of the 1948 Constitution states that "the defence of the country is a moral duty of every citizen. Military service is compulsory within the limits and in the manner laid down by law.”

Military service lasts for 10 months and is regulated by laws of 1936, 1964, 1975 and 1986. All men over 18 are liable for military service which they can perform in the armed forces, the military police, fire brigades or police.

There have been a number of legislative changes in recent years in order to professionalise the Italian armed forces. A law on armed forces reform (No. 331 of 14 November 2000) has been passed. The plan adopts a phased approach for ending conscription but allows for the re-establishment of military service in the case of war or national emergency in accordance with Article 52 of the Constitution. The armed forces are to be completely professionalised by the end of 2005, therefore young people born after 1985 would not be liable for call-up. Law No. 331/2000 allowed voluntary military recruitment under 18 but not the participation of under-18s in armed conflict. More recently Law No. 2/2001 prohibited both compulsory and voluntary recruitment of 17-year-olds, bringing Italy in line with the “straight-18” position.

A voluntary military service for women was established by legislative decree n. 24 of 31 January 2000. A new voluntary service of one year has been proposed to allow young people to “explore the military world”. Unlike conscripts, these young people will have the possibility of joining international forces. A reform of civil service is also planned in light of the suspension of compulsory military service.

Military Training and Military Schools
The minimum age to enter military schools or academies is 13 or 14 but pupils are not members of the armed forces. Other sources indicate that the minimum age is usually 17 with the consent of parents.
CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES

See the country file for the Federal Republic of Yugoslavia for details of recruitment by the Kosovo Liberation Army (KLA) in Bari.

RELATED ISSUES

There is no armed conflict in Italy, although the use of children in organised crime by groups such as the Mafia is of concern. It has been reported that children as young as 11 are taught to assemble and use weapons. G. Tinebra, the Chief Public Prosecutor of Caltanissetta, Sicily, reported testimony from a 17-year-old Mafia informer who acted as a lookout for two murders. The chief of the police of this city said that children in the Mafia are usually used in support roles, acting as lookouts and collecting weapons. He added that the age at which youths start to kill has reduced significantly.985

DEVELOPMENTS

International Standards
The Italian government signed the CRC-OP-CAC on 6 September 2000 and, with recent legislative changes, now supports the “straight-18” position.986

977 Numbers according to Ministry of Defence as stated in fax from Deputy Minister to Italian Coalition dated 20/6/00.
978 Blaustein and Flanz op. cit.
979 Horeman and Stolwijk op. cit.
980 Information provided by Italian Coalition on 10/4/01.
981 Ibid.
983 Ibid.
984 Italian Coalition op. cit.
JAMAICA

- Population:
  - total: 2,560,000
  - under-18s: 959,000
- Government armed forces:
  - active: 2,830
  - reserves: 953
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: <18 with consent
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: signed on 8 September 2000
- Other treaties ratified: CRC; GC/API+II
- There are indications of under-18s in government armed forces as volunteers under the age of 18 with parental consent may be recruited.

CONTEXT

There is no armed conflict in Jamaica but levels of violence in the country remain high. The military has been deployed to assist the police force (JCF) in maintaining public order. The armed forces have also been involved in peacekeeping missions in the past in Grenada, Trinidad and Haiti. Jamaica strongly supported efforts to ban the use of child soldiers while chairing the UN Security Council in 2000 and during the preparatory meetings for the 2001 UN General Assembly Special Session on Children.

GOVERNMENT

National Recruitment Legislation and Practice
The Jamaican Defence Force (JDF) was constituted under Section 4 of the Defence Act, which states that "there shall be established in Jamaica a body of her Majesty's military forces to be called the Jamaica Defence Force and shall consist of a regular Force and a reserve to be known as the Jamaica National Reserve". The Defence Act charges the JDF with the defence of Jamaica and maintenance of order in the country. Military recruitment is on voluntary basis only. Minimum enlistment age is 18, but younger recruits with parental consent may be accepted. Data on the number of under-18s in the JDF is not available.

Initial basic training lasts 18 weeks and is carried out at the JDF Training Depot, Newcastle. Prospective officers are integrated into the standard recruit training programme and then selected for training overseas in Canada or the UK.

Military Training and Military Schools
The Jamaica Defence Force also has a cadet organisation for boys and girls of high/secondary school age, the Jamaica Combined Cadet Force (JCCF). This organisation is based in schools throughout Jamaica and is administered by a committee chaired by the JDF Chief of Staff. The JCCF is funded by the government and receives assistance and support for its training programme from the JDF but is mainly staffed by school personnel. Although members of the
JCCF receive basic military training they are not considered part of the JDF and are therefore not liable for service. 992

987 US Department of State, op. cit. Jamaica.; AI website.
989 Ibid.
990 Centre on Conscience & War op. cit.
991 Jamaica Defence Force op. cit.
992 Ibid.
JAPAN

- Population:
  - total: 126,505,000
  - under-18s: 23,371,000
- Government armed forces: 993
  - active: 236,700
  - reserves: 52,300
  - paramilitary: 12,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18 (youth cadets from 16)
- Voting age (government elections): 20
- Child soldiers: none indicated; 1279 under-18 cadets in 1997
- CRC-OP-CAC: not signed
- Other treaties ratified: GC; CRC

- Youth cadets are admitted to the Self Defence Force from the age of 16 but cannot be deployed. The government has taken an interest in the issue of child soldiers, raising the issue in a number of international fora.

GOVERNMENT

National Recruitment Legislation and Practice
Under Article 9 of the 1947 Constitution, Japan is not allowed to have armed forces: “Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea and air forces, as well as other war potential, will never be maintained. The rights of belligerency of the state will not be recognised.” 994

Japan possesses a Self Defence Force (SDF) -- the Jietitai -- which was established in 1954 and was publicly described as a military force by Prime Minister Suzuki in 1980. 995 Today the Self Defence Forces are accepted as being constitutional. 996 Re-introduction of conscription has never been considered as it is forbidden under Article 18 of the Constitution which prohibits involuntary servitude. 997 On 20 January 2000, however, Japan launched a formal five-year review of its Constitution, including the controversial provision renouncing war. While the role of the military is expected to be extended, for instance in the case of emergencies, the review is not expected to address the issue of conscription. 998

According to information provided by the Japanese government to the Committee on the Rights of the Child, persons of 18 years of age may be recruited as volunteers for service into the Self Defence Force. 999

Child Recruitment
The government confirms, however, that “…persons between 15 and 16 years old may be recruited as youth cadets in the Self Defence Forces.” 1000 Youth cadets are trained to become technical specialists within the SDF. 1001 According to officials: “During the first three years of the four-year training period, the youth cadets follow the equivalent curriculum as other senior
high school students, in addition to learning basic matters necessary for Self-Defence Forces Personnel. Needless to say, they are not deployed operationally. Even in case of an emergency, Self Defence Force (SDF) youth cadets who have not reached the age of 18 are not allowed to engage in hostilities.\textsuperscript{1002} This information has been confirmed by UNICEF, which has stated that the cadets are not “mobilised to assume military duties,” even though as pupils in military schools they are considered part of the SDF.\textsuperscript{1003} According to UNICEF, in 1997 the number of under-18s recruited was 355, which represented 2.3 per cent of the total annual intake. In total, there were 1,279 cadets under-18 in November 1997.\textsuperscript{1004}

**Military Training and Military Schools**

The National Defence Academy (NDA) is an institution of the Japan Defence Agency. According to Japanese officials, no-one under the age of 18 can enter the NDA and NDA cadets are not members of the SDF.\textsuperscript{1005}

**DEVELOPMENTS**

**Government Initiatives**

The G8 Foreign Ministers meeting, hosted by Japan in July 2000, adopted the Miyazaki Initiatives for Conflict Prevention which included specific measures to address the problem of child soldiers. Japan also co-hosted the Tokyo Symposium on Children and Armed Conflict in November 1998\textsuperscript{1006} and an international workshop on child soldiers in November 2000.

Japan has frequently raised the issue of child soldiers at UN Security Council and General Assembly debates expressing strong support for the CRC-OP-CAC, but has yet to sign.

\textsuperscript{993} Active and Reserve armed forces figure information in letter from Permanent Mission of Japan to the UN in Geneva to CSC, 9/3/01

\textsuperscript{994} Blaustein and Flanz op. cit.

\textsuperscript{995} Horeman and Stolwijk op. cit.

\textsuperscript{996} Blaustein and Flanz op. cit.

\textsuperscript{997} Horeman and Stolwijk op. cit.

\textsuperscript{998} Hindell, J., “Fears as Japan reviews peace constitution”, Daily Telegraph, 21/1/00.

\textsuperscript{999} Initial State Report of Japan submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/41/Add.1, 5/8/96, para. 44.

\textsuperscript{1000} Ibid.

\textsuperscript{1001} Communication from the Permanent Mission of Japan to the QUNO, 1998.

\textsuperscript{1002} Ibid.

\textsuperscript{1003} Information provided by UNICEF, 22/6/99.

\textsuperscript{1004} Ibid.

\textsuperscript{1005} Information provided by the Permanent Mission of Japan to the UN in Geneva, 28/6/00

\textsuperscript{1006} Report of the Special Representative of the Secretary-General, 30/10/00, UN document: A/55/442
JORDAN

THE HASHEMITE KINGDOM OF JORDAN

- Population:
  - total: 6,482,000
  - under-18s: 3,163,000
- Government armed forces:
  - active: 103,880
  - reserves: 35,000
  - paramilitary: 10,000 (+35,000 Civil Militia “People’s Army” Reserves)
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 17
- Voting age (government elections): 19
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: signed on 6 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182
- There are indications of under-18s in government armed forces as voluntary recruitment is possible from the age of seventeen.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription first began in Jordan after an Israeli raid on a West Bank border village in 1966. The government issued an emergency conscription act whereby males were to be drafted for training and service with regular military units for periods of up to two years. This law became inoperative when the security situation in Jordan stabilised.1007

In 1976, another National Service Law was issued by royal decree, making all males over 18 liable for a 24 month military service. The new law allowed students to fulfil the compulsory two years of service after completing university studies or after reaching the age of 28. Exemptions were limited to only the sons and brothers of men who had died while in service, or to those who were physically unfit. Employment was prohibited for males of conscription age unless their call-up had been deferred as a result of sufficient numbers of recruits in the armed forces.

Conscription in Jordan was suspended in 1992.1008 However, conscription law has not officially been repealed, subsequently military service could be reintroduced.1009 Jordan accepts voluntary recruits from the age of 17 years.

Military Training and Military Schools
Students at military schools do not formally become members of the armed forces until they complete their studies. No information is available on minimum age entry requirements.

Child Involvement in Paramilitary Activities
In 1983 the Jordanian parliament approved a People's Army Law requiring male and female high school and college students, as well as males between the ages of sixteen and fifty-five who had
not undergone military service, to become members of an auxiliary force called the People's Army. Women between the ages of sixteen and forty-five who were not students could volunteer for the programme. The People’s Army was launched in order to augment the regular armed forces with a 200,000 strong people's militia comprising students and non-military civilians. It has not in practice mobilised more than 35,000. This civil militia is no longer believed to be operative.

DEVELOPMENTS
International Standards
Jordan signed the CRC-OP-CAC in September 2000 but does not uphold a “straight-18” position.

Jordan hosted the Amman Conference on the Use of Children as Soldiers in the Middle East and North Africa Region from 8-10 April 2001.

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1007 Helen Chapin Metz op. cit.
1009 Brett, Rachel and Derek, Conscientious Objection To Military Service. Quaker Peace and Service, Geneva, 94.
1011 Ibid; also IISS Military Balance, 1989-90.
1012 Horeman & Stolwijk op cit.
KAZAKHSTAN

REPUBLIC OF KAZAKHSTAN

- Population: \textsuperscript{1013}
  - total: 14,957,800
  - under-18s: 5,197,300
- Government armed forces:
  - active: 64,000
  - paramilitary: 34,500
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown in government armed forces; possibly in armed opposition groups
- CRC-OP-CAC: signed on 6 September 2000
- Other treaties ratified: CRC; GC/API+II

- It is not known whether there are under-18s in government armed forces as there is no information on the minimum voluntary recruitment age. There is potential child involvement in Uzbek Islamist armed movements reportedly operating from the south of the country.

CONTEXT

There is no armed conflict in Kazakhstan but there are repercussions from conflicts in neighbouring states. Kazakh troops are part of the CIS collective peacekeeping forces in Tajikistan.\textsuperscript{1014} Thousands of people fleeing the fighting in the Caucasus have taken refuge in Kazakhstan, which is also home to a sizeable Chechen diaspora.\textsuperscript{1015} An Uzbek Security Ministry official also claimed in January 2000 that members of the opposition Islamic Movement of Uzbekistan were receiving training at a military base in the south of Kazakhstan, a claim denied by the Kazakh government.\textsuperscript{1016} There have been unconfirmed reports of shooting incidents and aerial attacks by Uzbek forces in the border region. In January 2001, the governments of Tajikistan, Kyrgyzstan, Kazakhstan and Uzbekistan agreed to cooperate against the Islamist opposition movements.\textsuperscript{1017}

GOVERNMENT

National Recruitment Legislation and Practice

Conscription is enshrined in Article 36 of the 1995 Constitution which states: “1. Defence of the Republic of Kazakhstan is a sacred duty and responsibility of every citizen. 2. Citizens of the Republic perform military service according to the regulation and the forms established by law.”\textsuperscript{1018} Conscription is applicable to citizens between the ages of 18 and 27 according to the article 13.1 of the 1993 law “On Universal military obligations and military service”. Call-up takes place twice a year in April-June and October-December. Military service is one year for those with higher education and two for those without.\textsuperscript{1019}

It is also possible to undertake military service on a voluntary basis under article 18 of the 1993 law. No information is available on the age of voluntary recruitment.\textsuperscript{1020}
A draft law on alternative (non-military) service was adopted in February 2000 and is expected to be implemented by 2005.\textsuperscript{1021} Reforms are underway to abolish conscription and create a volunteer professional army.\textsuperscript{1022} According to the Defence Minister “a draftee will be able to opt out of the service after paying a certain charge. However, he will undergo a brief military training “to learn how to handle arms and defend the Fatherland”.\textsuperscript{1023}

Draft evasion and desertion are widespread due to poor conditions and human rights violations within the armed forces.\textsuperscript{1024} Conscripts are allegedly subjected to brutal treatment to the extent that in 1998 the army launched a campaign to punish violators in a new anti-hazing policy.\textsuperscript{1025}

**Child Recruitment**

One observer reported that there had not been under-18 recruitment in the Kazakh armed forces.\textsuperscript{1026} The government reports that there is no recorded information concerning the recruitment and participation of children in armed conflict.\textsuperscript{1027}

**Military Training and Military Schools**

There are several military schools, including a high school in Aktyube for training air force pilots, a military academy, and a school for teenagers under construction in Borovoye, Akmola. In May 1999 President Nursultan Nazarbayev announced that more military schools would be established.\textsuperscript{1028} Zhas Ulan, another military school, was due to open on 1 September 1999. In an interview in July 1999, the Defence Minister declared that “a patriotic education should start at an early age, at school age. We have now started to fill this gap. As you know, at the initiative of the President and by his decision, a military school has been set up. It is 8th, 9th and 10th grade children.”\textsuperscript{1029} In addition to special schools, military training carried out in regular schools alongside general education for 11 to 17-year-olds.\textsuperscript{1030}

**OPPOSITION**

There is no official opposition in Kazakhstan. Islamist opposition groups from Uzbekistan are reported to have bases in southern Kazakhstan. These groups are believed to recruit boys for their activities in Uzbekistan and as such there is a potential risk of child involvement in cross-border activities (see Uzbekistan country entry).

**DEVELOPMENTS**

**International Standards**

The Kazakh government signed the CRC-OP-CAC on 6 September 2000.

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\textsuperscript{1013} Government Figures
\textsuperscript{1015} “Kazakhs play down Chechen transit route claim”, CNN, 3/2/00.
\textsuperscript{1016} “Uzbek-Kazakh border tensions flare: Iranian radio”, BBC Monitoring Service, 20/1/00.
\textsuperscript{1017} Economist, 27/1/01
\textsuperscript{1018} Blaustein and Flanz op cit.
Letter to CSC from Nurlan Danenov, Ambassador, Permanent Mission of the Republic of Kazakhstan, Geneva, 8/3/01
Letter to Kazakh Permanent Mission, op. cit.
Letter from Kazakh permanent mission op. cit.
“Kazakh Defence Minister speaks on live interactive TV programme”, BBC Monitoring Service, United Kingdom, 23/7/99.
“Kazakhstan to transfer to contract army in 2000”, Interfax, 24/2/99.
Horeman and Stolwijk, op. cit.
Information received by CSC in March 2001 from a reliable source that requests confidentiality.
Letter from Kazakh permanent mission op. cit.
“President wants armed forces to be priority for Kazakhstan”, Interfax, 7/5/99.
“Kazakh Defence Minister speaks on live interactive TV programme” op cit.
Letter from Kazakh Permanent Mission op. cit.
KENYA

REPUBLIC OF KENYA

- Population:
  - total: 29,549,000
  - under-18s: 15,127,000
- Government armed forces:
  - active: 22,200
  - paramilitary: 5,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: apparent age of 18, or consent of guardian
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position.
- Other treaties ratified: CRC; GC/API; ILO 138

There have been no reports of under-18s in government armed forces, but according to legislation recruits need only have the ‘apparent’ age of 18, while even younger recruits may enlist with the consent of a guardian. Recruitment of Kenyan street children by armed opposition groups from the Democratic Republic of Congo (DRC) has been reported.

CONTEXT

Kenya faces low intensity internal disturbances linked to economic and ethnic issues. Since 1991 an estimated 4,500 people have been killed in ethnic clashes, which have reportedly sharpened since 1997. Government security forces have been known to support various ethnic groups with training, transport and sometimes payment, or to turn a blind eye to the violence.¹⁰³¹

Cross-border guerrilla activity and cattle rustling have also posed a problem for Kenya. In October 1998 at least 142 people were killed and 50 were abducted in armed raids which the Kenyan government said were mainly by fighters from the Oromo Liberation Front in Ethiopia. In January 1999 Kenya lodged a formal protest with the Ethiopian government claiming that Ethiopian troops had entered the country in search of OLF fighters.¹⁰³²

GOVERNMENT

National Recruitment Legislation and Practice
There is no conscription in Kenya.¹⁰³³ Recruitment into the Kenyan armed forces is regulated by the Armed Forces Act, Chapter 199 of the Laws of Kenya. Section 173 (1) states that "a person offering to enlist in the armed forces shall be given a notice in the prescribed form setting out the questions to be answered on attestation and stating the general conditions of the enlistment". An officer may recruit a person only after such notice has been given and is understood. The recruit must be a Kenyan citizen (Section 173(3)) and must have the apparent age of 18 "unless written consent to the enlistment has been given by his parents or guardian or, where his parents or guardian are dead or unknown, by the District Commissioner of the district in which the person resides." (Section 173(2)). According to Rädda Barnen, a further requirement to join the armed
forces in Kenya is a national identity card which can only be issued when the applicant is over 18 and able to produce a birth certificate.

OPPOSITION

Armed opposition groups including the Kenya National Patriotic Front and the February 18 Popular Resistance Army Front have been inactive for several years. There is no evidence of children fighting among these opposition groups in the past or in ethnic clashes currently occurring in many parts of the country.

CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES

Kenyan street boys have reportedly been lured into opposition groups in the Democratic Republic of Congo. These armed groups, thought to be associated with exiled Rwandan Interahamwe Hutu militia, lure the boys into the DRC with the assistance of Kenyan agents. Sources say that more than $500 is paid for every batch of 150 street boys delivered. The children are typically offered money, well-paid jobs and good living conditions in Uganda, Rwanda and Tanzania. The Interhamwe began recruiting Kenyan children in February 1999, with highest recruitment levels recorded between May and August. At the time Kenyan authorities had begun arresting and clearing Nairobi of street children in preparation for the Common Market for East and Southern Africa meeting, making street children particularly vulnerable to such offers. An NGO set up as a street children’s feeding programme headed by a Burundian Hutu bishop was implicated in the scandal, reportedly dispatching some 700 children to armed groups and funding Hutu armed groups in Burundi and Kenya.

DEVELOPMENTS

International Standards
Kenya signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position.

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1032 Ibid.
1033 Report of the Secretary-General, UN Doc. op. cit.
1034 Balencie and de La Grange, op cit.
1035 Project Ploughshares, Armed Conflict Report 2000: Nigeria. www.ploughshares.ca/content/ACR/ACR00-Nigeria.html
DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA

- Population:
  - total: 23,702,000
  - under-18s: 7,560,000
- Government armed forces:
  - active: 1,082,000
  - reserves: 4,700,000
  - paramilitary (active): 189,000
- Compulsory recruitment age: 17 or 18 (unclear)
- Voluntary recruitment age: 16
- Voting age (government elections): 17
- Child soldiers: indicated in government forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API

- There are indications of under-18s in government armed forces. Children are militarised from an early age through military and ideological training in camps and clubs.

CONTEXT

Although there is currently no armed conflict in the Democratic People’s Republic of Korea, no peace treaty has been signed with the Republic of Korea and the two states technically remain at war. The demilitarised zone between North and South Korea is among the most heavily fortified in the world and the scene of sporadic incursions and skirmishes. A brief gun battle was fought in 1999 by South and North Korean navies for the first time since the Korean war. Contact has increased in recent years, culminating in a first summit of the two heads of state in 2000.

GOVERNMENT

National Recruitment Legislation and Practice
According to Article 58 of the 1972 Constitution, “the Democratic People’s Republic of Korea rests on the people’s nationwide defence system.” Article 86 states that: “National defence is the supreme duty and honour of citizens. Citizens shall defend the country and serve in the army as required by law”. According to Article 85, “citizens shall constantly increase their revolutionary vigilance and devotedly fight for the security of the State.” 1038

Military service is reportedly performed by all men between the ages of 18 and 24.1039 According to US sources, military service lasts for five to eight years in the Army, five to ten years in the Navy, and three to four years in the Air Force. Active service is followed by part-time service in the military reserves or service in the Worker and Peasant Red Guard until the age of 60.1040 The system was reportedly revised in 1996 to require service until the age of 30 for men and 26 for women or 28 in the case of women officers. The government has also introduced a system of “labour service”, whereby an individual may be exempted from military service for six to seven years’ labour at mines or other workplaces.1041
Contradictory information is provided in the government’s 1996 report to the Committee on the Rights of the Child, which asserts that military service is strictly voluntary as provided by the Constitution (although the Constitution itself seems to provide for compulsory military service) and that the minimum voluntary recruitment age is 16. During the hearings of the Committee, the government delegation claimed that the minimum age for military service is 17, adding that “after school and vocational training, young persons could volunteer to join the army, but as they had to meet high standards of physical fitness and development, they were often over 18 before they were allowed to start active service.”

**Paramilitary Groups**

In addition to military service within the regular armed forces, citizens are also mobilised two or three times through various institutions. All citizens are obliged to serve in several paramilitary bodies including the Worker and Peasant Red Guard, which was created in January 1959. It has units in every town, village, neighbourhood, college and workplace. In wartime, the Worker and Peasant Red Guard is required to wage guerrilla war against the occupiers. All people must have “a rifle in one hand and a hammer or sickle in the other, keeping an alert and standing posture.” All paramilitary troops are provided with arms and hold joint exercises with the regular armed forces.

**Child Recruitment**

It is not known how many children are recruited annually into the DPRK armed forces each year, nor how many are currently serving within its ranks.

**Military Training and Military Schools**

There is reportedly widespread militarisation of youth from a young age in North Korea. The Red Guard Youth is an institution targeted specifically towards youth. It was created in 1970 and is regarded as a spiritual guide and mentor to the worker and peasant guard and has units in every high school. All high school students between the age of 14 and 16 receive basic military training within this guard. Moreover, it has been reported that North Korean students spend two months each summer in camps that combine military training with ideological studies.

**Notes**

1043 Constitution of 27/12/72, as revised on 9/4/92.
1044 Horeman and Stolwijk op. cit.
1045 US Department of Defence, North Korea Country Book, Marine Corps Intelligence Activity, Quantico, VA, 5/97.
1048 Summary Records of the 458th meeting, UN Doc. CRC/C/SR.458, 26/5/98, para. 37.
1049 “Worker-peasant red guards 41 years old”, Korean Central News Agency, 14/1/0000.
1050 Horeman and Stolwijk op. cit.
REPUBLIC OF KOREA

- Population:
  - total: 46,480,000
  - under-18s: 12,400,000
- Government armed forces:
  - active: 683,000
  - reserves: 4,500,000
  - paramilitary (active): 4,500
- Compulsory recruitment age: 20
- Voluntary recruitment age: 18
- Voting age (government elections): 20
- Child soldiers: unknown
- CRC-OP-CAC: signed on 6 September 2000
- Other treaties ratified: CRC; GC/API+II; ILO 138

- It is not known whether there are any under-18s in government armed forces due to conflicting information on recruitment age.

CONTEXT

Although there is currently no armed conflict in the Republic of Korea, no peace treaty has been signed with the Democratic People's Republic of Korea and the two states technically remain at war. The demilitarised zone between North and South Korea is among the most heavily fortified in the world and the scene of sporadic incursions and skirmishes. A brief gun battle was fought in 1999 by South and North Korean navies for the first time since the Korean war. Contacts have increased in recent years culminating in a first summit of the two heads of state in 2000.

GOVERNMENT

National Recruitment Legislation and Practice

According to Article 39 of the 1987 Constitution: “(1) all citizens shall have the duty of national defence as prescribed by law. (2) No citizen shall be treated unfavourably on account of the fulfilment of his obligation of military service.” The current legal basis for military service is the 1958 conscription law, Article 3 of which states that “men of Korean nationality must fulfil their military service obligation in a satisfactory manner. Women may also accomplish their active duty if they so desire.”

In its Initial State Report to the Committee on the Rights of the Child in 1994, the Government stated that “Korean men are liable for military service in the year of their eighteenth birthday, and must attain the age of at least 19 to be in active service during the year of acceptance. However, a person aged 17 or over who voluntarily applies for military service may be enlisted in the army, navy or air force.” More recently, in an official communication to the United Nations in Geneva dated 14 January 1998, the Permanent Mission of the Republic of Korea cited 20 as the minimum age for conscription and 18 years as the minimum for voluntary recruitment.
Military service is believed to consist of 26 months in the Army, and 30 months in the Navy and Air Force. However other sources have stated that military service lasts only 28 months in the Navy. After military service, citizens belong to the reserve forces until the age of 50.

Three categories of professional personnel can be exempted from military service, namely research, technical and public health staff. However, they must fulfil six weeks of basic military training and then work in their respective fields for at least five years. According to the initial report of the Republic of Korea to the Committee on the Rights of the Child, between 7,500 and 8,000 doctors who volunteered to work in urban and regional public health care services were exempted from military service. A law was passed in May 1999, obliging high-ranking officials to make public whether they and their children had fulfilled compulsory military service. The law was passed after a spate of conscription scandals and allegations that only poor young men were being conscripted.

Military Training and Military Schools
There are several military schools in South Korea, such as the Korea military academy, the Korea Third Military Academy, the Korea Naval Academy, and the Korea Air Force Academy. No information is available regarding entry requirements for these institutions.

DEVELOPMENTS

International Standards
The Republic of Korea signed the CRC-OP-CAC on 6 September 2000.

1051 Blaustein and Flanz op. cit.
1052 Horeman and Stolwijk op. cit.
1054 Brett and McCallin op. cit.
1055 IISS, Military Balance, op. cit. 1997/98
1056 “Military service records of government officials’ sons to be made public”, The Korea Herald, 26/5/99
1057 Report of the Republic of Korea to the Committee on the Rights of the Child op. cit.
1059 http://www.kma.ac.kr/
1061 http://www.navy.ac.kr/
KUWAIT

THE STATE OF KUWAIT

- Population:
  - total: 1,897,000
  - under-18s: 792,000
- Government armed forces:
  - active: 15,300
  - reserves: 23,700
  - paramilitary: 5,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 21
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

- There are no indications of under-18s in government armed forces.

CONTEXT

Kuwait was invaded by Iraq in 1990. Since the withdrawal of Iraqi forces at the end of the Gulf War in February 1991, Kuwait has hosted a large military presence of Western alliance forces.

GOVERNMENT

National Recruitment Legislation and Practice

Kuwait is the only Gulf Cooperation Council state that has conscription provisions. Article 47 of the Constitution states, “National defence is a sacred duty, and military service is an honour for citizens which shall be regulated by law.” According to Article 158 military service is regulated by law.

Conscription has existed in Kuwait since 1961. The legal basis of conscription is the 1980 Compulsory Service Act. All men between the age of 18 and 30 are liable for military service, which lasts two years or one year for university graduates. Educational deferments exist, and in practice exemptions are usually granted. In fact, most young Kuwaitis avoid military service, leading to shortages of military personnel. After the Gulf War the Kuwait Government attempted to increase the strength of the armed forces to 30,000, but has so far only succeeded in reaching half that number. The minimum voluntary recruitment age is 18.

Since independence, the Bidun of Kuwait (tribal people residing in Kuwait who were unable to prove Kuwaiti citizenship) had formed the backbone of the Kuwaiti army. Before 1991, approximately 90 per cent of the Kuwaiti army was Bidun. After the Iraqi invasion, the Kuwaiti Government in exile dismissed all Bidun soldiers retroactively and only a small proportion were rehired after the government was restored to power. Bidun still live in Kuwait but are not liable for conscription as they are not considered Kuwaiti citizens.
www.uni-wuerzburg.de/law/


Helen Chapin Metz op. cit.

Ibid.

Brett and McCallin op. cit.

The Bedoons of Kuwait: Citizens without Citizenship (New York, 1995), HRW; Promises Betrayed: Denial of the Rights of Bidun, Women and Freedom of Expression, HRW
KYRGYZSTAN

KYRGYZ REPUBLIC

- Population:
  - total: 4,669,000
  - under-18s: 1,948,000
- Government armed forces:
  - active: 9,000
  - reserves: 57,000
  - paramilitary: 5,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- It is not known whether there are under-18s in government armed forces due to lack of information regarding minimum recruitment age. There is potential child involvement with armed opposition groups from neighbouring Uzbekistan.

CONTEXT

In late 1999, Kyrgyzstan faced incursions by Islamist armed opposition groups believed to be linked to armed groups in neighbouring Uzbekistan, Tajikistan and Afghanistan. Insurgents were said to belong to the banned Uzbek opposition party, the Islamic Movement of Uzbekistan. The Kyrgyz government reacted by declaring a state of emergency and Kyrgyz forces launched an attack against the armed groups who had taken a number of civilians hostage. By November 1999, the insurgents had seemingly been driven out of the country. Armenia, Kazakhstan, Russia, and Uzbekistan were all reported to have provided assistance during the conflict, operating within the context of the 1992 CIS Collective Security Treaty. Kyrgyzstan’s defence budget has been almost tripled in preparation for attacks which were expected to resume in the spring of 2001. In January 2001, the governments of Tajikistan, Kyrgyzstan, Kazakhstan and Uzbekistan agreed to cooperate against the threat (see Uzbekistan entry).

GOVERNMENT

National Recruitment Legislation and Practice

Article 24 of the 1993 Constitution states: “Citizens of the Kyrgyz Republic have the right and duty to defend the Motherland. Citizens perform military service within the limits and in the forms established by law.” The legal basis of conscription is apparently the 1992 Law on general military duties as amended in 1994. All men between 18 and 27 years are liable for military service. The length of military service is 18 months, or 12 months in the case of university and college graduates. Military service can be performed either in the Kyrgyz armed forces or the Russian border guards.
The armed forces, which have been reduced in size by more than 40 per cent since independence, are in the process of undergoing substantial reform in order to become a professional army. Draft evasion and desertion are reportedly widespread due to poor conditions and ill-treatment within the armed forces.

There have been no reports of under-18s into the Kyrghyz armed forces, which reliable sources have confirmed.

**OPPOSITION**

**Child Recruitment**
The Islamic Movement of Uzbekistan is believed to number around 5,000 fighters. Uzbek Islamist armed groups are believed to recruit boys under 18 and it is possible that children have been involved in recent incursions and fighting (see Uzbekistan entry).

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1077 CNN 26/8/99 op. cit.
1079 Ibid.
1080 Economist, 7/1/01.
1081 Blaustein and Flanz op. cit.
1082 Horeman and Stolwijk op. cit; UNICEF confirmed that the minimum age for conscription is 18 years in information provided on 10/6/99.
1083 “Kyrgyzstan needs solid, mobile and professional army, Defence Minister says”, BBC Monitoring Service, 5/2/00; also www.rb.se.
1084 Horeman and Stolwijk op. cit.
1085 Information provided by reliable source that requests confidentiality, 3/00.
1086 www.rb.se
LAOS

LAO PEOPLE’S DEMOCRATIC REPUBLIC

- Population:
  - total: 5,297,000
  - under-18s: 2,670,000
- Government Armed Forces:
  - active: 29,100
  - paramilitary (Militia self-defence forces): 100,000
- Compulsory recruitment age: 15, 17 or 18 (unclear)
- Voluntary recruitment age: not known
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- There are indications of under-18s in government armed forces. Some sources claim that the age for compulsory recruitment may be as low as 15. There are internal conflicts with armed opposition groups and given the extent of child participation in neighbouring conflicts, there is a risk of child recruitment by armed groups.

CONTEXT

Fighting between armed groups and the Lao armed forces continues to be reported. In May 2000 there was intensive fighting between Hmong tribal insurgents and Laos forces, backed by Vietnamese troops. The past year has seen a security crackdown following a series of politically-motivated bombings.

GOVERNMENT

National Recruitment Legislation and Practice

Article 36 of the 1991 Constitution states that: “Lao citizens have the obligations to defend the country, to maintain the people’s security and to fulfil military obligations as prescribed by law.” Conscription is practiced in accordance with the 1994 Law on Military Service. The 1994 Law also covers reserve duties. According to the Lao officials, the Law on Military Service states “the minimum age for enlistment into the armed forces is 18 years old”. However, sources have variously claimed the minimum age to be: 17 years; normally 17 years but 15 years in special circumstances; and most recently, 15 years. The length of military service is 18 months, but service may last longer for certain categories of conscripts. Young men who have completed military service may be employed in the provincial forces or the militia, although this is reportedly fairly rare. There is little information available about voluntary recruitment.

Military service is performed in the regular armed forces known as the People’s Liberation Army. There are also several paramilitary forces, notably the provincial forces and the militia. The recruitment system reportedly does not seem to work well, partly due to poor co-ordination between the general staff of the armed forces and regional units. Only a very few of those liable
to be conscripted are actually called up for service. Draft evasion is said to be widespread as conditions in the armed forces are known to be poor, pay is low and there are shortages of equipment and uniforms. Women are not subject to conscription but may serve within active forces performing administrative functions, and may serve in police and militia forces. Military academies in Laos accept only male students; minimum entry age is not known.

With increasing professionalisation in recent years the size of the armed forces has been significantly reduced, from about 50,000 troops in the early 1980s to 29,000 by 1997. However there are sizable paramilitary militia self-defense forces (100,000 in 2000) in the country.

**OPPOSITION**

There are a number of Lao armed opposition groups, which together number some 2,000 men. The largest group is the United Lao National Liberation Front (ULNLF). There is no information available on the participation of children in this conflict, though given the widespread involvement of child soldiers in the nearby conflicts on the Thai/Burma border (see Myanmar entry), there are concerns that children could be recruited by armed groups in Laos.

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1079 Far Eastern Economic Review, 5/0000
1080 Blaustein and Flanz op. cit.
1083 Horeman and Stolwijk op. cit.
1085 Horeman and Stolwijk op. cit.
1086 Horeman and Stolwijk op. cit.
1087 Horeman and Stolwijk op. cit.
1090 Horeman and Stolwijk op. cit.
LATVIA

REPUBLIC OF LATVIA

- Population:
  - total: 2,389,000
  - under-18s: 547,000
- Government armed forces:
  - active: 5,050
  - reserves: 14,500
  - paramilitary: 3,500
- Compulsory recruitment age: 19
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is enshrined in the Constitution. The current law on compulsory military service was adopted in 1997. Military recruitment and participation in hostilities are regulated by a wide range of legislation including the Law on State Defence, the Law on National Guard of the Republic of Latvia, the Law on Compulsory Military Service, and the Law on Participation of Units from National Armed Forces of Latvia in International Operations. In July 1999, a Law on National Security and a Law on National Armed Forces were under preparation but this should not affect the minimum age for recruitment or participation in hostilities.\(^{1091}\)

According to the Law on Compulsory Military Service, all men are liable for military service from the age of 19.\(^{1092}\) Voluntary service can be performed from the age of 18.\(^{1093}\) Military service lasts 12 months and can be performed both in the armed forces and under the authority of the Ministry of Interior, as prison guards for example.\(^{1094}\)

It seems that there are enough volunteers to meet military needs. Most conscripts come from lower socio-economic classes. Moreover, exemptions and postponements are widely used.\(^{1095}\) Amnesty International has urged the Government to introduce legislation to allow conscientious objectors to undertake an alternative civilian service.\(^{1096}\)

Military Training and Military Schools
There is only one military academy in Latvia, the National Defence Academy,\(^{1097}\) and the minimum age for entry is 18.\(^{1098}\)

\(^{1091}\) Permanent Mission of Latvia op. cit.
\(^{1092}\) Article 17(1), Latvian Constitution.
\(^{1093}\) Article 17(2), Permanent Mission of Latvia, op.cit.
1094 Horeman and Stolwijk op. cit.
1095 Horeman and Stolwijk op. cit.
1097 http://www.mil.lv
1098 Permanent Mission of Latvia op. cit.
LEBANON

THE LEBANESE REPUBLIC

- Population:
  - total: 3,236,000
  - under-18s: 1,257,000
- Governmental armed forces:
  - active: 63,570
  - paramilitary: 13,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 21
- Child soldiers: none indicated in government armed forces; indicated in armed groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC

Children are known to participate in various armed groups operating in the country. There are no indications of under-18s in government armed forces.

CONTEXT

In 1975 civil war broke out between various Maronite Christian factions and an alliance of Muslim, Leftist and Palestinian militias. The first phase of fighting ended in 1976 with Syrian intervention in support of the Lebanese government. Intense fighting resumed in 1982 after the Israeli invasion of Lebanon. From 1985 Israel maintained a “security zone” in the south of Lebanon in a bid to stop cross border attacks, supporting a local militia – the South Lebanese Army (SLA) – to maintain control of the strip. After the invasion the Palestinian Liberation Organisation’s (PLO) presence was limited to a few refugee camps in the south. In this vacuum, the Shi’a Muslim Hizbullah emerged and resumed attacks in the southern zone, as well as launching several rocket attacks into Israel itself. This low-intensity conflict ended in June 2000 with Israeli withdrawal from South Lebanon. Many militia fighters have turned their weapons over to the government and/or joined the armed forces. The South Lebanese Army has been dissolved, with members either on trial in Lebanon or taking refuge in Israel. A 30,000 strong Syrian ‘protection force’ remains in Lebanon in support of the government.

GOVERNMENT

National Recruitment Legislation and Practice

There is no mention of military service in the Constitution. The legal basis of conscription is Law 110/1983. During the civil war this law was not implemented. In 1992, conscription was resumed under decree 2354/1992. All men between the age of 18 and 29 are liable for military service, which lasts for 12 months. The minimum age for voluntary recruitment is 18.

ARMED GROUPS

Child Recruitment and Deployment
Armed militias had a history of recruiting youths during the civil war, with both young boys and girls taking part in the fighting. Some girls, as young as eleven, received military training from the militias. The 1996 Graça Machel report noted that some adults had used young people’s immaturity to their own advantage, recruiting and training adolescents for suicide bombings. A study commissioned by UNICEF in 1990 estimated that one per cent of Lebanese children had taken part in combat, and stated that many young people may have become resigned to violence and a military life.

A documentary film called War Generation produced by Jean Chamoun and Mai Meeri showed the impact of the war on Lebanese youth. Some these youth began military training at the age of thirteen. One boy was quoted as saying, “The war forces us to take up arms.” Some of the youths fought on more than one side, siding with Muslims, Christians, Druze or Palestinians at different times. Many youths had no ideological commitments but were more concerned with protection, income and loss of education.

- **Hizbullah**: 300-500 active, with 3,000 reserves

Unlike other groups in this section, Hizbullah operates with the consent of the Lebanese government. This militia turned political party was established in 1982 by a group of Shi’a clerics. In May 2000, Israeli forces withdrew from their so-called “security zone” but Hizbullah maintained an armed presence in the south. Hizbullah is alleged to have formerly recruited children as young as ten into its ranks; however this practice has now ceased as it no longer has a shortage of mature, voluntary recruits.

- **Palestinian groups**

The Lebanese Government has not attempted to disarm several armed Palestinian factions which control refugee camps. Boys and girls between the ages of 8 and 16 have in the past been trained in combat in the Palestinian Liberation Organisation (PLO) refugee camps in southern Lebanon. One observer commented that Palestinian boys known as “Palestinian Lion Cubs” were proficient in the use of rifles and commando techniques. Girls of the same age also carry rifles.

- **South Lebanese Army (SLA)**

The SLA, which included Muslims from the Sunni, Shia and Druze traditions as well as Christians, was responsible for forcibly recruiting teenage boys. No minimum age has been specified for those entering the militia. A former SLA fighter who deserted in 1995 told Human Rights Watch, “They take them even at twelve years old if they are tall and strong.” Other accounts suggest that sometimes the SLA security chief in a village personally instructed fathers that their sons should "volunteer." If families did not respond, the sons were forcibly recruited. A former resident of Sheba, said that teenagers between the ages of fifteen and seventeen were targeted for forced recruitment. The South Lebanese Army has been dissolved, with members either on trial in Lebanon or taking refuge in Israel. Although the SLA included children under 18 in its ranks, none of the former SLA members currently on trial in Lebanon are minors.
A 21 year old from a small village in the eastern sector of the occupied zone described how he was forcibly recruited into the SLA in 1995, when he was seventeen years old. During the two years before he was seized, he would hide when militia men came to the village looking for new recruits. In 1995, when he was in his last year of technical school studying to be an electrician, ten militiamen in uniform arrived in a truck and a jeep and surrounded the family's home, their guns drawn. "They stormed the house and took me," he said. "They told me that I had a problem and was wanted." He said that his parents and his school principal unsuccessfully pleaded with local SLA security authorities to let him finish school. He was taken first to the security office in the village, where he was beaten and tortured because he had eluded military service for several years. Then he was moved to the SLA's Megidiyya military training camp for twenty days, where he was placed under constant surveillance. After training, he served for two months in Beit Yahoun and Bra’ashit until he managed to escape and flee the zone. As a precaution, the family also arranged the departure of his 15-year-old brother from the village.


1099 www.uni-wuezburg.de/law
1100 Horeman and Stolwijk op. cit.; Brett and McCallin op. cit.
1101 Brett and McCallin op. cit.
1104 UN, Graça Machel, Impact of Armed Conflict on Children, 26/6/96.
1105 Mona Macksoud, Lebanese Children and War, UNICEF Conference on Peace-Building and Development of Lebanon, 4/90
1106 Victoria Sherrow op. cit.
1107 IISS op. cit.
1108 RB, Child war database www.rb.se
1109 Victoria Sherrow op. cit., p.180
1110 HRW, Persona Non Grata: the Expulsion of Civilians from Israeli-Occupied Lebanon, p.35
1111 Ibid
LESOTHO

KINGDOM OF LESOTHO

- Population:
  - total: 2,108,000
  - under-18s: 977,000
- Government armed forces:
  - active: 2,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: signed on 6 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138

- It is not known if there are any under-18s in government armed forces as no age is specified for voluntary recruitment.

GOVERNMENT

National Recruitment Legislation and Practice
Lesotho has no conscription and enlistment into the Royal Lesotho Defence Force is voluntary.1112 Every person who enlists shall be given a notice "specifying the information required to be provided by that person and stating the general conditions of the engagement to be entered into by that person" (section 27 (1) of the Act). This notice does not specify any minimum age but requests the date of birth. "The recruiting officer shall not enlist any person in that force unless satisfied by that person that he has been given notice, understands it and, and wishes to be enlisted" (section 27 (1) of the Act). Section 73 of the Act states that "any person who, when before a recruiting officer for the purpose of being attested in pursuance of this Act, has knowingly made a false answer to any question contained in the attestation paper and put to him by the direction of the recruiting officer commits an offence, and shall, on conviction, be liable to imprisonment for a term not exceeding three months".

DEVELOPMENTS

International Standards

1112 Horeman, and Stolwijk, op. cit.
LIBERIA

REPUBLIC OF LIBERIA

- Population:
  - total: 2,930,000
  - under-18s: 1,515,000
- Government armed forces:
  - active (including allied militias): 11,000 - 15,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: indicated in government and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- The UN has estimated that up to 20,000 children, some as young as six years old, were among both government and opposition forces during Liberia’s seven-year civil war. In 1999 the Liberian government stated its commitment to an age of limit of 18 for participation in armed conflict, but the Armed Forces of Liberia have continued to recruit minors, including children from Sierra Leone. Demobilisation programmes have been slow and problematic, with only 4,300 child soldiers demobilised and 89% of the total number awaiting demobilisation disappearing before the process was complete in 1997. Many are thought to have returned to armed groups in renewed fighting.

CONTEXT

Between 1989 and 1995 a brutal civil war claimed more than 200,000 lives, produced more than 700,000 refugees and displaced an estimated 1.4 million people in Liberia. A peace accord was signed in August 1995, but there have been at least five serious outbreaks of fighting since government elections in 1997. Opposition groups, the United Movement for Democracy in Liberia-Johnson (ULIMO-J) and the Liberians United for Reconciliation and Democracy (LURD) have launched attacks often from Guinea. In September 1999 Guinea accused Liberian government forces of attacking border villages on its territory, and in September 2000 Liberian forces launched a major offensive against rebels in the North, leading to a deterioration of relations between the two countries.

Liberia also supports the Revolutionary United Front (RUF) in Sierra Leone. In March 2001, the UN Security Council adopted sanctions to halt arms and diamond trafficking as well as military training or assistance between Liberia and Sierra Leone’s Revolutionary United Front (RUF). A committee was created to monitor implementation of these sanctions.

GOVERNMENT

National Recruitment Legislation and Practice
Liberia’s Constitution, Article 19 on military law, makes no mention of conscription, which in theory does not exist. Minimum age for voluntary recruitment is believed to be 18 but this is not enforced in practice.
Military Training and Military Schools
Liberia has army-run elementary and high schools located within army barracks for children of military personnel. Efforts have also begun to revitalise a pre-war government-run officer training corps programme which was compulsory for all high school and university students. Training included instruction in military discipline and science but was described as being of ‘mild’ intensity. The International Committee of the Red Cross is currently training instructors for this programme, all of whom are military personnel. UNICEF and the UNHCR are also preparing materials on human rights to be incorporated in the programme.\textsuperscript{1115}

Child Recruitment and Deployment
In 1999 Liberian authorities denied recruitment or abuse of children by the Armed Forces of Liberia (AFL).\textsuperscript{1116} However, authorities did acknowledge that recruitment of children remained a concern within the context of current instability in the country.\textsuperscript{1117}

It is well known that all factions recruited large numbers of children in the past. There are no precise figures but it is believed that the current armed forces are primarily composed of former National Patriotic Front of Liberia’s (NPFL) fighters – an opposition group previously headed by the current President of Liberia during the civil war – which included a large proportion of children. It is believed that children, who continue to be recruited into the AFL, are often treated more cruelly than adult soldiers both in times of war and in times of peace.\textsuperscript{1118} Liberian forces have also been accused of abducting, brutalising and then providing basic infantry training to children from eastern Sierra Leone who subsequently serve in the RUF.\textsuperscript{1119}

Mr. George (13 years old):
``I joined by force. I was living with my parents in the village and one of the factions captured the village and said all the young boys in the town should join them. Some of us said we didn't want to join them, but they started to hit us with a gun. Most of them were very, very, very bad people. They would shoot people between the legs, just to scare them. I didn't do that type of thing. I was a good guy in the faction. I was a bodyguard to one of the generals. I was scared initially, but then I lost my fear. I fought for two years, and then I managed to escape in 1996 and came here to Monrovia.\textsuperscript{1120}"

Robert (14 years old):
``I became a combatant in 1991 when I was 8 years old. I became a fighter because I felt that my friends and my parents were suffering. I joined a faction and served as a bodyguard to one of the chiefs of staff. I used an AK-47. It wasn't too heavy. I used it often, but I never killed civilians. I was often really afraid.\textsuperscript{1121}"

OPPOSITION

Child Recruitment and Deployment
Many former opposition group members, including children, voluntarily joined the NPFL after surviving AFL attacks that involved indiscriminate burning, looting, raping and killing of civilians.\textsuperscript{1122} Many young girls who sought protection from the NPLF became what they call ‘wartime women’ – the unwilling ‘girlfriends; or ‘wives’ of fighters.\textsuperscript{1123} Boy soldiers were placed in special Small Boys Units where they were taught to kill without question and thus were particularly feared by civilians.\textsuperscript{1124} Many were forcibly recruited and forced to rape, torture or
kill fellow villagers or even relatives in order to instil loyalty.\textsuperscript{1125} Many became drug addicts, particularly marijuana, amphetamines, and a mixture of cane juice and gunpowder.\textsuperscript{1126}

According to disarmament/demobilisation data collected by UNICEF in 1996-97, 18 per cent of the NPLF soldiers were children. 69 per cent of those aged 17 and under were between 15 and 17 years of age and had served an average of four years. 27 per cent of the remaining fighters under 17 were between the ages of 12 and 14.\textsuperscript{1127} About 1 per cent of demobilised child soldiers were girls or young women, but this figure does not include the many ‘wartime women’.\textsuperscript{1128}

Current armed groups also include the Liberians United for Reconciliation and Democracy (LURD), the United Front of Liberia for Democracy under Johnson (ULIMO-J) and under Alhaji Kroma (ULIMO-K). It is not known how many children are among these forces, however former child soldiers are known to be particularly targeted for recruitment, often in return for food for themselves and their families.\textsuperscript{1129}

DEVELOPMENTS

Government Commitments
In April 1999 the representative of the government of Liberia at the African Conference on the Use of Child Soldiers stated the country’s commitment to an age limit of 18 for participation in armed conflict as well as its support for the Optional Protocol to the Convention on the Rights of the Child.\textsuperscript{1130} Liberia has not to date signed the CRC-OP-CAC.

Demobilisation
According to UNICEF about 4,306 demobilised combatants were child soldiers, but some 89 per cent of the total number of children in camps left before demobilisation could be completed. Many demobilised children were reunited with their families. Others were referred to three of five transit homes supported by UNICEF until families could be traced.\textsuperscript{1131} UNICEF and NGOs also opened educational rehabilitation centres which in 2000 were still operating for a limited number of former child soldiers. These children, often having no means of support, remained vulnerable to re-recruitment in current conflicts. Many youths remain traumatised and some are still addicted to drugs. The number of street children in Monrovia and the number of abandoned infants, which increased significantly following disarmament, also remains high.\textsuperscript{1132}

In March 2000 the UN Security Council noted that disarmament, demobilisation and reintegration processes in Liberia had inadvertently excluded some children, particularly girls, by making the surrender of weapons the criterion for eligibility in the programmes.\textsuperscript{1133}

\textsuperscript{1114} UNWIRE, “Liberia: Council imposes sanctions, calls for end to RUF support”, 8 March 2001. Between $25 and $125 million in diamonds are smuggled out of Sierra Leone through Liberia each year.
\textsuperscript{1115} Ibid.
\textsuperscript{1116} Statement by A. von Williamson at the African Conference on the Use of Child Soldiers, Maputo, Mozambique, 19 to 22 April 1999.
\textsuperscript{1118} Information provided by UNICEF; see CSC African Report, (amended case studies) 1999.
\textsuperscript{1119} RB Children of War Newsletter, No. 2/00, “Children trained in Liberia and Burkina Faso” 7/00.
\textsuperscript{1120} Beauchemin, E., “Child soldiers in Liberia”, Radio Netherlands
1121 Beauchemin, E., “Child soldiers in Liberia”, Radio Netherlands
1125 Beauchemin, E., op. cit.
1126 G.I. Joey, op. cit.
1128 Beauchemin, E., op. cit.
1129 Save the Children, UK emergency update: Liberia, 11/00.
1131 UNICEF Liberia. Demobilisation and reintegration of former child soldiers and other war affected youth, 10/98.
1132 US State Department Human Rights Report 2000
LIBYA

THE SOCIALIST PEOPLE’S LIBYAN ARAB JAMAHIRIYA

- Population:
  - total: 5,471,000
  - under-18s: 2,514,000
- Government armed forces:
  - active: 76,000
  - reserves (people's militia): 40,000
- Compulsory recruitment age: 17, 18 or 19 (unclear) \(^{1134}\)
- Voluntary recruitment age: 14 or 16 (unclear)
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

- There are indications of under-18s in government armed forces as conflicting information suggests that recruitment under 18 is possible, but children are reportedly not deployed.

GOVERNMENT

National Recruitment Legislation and Practice

Article 16 of the Constitutional Proclamation of 11 December 1969 states that "[D]efence of the homeland is a sacred duty. Military service is an honour for the Libyan People". A similar principle is proclaimed in article 3 of the General People's Congress Law No. 20 of 1991 on the consolidation of freedom which states "[D]efending the homeland is a right and an honour and no male or female citizen must be deprived of it".

The minimum age for conscription is unclear. According to Act No. 9 of 1987 (as amended) concerning national service, national service is compulsory for all citizens who have attained 18 years of age.\(^{1135}\) However, the age of conscription is lower in the General People's Congress Law No 21 of 1991 on Mobilisation. Article 1 deals with the definition of terms used in this law, defining 'human resources' as “male and female citizen who attain their 17\(^{th}\) year of age provided they are physically able to engage in combat and production.” It has not been possible to obtain a copy of Act No. 9 of 1987 on national [military] service, to which this law refers. Other sources claim military service is compulsory for all men and women aged 18 to 35. In 1998 a Libyan representative told the Committee on the Rights of the Child (apparently referring to compulsory service) that “19 was the minimum age for military service, but [that] persons who had not yet completed their studies could postpone military service until the age of 26.”\(^{1136}\) Military service is believed to last for 3 years in the army and 4 years in the navy and air force.

Libya reportedly accepts voluntary recruits from the age of 16 but under-18s are restricted to training and are not deployed in operations. During Libya's hearing before the Committee on the Rights of the Child, one Committee member reported receiving information that the minimum age for voluntary service in the armed forces was as low as 14.\(^{1137}\) It seems that only a small proportion of conscripts are actually recruited given the size of the armed forces and the potential number of recruits in terms of population size.
People who have acquired so-called 'Arab nationality', created by the Libyan government for workers from neighbouring countries who were recognised as Arabs, are also liable for military service.\footnote{1138} Women are very involved in military activities.

\textbf{Military Training and Military Schools}
Children from the age of 16 are reported to attend military schools. Moreover, during their education all children receive preliminary military training from the age of 14 upwards. School children between 15 and 18 were once trained in the use of hand-weapons, but this scheme has reportedly been discontinued.\footnote{1139} A military academy for young girls was created in 1979.\footnote{1140}

\footnotesize

\begin{enumerate}
\item Brett and McCallin op. cit.
\item Initial Report of Libya to the Committee on the Rights of the Child, UN Doc. CRC/C/28/Add.6, 26, 9/96, para. 40.
\item UN Doc. CRC/C/SR.432, 12/1/98, paras. 63 and 65.
\item Ibid. paras. 63 and 65.
\item Horeman and Stolwijk op. cit.
\item Ibid.
\item Nicolas, C. "Libres, Libyennes", Le Nouvel Observateur, 7/5/97
\end{enumerate}
LIECHTENSTEIN

PRINCIPALITY OF LIECHTENSTEIN

- Population:
  - total: 32,000
  - under-18s: 7,000
- Government armed forces: no active forces
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: no active forces
- Voting age (government elections): 20
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II

- Liechtenstein does not maintain an active armed force. The government retains the power to conscript in times of emergency but no information is available on age limits in such circumstances.

GOVERNMENT

National Recruitment Legislation and Practice
Liechtenstein has no conscription and its armed forces were abolished in 1868. However, male citizens can be mobilised in the case of emergency. According to Article 44 of the 1921 Constitution, "every man fit to bear arms shall be liable, up to the completion of his sixtieth year, to serve in the defence of his country in the event of an emergency. Apart from this contingency, no armed units may be organised or maintained, except so far as may be necessary for the provision of the police service and the preservation of internal order. Detailed regulations regarding this matter shall be laid down by law". No information is available on the minimum age for recruitment in case of emergency. Given that there are no armed forces, there is no recruitment of under-18s.

DEVELOPMENTS

International Standards
Liechtenstein signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position. The ratification process is under consideration.

1141 Horeman and Stolwijk op. cit.; Blaustein and Flanz op. cit.
1142 Horeman and Stolwijk op. cit.
1143 Blaustein and Flanz op. cit.
1144 Letter sent to CSC by Permanent Mission of the Principality of Liechtenstein, 15/3/01.
1145 Permanent Mission of Liechtenstein op. cit.
LITHUANIA

REPUBLIC OF LITHUANIA

- Population:
  - total: 3,682,000
  - under-18s: 896,000
- Government armed forces: 1146
  - active: 8,000
  - National Defence Voluntary Force (some reserves): 12,000
  - reserves: 355,650
  - paramilitary: 3,900
- Compulsory recruitment age: 19
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are no indications of under-18s in government armed forces. Seventeen-year-olds are able to enrol in military schools in which they would be considered to be part of the armed forces during a state of war or aggression.

GOVERNMENT

National Recruitment Legislation and Practice
Article 48 of the 1992 Constitution states that "[M]ilitary service or alternative service, as well labour which is executed during war, natural calamity, epidemic, or other urgent circumstances, shall not be deemed as forced labour." Article 139 of the Constitution adds that "[T]he defence of the State of Lithuania from foreign armed attack shall be the right and duty of every citizen of the Republic of Lithuania. Citizens of the Republic of Lithuania are obliged to serve in the national defence service or to perform alternative service in the manner established by law."1147

All men between the ages of 19 and 27 are liable for military service which lasts for 12 months and is regulated by the 1996 Law on Military Duty. Full-time university students are exempt during the period of study. 1148 Voluntary recruitment is possible from the age of 18.1149 This is enshrined in Article 29 of the Law on the Organisation of the National Defence System and Military Service. 1150

It seems that only 10 per cent of those liable for conscription actually perform military service. Four modern Military Enrolment Centres are to be established by 2003 (two are currently functioning) in order to improve the recruitment system.1151

Military Training and Military Schools
There are several military schools in Lithuania, inter alia, the Military Academy, the Non-Commissioned Officers School and the Basic Training Regiment. The Ministry of Education approves conditions for admission to the Military Academy.1152 According to information provided by the government in 2000, candidates must have graduated from 12 years of secondary
education and are 17 to 18 years of age.\textsuperscript{1153} Article 20 of the Law on the Organisation of the National Defence System and Military Service states: “The Academy shall enrol servicemen or draftees with a high school education, who comply with the enrolment requirements. The draftees enrolled to the Academy shall be drafted to mandatory military service simultaneously. The military service shall be done during study periods. In a war time situation, cadets become a constituent part of the armed forces, subordinate to the Commander of the Armed Forces”.\textsuperscript{1154}

**DEVELOPMENTS**

**International Standards**

The Committee on the Rights of the Child meeting in January 2001 encouraged Lithuania to ratify and implement the CRC-OP-CAC.\textsuperscript{1155} The Ministry of National Defence has reportedly initiated the process of adopting and ratifying the CRC-OP-CAC.\textsuperscript{1156}

\textsuperscript{1146}Active and NDVF figures from Letter of the Permanent Mission of Lithuania to the United Nations, Geneva, to CSC, 15/3/01; reserves and paramilitary figures from IISS 2001. IISS cites active forces at 12,700 including 2,000 NDVFs.

\textsuperscript{1147}Blaustein and Flanz op. cit.

\textsuperscript{1148}Permanent Mission of Lithuania, op. cit.


\textsuperscript{1150}5/5/98, No. VIII-723 and 14/1/99, No. VIII-1027.

\textsuperscript{1151}Permanent Mission of Lithuania, 15/3/01 op. cit.

\textsuperscript{1152}Ibid.

\textsuperscript{1153}Permanent Mission of Lithuania, 30/6/99, op. cit.

\textsuperscript{1154}Permanent Mission of Lithuania, 15/3/01, op. cit.

\textsuperscript{1155}Concluding Observations of the Committee on the Rights of the Child: Lithuania. 26/01/2001. CRC/C/15/Add.146

\textsuperscript{1156}Permanent Mission of Lithuania, 15/3/01, op. cit.
LUXEMBOURG

GRAND DUCHY OF LUXEMBOURG

- Population:
  - total: 426,000
  - under-18s: 91,000
- Government armed forces: 1157
  - active: 849
  - paramilitary: 612
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces - 24 under-18s in 2001

CRC-OP-CAC: signed on 8 September 2000; does not support “straight” 18 position
Other treaties ratified: CRC; GC/API+II; ICC

In 2001 the Government reported there were 24 voluntary recruits under the age of 18 in the armed forces, but stated that under-18s are not deployed in situations of armed conflict. Under-18 recruitment is set to continue, however legal provisions are being established to ensure there will be no under-18 deployment either in situations of armed conflict or in peace-keeping operations.

GOVERNMENT

National Recruitment Legislation and Practice
Article 96 of the 1868 Constitution (Chapter VII Public Forces) states that "[A]ll matters connected with the armed forces are regulated by law". Conscription was abolished in 1967. Nevertheless, to fulfil its NATO obligations, Luxembourg maintains a small armed force of volunteers which is regulated by the Law on the Organisation of the Armed Forces of 23 July 1952. According to Article 19, voluntary enlistment is possible for citizens who have reached the age of 17. They are then subject to the military criminal code which is otherwise only applicable to adults. Article 24 states that volunteers receive military instruction but can be used ‘out of the corps’ in case of national interest. In accordance with Article 20 of a law of August 1997 dealing with the reorganisation of the army, a regulation was issued on 6 July 1999 to establish the conditions of recruitment, training and payment of volunteers in the army. Since 1999, a new department (Direction de la Defence) has been created and is charged with the recruitment and training of the volunteers.

Military Training and Military Schools
A working group of civil servants from the education and defence departments is currently developing a future programme for an army military school (Ecole de l’armee). This school will be coordinated with technical schools or CFPC and with technical workshops of the army, in order to promote an optimal vocational training programme leading towards a CATP, a CIPT or a CCM.

Child Recruitment and Deployment
According to the Permanent Representative of Luxembourg in Geneva, there are currently 24 seventeen-year-olds in the armed forces. Within the context of plans for opening up
recruitment to other European citizens, a provision is foreseen whereby volunteers under the age of 18 will not be able to take part in missions in armed conflict areas or for the maintenance or re-establishment of peace. Parental consent will be required for voluntary recruits under the age of 18. There is no deployment of under-18-year-olds in peacekeeping operations.1163

DEVELOPMENTS

International Standards
Luxembourg signed the CRC-OP-CAC on 8 September 2000 but does not support a “straight-18” position.

1137 Active total provided in a letter to the Coalition from the Representation Permanente du Grand-Duche de Luxembourg a Geneve, 7/3/01; paramilitary figure from IISS, Military Balance, op. cit.
1138 http://www.urich.edu/~jpjones/confinder/const.htm
1140 http://www.gouvernement.lu/gouv/fr/doss/rapact/mae.rtf
1141 Ibid.
1142 Representation Permanente du Grand-Duche de Luxembourg op. cit.
1143 Ibid.
MACEDONIA

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

- Population:
  - total: 2,011,000
  - under-18s: 567,000
- Government armed forces:
  - active: 16,000
  - reserves: 60,000
  - paramilitary: 7,500
- Compulsory recruitment age: 18
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

There are indications of under-18s in government armed forces as it is possible to volunteer for military service from the age of 17. There has been a pattern of children aged between 14 and 18 leaving the country to join armed groups abroad, for example during the conflicts in Bosnia and more recently, in Kosovo. These children were recruited through television announcements and promises of payment. Some were killed in fighting. This raises concern about the potential involvement of children if the current crisis in Macedonia continues to escalate.

CONTEXT

Events in 1999 were dominated by the Kosovo crisis and the huge influx of refugees. The Coalition government came under extreme pressure and tensions increased between the ethnic Albanian minority and the Macedonian majority. The mandate of the UN peacekeeping mission (UNPREDEP) ended in 1999 but the OSCE monitoring mission continued to operate in the country. Fighting escalated in March 2001 between ethnic Albanian armed groups and Macedonian forces. These ethnic Albanian groups are operating within Macedonia under the newly formed National Liberation Army and are also supported by incursions from neighbouring Kosovo. There were fears of fighting spreading to other parts of the country and destabilise Macedonia’s delicate balance of ethnic relations. (see Federal Republic of Yugoslavia entry)

GOVERNMENT

National Recruitment Legislation and Practice

Article 28 of the 1991 Constitution states that: "the defence of the Republic of Macedonia is the right and duty of every citizen. The exercise of this right and duty of citizens is regulated by law". All male citizens are subject to military service from the age of 17 up to 55. Conscription occurs once the recruit attains the age of 18 but a recruit can voluntarily enrol from the age of 17. However, recruits usually perform their military service upon attaining 19 years of age. Women can join Officer and NCO corps. It is claimed that military service lasts for 10, 12 or 15 months.
Macedonia is planning to transform its armed forces into a professional army but conscription is likely to continue until this has been achieved.1168

Military Training and Military Schools
The Military Academy admits a range of undergraduate and postgraduate students for a variety of courses and military specialisations. Furthermore, the Education and Training Centre, “Dr. Joseph Kruzel” was formed in 1992 and is intended as a training centre for those concerned with the political and economic system, civil protection, and youth training. It is comprised of three parts: the NCO school; reserve officer’s school; and training centre. Between 1994 and 1996, the Centre trained a total of 10,297 civilians including members of the Civil Protection Force, employees of the state authorities, and enterprises with special links to defence. No information is available on whether under-18s train in these centres.1169

OPPOSITION

The recent emergence of an opposition group calling itself the National Liberation Army, along the border with Kosovo is causing international concern. The FYROM government claims the group is being supported from Kosovo and is reportedly made up of members of the supposedly disbanded Kosovo Liberation Army. There are concerns about child involvement in opposition forces but no concrete evidence has emerged to date.1170

CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES

No information has been received about the involvement of children in armed violence in Macedonia itself. However, there are past reports of children leaving the country to join armed groups abroad. This was the case during the war in Bosnia-Herzegovina during which about 500 Macedonian children joined the Bosniak army there. More recently, during the Kosovo conflict, over 500 Macedonian children joined the Serbian armed group called the Serb Tigers. In addition, about 1,000 other children joined the Kosovo Liberation Army (KLA).

These children were recruited through TV announcements and promises of money in exchange for their services. They were between 14 and 18 years of age and came from poor families. A large majority were Albanians, 20 per cent were Serbs and 5 per cent Macedonian. A majority of them were boys but there were also girls. A large part of the Albanian children came from Debar, Gostivar and Tetovo and from villages close to the border. The Serb children came from Kumanovo and Gostivar or from the villages close to Skopje and Kumanovo. The Albanian private TV in Skopje, ERA, and other stations made announcements inviting young people to join the KLA. Three hundred and fifty children from refugee camps in Macedonia joined the KLA and 30 of them were killed.1171

“My name is Stevica, and I’m 15 years old. I live in one village near Skopje, but for the last five months I’ve been in Nis (Serbia) and I work there. I prepare the weapons, I write reports from the field and I cook. I work for the Serb Tigers. There are 100 of us from Macedonia but we are all Serbs.”
"I am 16 years old. My name is Ismail, I’m Albanian… I will join the KLA — these are my brothers and my sisters. We must try to achieve our big dream: Great Albania. Three months ago, I was in Kukes, in the camps, but now I’m here in Skopje and ask other people to come with me”.

DEVELOPMENTS

International Standards
The FYROM government expressed its readiness to sign and ratify the CRC-OP-CAC at the Winnipeg international conference on war-affected children in September 2000 but had not done so at the time of publication.1172

1161 Blaustein and Flanz op. cit.
1162 Initial report of the Former Yugoslav Republic of Macedonia to the Committee on the Rights of the Child, UN doc. CRC/C/65/Add.5, 20/11/98, para. 361.
1164 Horeman and Stoelwijk op. cit.
1165 White Paper op. cit.
1166 Natasa Dokovska, Journalist for the Rights of Women, Children and the Environment, FYROM, in a communication to the CSC dated 21/3/01
1167 Ibid.
1168 Ibid and also earlier communications.
1170 Statement by Minister of Foreign Affairs to Winnipeg International Conference War-affected children in 9/00.
MADAGASCAR

REPUBLIC OF MADAGASCAR

- Population:
  - total: 15,497,000
  - under-18s: 7,814,000
- Government armed forces:
  - active: 21,000
  - paramilitary: 7,900
- Compulsory recruitment age: unknown
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: signed on 7 September 2000
- Other treaties ratified: CRC; GC/API+II; ILO 138

- It is not known if there are any under-18s in government armed forces due to lack of information about recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
Military conscription is enshrined in Article 18 of the Constitution of Madagascar which states that: "National service shall be an honourable duty." Nevertheless, no information is available on the requirements for performing military service, which lasts for 18 months. There is a possibility to carry out military service outside the armed forces.

In its report to the Committee on the Rights of the Child, Madagascar claimed that "no legal provision on national service or a state of national necessity requires children to take a direct part in hostilities. Malagasy law contains no provision for children under 18 years of age to be enlisted for service in a situation of armed conflict." Further information on current recruitment practice is not available.

DEVELOPMENTS

International Standards
Madagascar signed the CRC OP-CAC on 7 September 2000.

1173 The legal basis for conscription is believed to be Order No. 78-003 on National Service of 6 March 1978.
1174 According to Article 4 of Order No. 78-003: “Military personnel assigned to the armed forces may be transferred outside the armed forces, and vice versa, either at their own request or on official orders, provided that those assigned outside the armed forces have been found medically fit for military service.”
1175 Initial report of Madagascar to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.5, 13/9/93, para. 257.
MALAWI

REPUBLIC OF MALAWI

- Population:
  - total: 10,640,000
  - under-18s: 5,738,000
- Government armed forces:
  - active: 5,000
  - paramilitary: 1,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age in government elections: 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 182

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
In time of public emergency, the National Service Act provides that every citizen between the ages of 18 and 60 may be called for national service. Recruitment into the armed forces is currently on a voluntary basis and the minimum age is 18.1176

DEVELOPMENTS

International Standards
Malawi signed the CRC-OP-CAC on 7 September 2000 and supports a “straight-18” position.

1176 Horeman and Stolwijk op. cit.
MALAYSIA

- Population:
  - total: 21,830,000
  - under-18s: 8,864,000
- Government armed forces:
  - active: 96,000
  - paramilitary: 20,100
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18; certain cadets admitted at 17.5
- Voting age (government elections): 21
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC; ILO 138; ILO 182

- There are no indications of under-18s in government armed forces, although some cadets are admitted to training from 17 years and 6 months.

GOVERNMENT

National Recruitment Legislation and Practice
There is no specific provision in the 1963 Constitution regarding military service, although Article 6 deals with forced labour, declaring that “all forms of forced labour are prohibited, but Parliament may by law provide for compulsory service for national purposes.” However, there is no legislation in force establishing compulsory military service since the repeal of the 1952 National Service Act. There are no plans to introduce compulsory military service although the Malaysian armed forces reportedly face shortages, notably among officers.

In addition to official armed forces there are many paramilitary forces, including the RELA (People’s Volunteer Corps). Run by the Ministry of Interior, the RELA is intended as a third line of defence (the first two being the armed forces and different police forces) in wartime or in times of emergency. Recruitment into these forces is believed to be voluntary.

Military Training and Military Schools
The age requirement for entry into the Malaysian armed forces is generally 18 except for certain types of cadets (ATMA). The Malaysian Armed Forces Academy or Akademi Tentera Malaysia (ATMA) was created in 1995 to provide students with both military training and academic education. Non-servicemen must be at least 17 years 6 months but under 20 on the day of enlistment, and servicemen must be under 23 years. After their studies at the academy, cadets are asked to sign an agreement to serve in the Armed Forces of Malaysia (ATM) within a specified period. It seems from the information available on the web site of the Academy that cadets are members of the armed forces. There are two other colleges and dozens of schools for training for the army and the air force. No details of entry requirements to the schools were obtained.

Malaysian troops are engaged in UN peacekeeping forces in East Timor (UNTAET), Iraq/Kuwait (UNIKOM), Sierra Leone (UNAMSIL) and Western Sahara (MINURSO).

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1177 Blaustein and Flanz op. cit.
1178 Horeman and Stolwijk op. cit.
Ibid.

See http://maf.mod.gov.my/

MALI

REPUBLIC OF MALI

- Population:
  - total: 10,960,000
  - under-18s: 5,868,000
- Government armed forces:
  - active: 7,350
  - paramilitary: 4,800
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: ACRWC; CRC; GC/API+II; ICC; ILO 182

- There are no indications of under-18s in government armed forces.

CONTEXT

Mali contributes troops to ECOWAS peace monitoring missions. In February 1999, Mali sent 488 peacekeepers to Sierra Leone as part of the ECOMOG forces. In December 2000 Mali committed 50 troops to ECOWAS forces guarding the border between Guinea, Sierra Leone and Liberia.

GOVERNMENT

National Recruitment Legislation and Practice
Article 22 of the Constitution of Mali states that “Defense of the homeland is a duty of every citizen.” Conscription is selective but military service is voluntary in principle. Under the ‘Statut général des militaires’ the minimum age for both compulsory and voluntary recruitment is 18 and the maximum age is 22. Service lasts 24 months.

Military Training and Military Schools
There is no evidence of underage recruitment in Mali. There are several military schools, including two in Koulikoro (State School at Koulikoro, and School of Military Administration), and one in Kati. Official sources claim the minimum entry age in military schools is 18.

DEVELOPMENTS

International Standards
Mali signed the CRC-OP-CAC on 8 September 2000 and supports the “straight-18” position. At the ECOWAS summit held in Mali in December 2000, Mali condemned the use of children in
conflicts and encouraged other countries to ratify international treaties that allow the prosecution of those deploying child soldiers.\textsuperscript{1191} Mali strongly championed international efforts to stop the use of child soldiers during its membership of the UN Security Council in 2000.\textsuperscript{1192}

\textsuperscript{1191} “A Malian Contingent expected Thursday in Freetown”, Panafrican News Agency, 11/2/99.
\textsuperscript{1192} UN IRIN, “ECOMOG capable of defending border, ECOWAS head says”, 24/1/01.
\textsuperscript{1191} Text at: http://www.urich.edu/~jpjones/confinder/Mali.html
\textsuperscript{1193} Initial Report of Mali to the Committee on the Rights of the Child, UN Doc. CRC/C/3/Add.53, 8/9/97, para. 32; letter from the Malian Embassy in Germany to CSC, 21/1/99.
\textsuperscript{1194} ISS, Military Balance 97/98 op. cit.
\textsuperscript{1195} Information supplied by UNICEF.
\textsuperscript{1197} Malian Embassy in Germany op. cit.
\textsuperscript{1198} AFP, “ECOWAS summit opens in Mali”, 15/12/00.
\textsuperscript{1199} Annex to the Chair’s Statement at the International Conference on War-Affected Children, Winnipeg, Canada, 9/00.
MALTA

REPUBLIC OF MALTA

- Population:
  - total: 386,000
  - under-18s: 97,000
- Government armed forces:
  - active: 2,140
- Compulsory recruitment age: unknown
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138

There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
According to the 1964 Constitution, "Malta is a neutral state actively pursuing peace, security and social progress among all nations, by adhering to a policy of non-alignment and refusing to participate in any military alliance". Furthermore, Section 35(2)(c) of the Constitution states that "forced labour" does not include "any labour required of a member of disciplined force in pursuance of his duties as such, or in the case of a person who has conscientious objections to service as a member of a naval, military or air force, any labour that that person is required by law to perform in place of such service”.

In the initial report of Malta to the Committee of the Rights of the Child in 1998 Malta stated that “With reference to article 38 on armed hostilities, such issues are regulated at international law to which Malta is signatory in terms of the relevant treaties. On the domestic front it is not permissible for persons under 18 to formally engage in combat with the armed forces. The age limit for enlistment in the armed forces of Malta is 18 years”. Volunteers must sign up for at least 3 years.

It appears from official documents that the armed forces have difficulty attracting enough servicemen. In 1997, the Maltese government decided to set up Individual Emergency Reserves and Emergency Volunteer force.

DEVELOPMENTS

International Standards
Malta signed the CRC-OP-CAC on the 7 September 2000 and supports a “straight-18” position.

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1193 Blaustein and Flanz op. cit.
1194 Section 1(3) of the Constitution.
1196 Horeman and Stolwijk op. cit.
MAURITANIA

ISLAMIC REPUBLIC OF MAURITANIA

- Population:
  - total: 2,598,000
  - under-18s: 1,307,000
- Government armed forces:
  - active: 15,650
  - paramilitary (active): 5,000
- Compulsory recruitment age: 17 (unclear)
- Voluntary recruitment age: 18; 16 with consent (unclear)
- Voting age (government elections): 18
- Child soldiers: indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC

- There are indications of under-18s in government armed forces given that recruitment is possible from the age of 16. However, numbers of such recruits are not known.

CONTEXT

There are still tensions in the country following the conflict with Senegal in 1989 when ethnic pogroms took place in both countries. Furthermore, the ultimate resolution of the conflict in the Western Sahara will inevitably have consequences for Mauritania.1198

GOVERNMENT

National Recruitment Legislation and Practice

Article 18(1) of the 1991 Constitution states that: "Every citizen has the duty of protecting and safeguarding the independence of the country, its sovereignty, and the integrity of its territory."1199 The 1962 Law on Recruitment of the Army (Law no. 132/62 of 29 June 1962) provides for two-year compulsory service. According to this law, every citizen who has reached the age of 17 must be registered, and following a medical examination a Council (Conseil de révision) must deliberate each case. The age of actual recruitment is not expressly mentioned, but is believed to be 17.1200

Official sources claim recruitment into the armed forces is actually on a voluntary basis and the minimum age of recruitment is 18.1201 But according to Article 7 of the above-mentioned law, Mauritanian citizens who have reached the age of 16 may enlist voluntarily with the consent of parents or a tutor, or through authorisation by the Minister of Defence. There is no available information on how recruitment is currently carried out.

1198 Balencie and de la Grange op. cit.
Horeman and Stolwijk op. cit.
1200 Brett and McCallin, op. cit.
1201 Telephone conversation between CSC and the office of the military attaché at the Embassy of the Islamic Republic of Mauritania in Paris, France, 10 February 1999.
MAURITIUS

REPUBLIC OF MAURITIUS

- Population:
  - total: 1,150,000
  - under-18s: 357,000
- Government armed forces: 1,500
  - active: nil
  - paramilitary: 1,500
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 182

There are no indications of under-18 recruitment into the government paramilitary forces. There are no government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Mauritius does not have an army, but two paramilitary forces, the coast guards and a ‘Special Mobile Force’, which are specialised units of the Mauritius Police Force. The minimum age for recruitment into both forces is 18 years of age.\(^{1203}\)

\(^{1202}\) Letter to CSC dated 14/3/01.
\(^{1203}\) Ibid.
MEXICO

UNITED MEXICAN STATES

- Population:
  - Total: 97,365,000
  - Under-18s: 38,823,000
- Government armed forces:
  - Active: 192,770
  - Reserves: 300,000
  - Paramilitary (Rural Defence Militia): 14,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 16 with consent
- Voting age (government elections): 18
- Child soldiers: indicated in government and opposition forces
- CRC-OP-AC: signed 7 September 2000, does not uphold “straight-18”
- Other treaties ratified: CRC, GC, GCPI, ILO 138

There are indications of under-18s in the government armed forces as the minimum age for voluntary recruitment into the Armed Forces is only 16. There are also reports of under-18s being recruited by paramilitaries and armed groups.

CONTEXT

Violence continued in Chiapas and Guerrero between government or alleged sympathisers and opposition group sympathisers. Members of so-called “paramilitary” groups, sympathisers of the PRI, were accused of violence and killing. There continued to be reports that the government used excessive force in dealing with alleged members of armed groups or their supporters in Chiapas, Guerrero and Oaxaca. Progress was made toward achieving peace in Chiapas as incoming President Fox ordered the withdrawal of troops from the conflict zone. A constitutional-amendment bill was submitted to Congress to recognise the autonomy and legal validity of the indigenous peoples’ internal systems of governance within the State framework.

Increased militarisation in states where armed groups are present is linked with tensions over land ownership, political alliances and religion which are inter-related, making it is difficult to state conclusively whether under-18s are being recruited for military or combat purposes.

GOVERNMENT

National legislation
Article 31 of the Mexican Constitution states that: “The obligations of Mexicans are […] (II) To be present on the days and hours designated by the municipality [ayuntamiento] in which they reside, to receive civic and military instruction which will equip them for the exercise of their rights as citizens give them skill in the handling of arms and acquaint them with military discipline; (III) To enlist and serve in the National Guard, according to the respective organic law to secure and defend the independence, the territory, the honour, the rights and the interests of the homeland, as well as domestic tranquillity an order.”

1204
According to Article 1 of the Military Service Law: “it is declared as compulsory and of public order the Service of the Arms for all Mexicans by birth or naturalization, who will fulfil it … according to their capacities and aptitudes.” Article 5 of the Military Service Law states that all Mexicans, both men and women, between the ages of 18 and 40 are liable for military service. Article 24 mentions that the Army may admit volunteers until the quota fixed annually by the Ministry of National Defence has been achieved. Such volunteers must be Mexicans over the age of 18 and younger than 30. People between the ages of 16 and 18 may be admitted only to train as technicians in the Transmissions Unit.

National recruitment practice
Young men are obliged to serve their military service during the calendar year in which they turn 18; women are encouraged to volunteer for military service. Advance recruits (16 and 17 years of age) with the consent of their legal guardians are allowed to sign up for military service.

Selection is determined by ballot; those who draw a white ball must serve in Units of the Army and Air Force while those who draw a blue ball must serve in the Navy. Those who draw a black ball are not enlisted but remain eligible for service. The Mexican legislation does not recognise the right to conscientious objection, although the Military Service law authorises the Ministry of National Defence to exempt from such service those without the necessary requirements, including physical, moral and social.

Military service is fulfilled by attending weekly Saturday morning sessions. As alternatives to the regular drill sessions, recruits can choose any of the following three programs: social work (on behalf of local communities), promotion of physical education and sport, or teaching basic literacy. Recruits who cannot read or write receive literacy lessons during their military service. Young men living in the states of Morelos, Mexico and the Federal District can choose to be in barracks for three months and receive military training. Government officials have stated that the national military service is exclusively “of educational or military and/or technical training, which does not mean that they are being trained for subsequent interventions in wars or international conflicts”.

Military Training and Military Schools
Mexico has 17 military schools that depend on the University of the Army and Air Force. The minimum entry age is 15 in schools that require applicants to have completed secondary education, and 16 in those requiring a baccalaureate. It has been underlined by government officials that “this does not mean that they are trained for intervention in wars or in conflicts.”

“PARAMILITARIES”

Various factors, including the emergence of armed opposition groups, have led to an increase in the formation of so-called “paramilitary” groups operating in the states of Chiapas, Guerrero and Oaxaca, amongst others. NGOs have identified at least 15 such groups. These groups include private armies of local landowners, army surrogates armed by government forces to attack armed groups or community groups to defend specific political alliances or religious beliefs.
In July 1998 it was reported that some paramilitary groups train young people aged between 15 and 20, telling them that “they have to be prepared in order that, at anytime, they can be called for combat.”

**OPPOSITION**

- **Zapatista National Liberation Army / Ejército Zapatista de Liberación Nacional (EZLN)**

It was not possible to confirm isolated reports of child soldiers in EZLN ranks. In March 2001 the EZLN stated, via the internet and in response to questions from journalists, that there are no child combatants in the EZLN, i.e. there are no child soldiers, although “there are Zapatista children but they are part of the support groups [bases de apoyo].” Throughout its communications the EZLN refers to “women, men, children and elders who are part of the EZLN”.

- **Popular Revolutionary Army / Ejército Popular Revolucionario (EPR) and Insurgent People’s Revolutionary Army / Ejército Revolucionario del Pueblo Insurgente (ERPI)**

Reports of minors within the ranks of the Ejército Popular Revolucionario (Popular Revolutionary Army, EPR) and the Ejército Revolucionario del Pueblo Insurgente (Insurgent People’s Revolutionary Army, EPRI) could not be confirmed. In early June 1998, it was reported that two of the 11 people killed in a military attack on alleged members of the in the state of Guerrero were minors, and that five of those detained were under-18.

- **Other armed groups**

There are reports of numerous other small, armed groups in Mexico. No information was available regarding their use of child soldiers.

**DEVELOPMENTS**

Mexico signed the CRC-OP-AC on 7 September 2000 but does not uphold the “straight-18” position.

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1214 Constitución Política de los Estados Unidos Mexicanos,
1215 Ley del Servicio Militar, 11 September 1940 (available in: http://info4/juridicas/unam.mx)
1218 Ibid.
1219 Reforma, 2 April 2001
1221 Information provided by the Mexican Ambassador to Uruguay, 6 July 1999.
1222 Ibid.
1217 http://www.ezln.org
MOLDOVA

REPUBLIC OF MOLDOVA

- Population:
  - total: 4,380,000
  - under-18s: 1,290,000
- Government armed forces:
  - active: 9,500
  - reserves: some 66,000
  - paramilitary: 3,400
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Child soldiers: unknown in government armed forces; none indicated in opposition armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- It is not known if there are any under-18s in government armed forces due to lack of information on voluntary recruitment age. There are no reports of child participation in the conflict over the breakaway republic of Trans-Dniestr.

CONTEXT

The breakaway Trans-Dniestr republic declared independence from Moldova in September 1990 but has not received international recognition. A 1992 peace agreement established a security zone on both sides of the Nistru (Dniestr) river monitored by a combined Russian, Moldovan and Transnistrian peacekeeping force. In April 1999, Russia reportedly agreed to withdraw its troops by 2005.

GOVERNMENT

National Recruitment Legislation and Practice

The legal basis for military conscription was, until May 1999, the 1992 Law on the Military Duty and Military Service of the Citizens of the Republic of Moldova. All men between 18 and 40 are liable for military service. According to the 1992 law military service lasted for 18 months, but in May 1999 the Ministry of Defence officially reduced the duration of compulsory military service to 12 months following the adoption of a new law on military training. The Government has been planning to abolish conscription in favour of a professional army for some time. In the military doctrine adopted on 6 June 1995 by the Moldovan Parliament, it was stated that the principles for the reform of the armed forces included a mixed system of manning – conscription and contract service – with a gradual long-term transition to a fully professional army.

Even though military service is compulsory, only 15 per cent of those liable for conscription are actually recruited because voluntary enlistment apparently produces the requisite number of recruits. Conscription is avoided by the upper classes and as a result most conscripts are from poorer country families.

Military Training and Military Schools
Prior to 1995, there were no military schools in Moldova and most officers were trained abroad. Now officers are trained at the Alexandru cel Bun military College in Chisinau. There are also military schools in Rezina and Cahul.\textsuperscript{1227}

**OPPOSITION**

The armed opposition Dnestr forces are estimated to number 8,000 (excluding reserves).\textsuperscript{1228} The Transnistrian authorities initiated their own draft of men between 18 and 40 years of age.\textsuperscript{1229} Recently, the President of the breakaway Dnestr Moldovan Republic, has declared that the military potential and arsenals of the Dnestr Republic should be increased.\textsuperscript{1230}

\textsuperscript{1220} www.rb.se
\textsuperscript{1222} "Russia to pull arms out of Transdniestr", AFP International, 16/7/99 and "Russian troops to withdraw from Moldova’s Dniestr by 2005", BBC Monitoring Service, 8/6/99.
\textsuperscript{1223} "Moldova’s Defence Ministry suggests 30 % army personnel cuts", Interfax, 21/1/99; "Moldova cuts universal military service from 20 to 12 months", BBC Monitoring Service, 4/5/99.
\textsuperscript{1224} Horeman and Stolwijk op. cit.; Waters, T. op. cit.
\textsuperscript{1225} Horeman and Stolwijk op. cit.
\textsuperscript{1226} Waters, T. op. cit.
\textsuperscript{1227} Ibid.
\textsuperscript{1228} IISS op. cit.; Waters, T. op. cit.
\textsuperscript{1229} Horeman and Stolwijk op. cit.
\textsuperscript{1230} "Moldova: head of breakaway region calls for strong well-trained army", BBC Monitoring Service, 26/2/99.
MONGOLIA

- Population:
  - total: 2,621,000
  - under-18s: 1,110,000
- Government armed forces:
  - active: 9,100
  - reserves: 140,000
  - paramilitary (active): 7,200
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 182

- It is not known if there are any under-18s in government armed forces due to lack of information on the minimum voluntary recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
According to Article 11(2) of the 1992 Constitution: “Mongolia shall have armed forces for self-defence. The structure and organisation of the armed forces and the rules of military service shall be determined by law.” Article 17(1)(iv) of the Constitution further declares that it is a duty of citizens “to defend the motherland and serve in the army according to the law.”

Conscription is practised in Mongolia in accordance with the 1993 Universal Military Service Law which set a minimum age of 18 for military service. The government has asserted that the common age for military service is 19-20 years. Minimum age for voluntary recruitment is not known.

According to the 1993 Law on Defence of Mongolia, the Armed Forces are made up of five bodies: General Purpose Troops, Air Defence Forces, Construction Corps, Civil Defence Forces and Mobilisation Reserves. The Border Troops and Internal Troops are defined as “other troops” which, in a state of war, become a part of the Armed Forces. Military service lasts one year and is performed in the Armed Forces, the Border guards, the Internal Security Troops and the Construction Troops.

Modernisation of the military is under way with reforms expected to continue until 2005. In March 1999, an alternative military service was reportedly launched for the first time in Selenge Aymag (province).
MOROCCO

KINGDOM OF MOROCCO

- Population:
  - total: 27,867,000
  - under-18s: 11,030,000
- Government armed forces:
  - active: 198,500
  - reserves: 150,000
  - paramilitary (active): 42,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 20
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 8 September 2000; supports a “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182
- There are no indications of under-18s in government armed forces.

CONTEXT

In 1976, after the withdrawal of Spain from Western Sahara, an armed conflict broke out between Morocco and the opposition Popular Front for the Liberation of the Saquiat al-Hamra and the Rio de Oro (Polisario Front), which had proclaimed an independent ‘Saharan Arab Democratic Republic’. On 6 September 1991 a UN-sponsored cease-fire came into effect and a United Nations Mission (MINURSO) was established. A referendum for self-determination among the Western Saharan population was due to be conducted, but has been postponed many times. There has been no fighting between Morocco and the Polisario Front since the UN peace plan in 1991.

GOVERNMENT

National Recruitment Legislation and Practice

Article 16 of the 1972 Constitution states that "All citizens contribute to the common defence of the homeland."  There is no evidence of underage recruitment into the Moroccan armed forces.

Eighteen years is the minimum age for voluntary or compulsory recruitment in the armed forces as fixed by the Royal Decree of 9 June 1966. There is no evidence of underage recruitment into the Moroccan armed forces. According to UNICEF, the minimum age of 18 years applies to all civil servants and the legislative provisions are enforced.

Military service lasts 18 months. Although service is, in theory, compulsory for all males (with possible exemptions), not all are called up and it seems that urban youths are more likely to perform military service because of their better education. Moreover it is believed that the majority of those enrolled are volunteers, and because of the popularity of joining the armed forces only one out of 60 volunteers are admitted. There is also the
possibility for recruits to perform a two-year civilian service in government departments. 1240

**Military Training and Military Schools**

There are four military schools in the country where children are enrolled at the end of primary school, but they officially become members of the armed forces only after passing the national exam organised every year for students with high school diplomas. Successful students then enrol in various military graduate schools (air force, navy, etc.). 1241 Military high school students who are under 18 follow the same training programmes as pupils in national education system. They may leave at any time. 1242

**OPPOSITION**

- **Polisario Front: 3,000-6,000 fighters** 1243

The Polisario Front is still believed to be forcibly recruiting into its ranks. However many recruits reportedly join the Front as a way of leaving the refugee camps. No information is available on the minimum age for recruitment.

**DEVELOPMENTS**

**International Standards**

Morocco signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position.

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1237 Constitutions of the World op. cit.
1238 Report of Morocco to the Committee on the Rights of the Child, CRC/C/28/Add.1, 19/8/95, para 50.
1239 Information supplied by UNICEF
1240 Horazman and Stolwijk op. cit.
1241 Ibid.
1242 Report of Morocco to the Committee on the Rights of the Child, op. cit. para 51.
MOZAMBIQUE

REPUBLIC OF MOZAMBIQUE

- Population:
  - total: 19,286,000
  - under-18s: 9,893,000
- Government armed forces:
  - active: 5,100
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API

- Mozambique supported a “straight-18” ban on military recruitment during negotiations on the Optional Protocol. Mozambican law allows conscription from the age of 18 but this age limit may be lowered during times of war. Many thousands of children were used as soldiers in the past war between Frelimo and Renamo. There are concerns that former child soldiers, now of draft age, may be liable for compulsory military service again.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription, previously in operation in the country, was abolished following the 1992 peace agreement between the Government and the armed opposition group RENAMO. This situation changed once again when a new law governing conscription was adopted in 1997. RENAMO voted against the law arguing that Mozambique did not have the financial means for conscription and that it ran counter to the peace agreement which envisaged the formation of a 30,000 strong Mozambique Armed Defence Force, composed of demobilised forces of the government forces and RENAMO. According to the head of the RENAMO parliamentary group, the new law is a carbon copy of the old Portuguese law on military service previously in force in Mozambique. According to Article 2 of this law: "1. All Mozambican citizens between the age of 18 and 35 years are subject to compulsory military service and to comply with the military obligations that derive from it. 2. In time of war, the above established ages for the accomplishment of the military obligations may be changed by law."

Military Training and Military Schools
There is one military school based in the northern province of Nampula. The minimum educational requirement is the 10th grade.

Past Child Recruitment and Deployment
There is no armed conflict in Mozambique and no current evidence of underage recruitment. In the former war between Frelimo and Renamo, many thousands of children were used as soldiers.

DEVELOPMENTS
Demobilisation
A specific problem has arisen with the possible drafting of former child soldiers from the civil war into military service based on the new law adopted in 1998. Many of these youths are now of draft age and are vulnerable to military service again because their prior service was not recognised by a demobilisation certificate. However, the government of Mozambique has set up a technical/administrative mechanism during the classification and selection tests, one of the phases in military recruitment, to identify citizens who suffer from various forms of trauma. "This mechanism consists in questioning citizens as to their involvement in armed conflict. If the answer is affirmative, and since, for obvious reasons, they cannot present any document proving this, they are submitted to detailed observation to ascertain whether or not they are suffering from trauma. If there are indications to this effect, the citizen concerned is then declared as psychologically/physically unfit for military service".

International Standards
Mozambique ratified the African Charter on the Rights and Welfare of the Child in 1998 and supported a “straight-18” ban on all forms of military recruitment during the negotiations on the CRC-OP-CAC. At the time of publication, however, Mozambique had not yet signed the CRC-OP-CAC.

Mozambique hosted the African Conference on the Use of Children as Soldiers in Maputo in April 1999.

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1244 Law No. 24/97 of 23/12/97.
1245 These laws were Law No. 4/78 - Lei do serviço militar obrigatório, and Decree No. 3/86 - Regulamento básico do militar nas forças armadas de Moçambique. Mozambican Assembly approves conscription, Renamo walks out”, Panafrican News Agency, 3/11/97.
1246 Information supplied by World Vision International.
MYANMAR

UNION OF MYANMAR

- Population:
  - total: 45,059,000
  - under-18s: 15,844,000
- Government armed forces:
  - active: 393,750
  - paramilitary: 85,250
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): unknown
- Child soldiers: indicated - more than 50,000 in government and opposition armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: GC; CRC

- Myanmar is estimated to have one of the largest numbers of child soldiers of any country in the world, with up to 50,000 children serving in both government armed forces and armed opposition groups. The ILO has condemned the forced recruitment of children in Myanmar and has taken measures to address the government’s use of forced labour. The activities of God’s Army, a breakaway Karen group led by young twins, focused world attention on the use of child soldiers by ethnic armed groups. Armed groups in the Shan State have declared they will not recruit children below 18.

CONTEXT

Fighting continues in many parts of Myanmar with armed opposition groups pitted against the military government or State Peace and Development Council (SPDC) – some ethnic based, others political exiles. The Karen movement remains the strongest, although weakened in recent years. A number of opposition forces in Myanmar have accepted cease-fires with the government. These have had the effect of fragmenting opposition groups even further, with some factions continuing to control their territory under arms, breakaway forces continuing their fight against the government, and internecine fighting between different armed groups. Tens of thousands of villagers in contested zones have been forcibly relocated or internally displaced within the region.

GOVERNMENT

National Recruitment Legislation and Practice
All Myanmar nationals (males between the ages of 18 and 35, and females between 18 and 27) can be called up for full-time service in the armed forces for a period of not less than six months and not more than 24 months, in accordance with the National Service Law and People’s Militia Act of 1959. Doctors, engineers or persons having any other skill can be called up for military service for a period of 24 months in the case of women between the ages of 27 and 35 and for a period of 18 months in the case of men between the ages of 35 and 56. Under section 3(b), all men aged between 18 and 46, and all women between 18 and 35, can be called up for part-time service, i.e., for a total of not more than 30 days a year (though this may be increased by seven days in certain cases).
As no procedures were formulated to implement the national service scheme, little is known about its operation.\textsuperscript{1253} As the former constitution has been repudiated and not been replaced by a new one, the constitutional basis for conscription is unclear.\textsuperscript{1254}

The Myanmar authorities claimed during a hearing before the Committee on the Rights of the Child that “[t]he military code specifically prohibited the enlistment of young men under the age of 18”. Previously, the government had stated that: “[t]he minimum age for participation in military activities [is] 18 years of age, or 16 in the case of the Red Cross Brigade”.\textsuperscript{1255}

**Child Recruitment**

Children have been recruited, voluntarily and forcibly, by governmental armed forces and armed opposition groups alike. Although reliable and objective information is difficult to obtain in the case of Myanmar, it is clear that the country has one of the highest numbers of children within governmental armed forces in the world, including those under 15. Some are recruited voluntarily, attracted by the prestige or financial reward of a military career or hoping to protect their family from harassment by the SPDC, but many others are forced to join. Orphans and street children are particularly vulnerable to forced recruitment.\textsuperscript{1256} According to one 17-year-old who joined underage: “I knew people who were 11, 12, 13, and they all claimed they were 18. Anyone can become a soldier.”\textsuperscript{1257}

According to an ILO Commission of Inquiry on Myanmar, there is regular forced recruitment throughout Myanmar, including of children, into the Tatmadaw [Myanmar armed forces] and various militia groups. This recruitment does not appear pursuant to any compulsory military service laws, but is essentially arbitrary.\textsuperscript{1258} Each district and village in Myanmar is reportedly required to provide the armed forces with a certain number of recruits, with quotas being given to the local authorities. Local authorities who fail to achieve their quota may be fined, while a reward of a similar amount is provided for each recruit provided in excess of the quota. This procedure has resulted in many men and teenage boys either being forcibly recruited or fleeing to avoid conscription. Indeed village or ward authorities are known to hold lotteries to decide who should go and this commonly results in the forced conscription of children.\textsuperscript{1259} It has also been also used by armed groups allied with the government, including the Democratic Kayin Buddhist Army (DKBA).\textsuperscript{1260}

The Committee on the Rights of the Child has reiterated its grave concern about the “numerous reported cases of forced and under-age recruitment of child soldiers” and strongly recommended that the Myanmar armed forces “[s]hould absolutely refrain from recruiting under-age children, in the light of existing international human rights and humanitarian standards” and added that all forced recruitment of children should be abolished.\textsuperscript{1261} The government denied the allegations while admitting that: “[i]t did happen that, in order to be enlisted, young men pretended they were older than they really were, for example by falsifying their identity papers.”\textsuperscript{1262}

**Child Deployment**

Child soldiers are required to perform many functions in the conflict, ranging from preparing and serving meals for their seniors, to fighting in front-line encounters. Many children suffer physical abuse and other privations within the armed forces and, in extreme cases, have been driven to suicide or murder.\textsuperscript{1263} Girls are especially vulnerable to abuse for sexual purposes. Several
testimonies made to the ILO Commission mentioned the cases of girls who had been raped by soldiers while they were working for the armed forces.¹²⁶⁴

According to the ILO Commission of Inquiry, children, some as young as 10 are forced to do portering for the military. Men are preferred for this role but as they sometimes run away, the troops resort to women and children. A refusal to do portering is systematically met with physical punishment or fines.¹²⁶⁵ According to local reports, in Northern Rakhine state nearly all of the men and boys of a village (between the ages of 7 and 35) perform up to 10 days per month of labour in the military, and are reportedly required to carry food and ammunition to the border. Forced labour also seems to be connected with ethnicity as Rohingyas claim that they are forced to serve as porters while nearby villages of Buddhist Burmans are exempt.¹²⁶⁶ The ILO Commission of Inquiry also reported on other kinds of extremely hazardous work carried out by children for the armed forces. Civilians, including children, are used as human shields and minesweepers. In potential conflict areas, civilians, including women and children, were often forced to sweep roads with tree branches or brooms to detect or detonate mines.¹²⁶⁷

Following its report, the ILO Commission of Inquiry asked the Government of Myanmar to remedy its law and practice in this area. By mid-2000, however, the government had not amended its legislation nor had it taken any action to put an end to the use of forced labour, and there were continued reports of children being used by the armed forces.¹²⁶⁸ In June 2000, in an unprecedented resolution under the never-before invoked article 33 of the ILO Constitution, the International Labour Conference called upon Myanmar to "take concrete action" to amend its practices by November 2000.¹²⁶⁹ The government did not take the required action and on 16 November 2000, the ILO Governing Body, voted to apply sanctions which included asking members to review their relations with Myanmar, advise international organisations working in the country to reconsider any cooperation they have with Myanmar and to cease any activity that could have the effect of abetting the practice of forced or compulsory labour.¹²⁷⁰

The Committee on the Rights of the Child has criticised the use of children as porters by the military.¹²⁷¹ The government claims that this type of labour is permitted according to laws in force in Myanmar which date back to British times but would be amended. Committee members pointed out that Myanmar had ratified ILO Convention No. 29 concerning forced labour and should therefore have repealed the provisions of its domestic legislation authorising such forced labour, especially with regard to the army.¹²⁷²

Other UN bodies have condemned Myanmar for its abuse of children’s rights. During its session in 1999, the UN Commission on Human Rights adopted a resolution which notably deplored the violation of child rights, inter alia, through conscription into the military.¹²⁷³ The former Special Rapporteur on Myanmar, Rajsooner Lallah, also condemned the use of child soldiers in the country, reporting killing, torture, trafficking and forced labour of children.¹²⁷⁴ During an official visit to Thailand in February 2000, the UN Secretary-General lamented the plight of child
soldiers such as those involved in the conflict in Myanmar. Government reaction to these criticisms has varied, from assurances to the ILO in May 2000 that necessary measures would be taken, to angry denials of the use of children as soldiers or human shields.

Military Training and Military Schools
Children in Myanmar are subjected to other forms of militarisation in terms of Ye Nyunt Youth (Brave Sprouts) movement. Boys from the age of 14 are placed in training centres where they receive military style education. They are eventually assigned to serve in the army, in intelligence units or as security for high-ranking officers. Most of these children are street children, orphans, children captured from enemy positions or kidnapped from ethnic villages as a means of separating them from their families and communities.

UNICEF has identified at least one residential SLORC military camp, near Kengtung in Shan State, where children aged 7 and above were being trained for a future life in the armed forces. One former pupil stated that students must wear military uniforms two days a week and practice parade drills on Saturdays. After graduating these children are likely to join the armed forces. In 1997, the Ambassador of Myanmar to Thailand confirmed the existence of special military schools, but claimed that pupils were not compelled to join the army on graduation. This claim is contested by one former pupil who claimed that most students are sent to the army after their graduation – those who escape from the school are arrested and forced to go.

In October 1999, the head of the Northeastern Command issued a directive for training boys between 12 and 18 in Lashio, Tangyan, Kuthai and Kunlong to prepare them for mobilisation. Those who continue their education must join the army when they reach 18 years of age, or may enter the Nationalities Development Institute in Sagaing (Northern Burma) after necessary bonds had been signed. Those who refuse to join either the army or this institute can be expelled.

OPPOSITION

Child Recruitment and Deployment
There have been reports of child soldiers in each of the armed opposition groups active in Myanmar, but detailed information on recruitment practices is not available. According to one source, recruitment by these groups mostly takes place on a voluntary basis, although forced recruitment has also been reported. Some groups draw on the tribal base of their ethnic communities, others involve students and young political refugees from Myanmar. None of the ceasefires appears to have made specific provision for the demobilisation of child soldiers. More often, “the agreements have provided ethnic groups with the authority to hold onto their arms, police their own territory and to use their former rebel armies as private security forces to protect both legal and illegal business operations.”

Mong Tai Army: The Mong Tai Army is believed to have had the largest number of child soldiers, with one son required from each family. The Mong Tai Army is believed to have had camps in Shan State where children received a basic education in exchange for military service later on. The Mong Tai surrendered to the Tatmadaw in 1996. Little information is available on the fate of former child soldiers, but some were reportedly used by militia still known as the Mong Tai army and based at the same headquarters in Ho Mong. Others returned to their homes.
or joined the new Shan State Army which claims to have over 2,000 fighters, many of them children. The rival United Wa State Army is also known to recruit children.

Karen National Union (KNU): The Karen National Liberation Army (armed wing of the KNU) is believed to recruit many child soldiers. One battalion commander estimated that there were perhaps 2,000 boy soldiers in the KNLA when it was at full strength, although KNU forces are now much depleted. As the KNU has declined, some of its fighters have broken away to form new groups including the Christian Karen militia “God’s Army”. This guerrilla force was led by 12-year-old twins, Johnny and Luther Htoo, who had already been fighting for three years. In January 2000, the “God’s Army”, became internationally known when some of its members took over a hospital at Ratchaburi, Thailand, taking 700 people hostage. After a 22 hour stand-off, Thai security forces stormed the hospital and killed the ten suspected fighters. The base of God’s Army at Kamaplaw was subsequently overrun by the armed forces. The group includes other children as young as 13 who have been seen wearing uniforms and rifles. One of them, “Black Tongue”, a sort of junior partner to the twins, appeared to be 9 or 10. In January 2001, the twins surrendered and returned to live with their parents in Ban Don Yang camp, reportedly having received refugee status. Observers say the God’s Army will be a spent force without the twins at their helm.

The Vigorous Burmese Student Warriors: The strength of this group is not known. Most are breakaway members of the All Burma Students Democratic Front (ABSDF) who believe more drastic measures were needed to bring down the government. Some members were among those who participated in the seizure of a hospital in Ratchaburi, Thailand.

Chin National Front (CNF): The Zomi National Front and later Chin National Front (c. 600) were bolstered when hundreds of Chin youth fled the 1988 uprisings, mostly young students from universities and high schools in Chin State and Rangoon. Their numbers have decreased with splits and with SPDC expansion into Chin state.

Karenni National Progressive Party Army (armed wing of the Karenni National Progressive Party): Formed in 1957 out of a loose alliance of village militia and armed volunteer groups, the KNPP aims to reestablish the right of secession which had been written into the 1947 Constitution but was abolished in the 1962 military coup.

According to UNICEF in the mid-1990s, about 900 of the 5,000 Karenni Army members were under the age of 15. In early 1999, Major Soe Myint Aung of the KNPP acknowledged that “recently, several recruits weren’t much bigger than their M-16 rifles.” In mid-March 1999, 46 young men from the Karenni ethnic group, some as young as 14, were reported in a press article to have joined armed groups. They had to complete combat training from a camp deep inside Burma’s thickly forested hills along the Thai border before being sent to the frontline.

A number of other armed groups in the Karenni area are known to have used child soldiers: the Karenni National People’s Liberation Front (c. 150), the Karenni National Defence Army (c 150, in ceasefire since 1996), other breakaway factions of the KNPP (c. 200) and other smaller groups that have agreed ceasefires with the SPDC.

Other Armed Groups
Rohingya Solidarity Organisation (RSO); Arakan Rohingya Front (ARIF); Other Arakanese armed groups (NUFA - National Unity Front of Arakan which is composed of the Arakan Independence Organisation (ALP), Arakan Liberation Party (ALP), Arakan National Liberation Party (ANLP), Communist Party of Arakan (CPA) and a faction of the Tribal National Party (TNP); Kachin Independence Army; Council and Naga National Socialist Council.

DEVELOPMENTS

National Standards
In the Shan State, armed groups of the Shan ethnic minority have also used children as soldiers. In February 2001, a gathering of representatives of the Restoration Council of Shan State and Shan State Army at Loi Taileng unanimously passed a resolution that the draft age would henceforth be 18-45 in place of 16-40 as practised earlier.1296

International Appeals
The UN Commission on Human Rights passed a resolution in April 2001 deploring “The continuing violations of the rights of children, in particular through the lack of conformity of the existing legal framework with the Convention on the Rights of the Child, through conscription of children into forced labour programmes, through their sexual exploitation and through recruitment and all other exploitation by the military, through discrimination against children belonging to ethnic and religious minority groups and elevated rates of infant and maternal mortality and malnutrition.”

1291 www.globalmarch.org quoting Brett and MacCallin op. cit.; MTA/UWSA: based on minimum figure of 10% quoted for other opposition groups known to use child soldiers.
1294 3(a), sub-para.1 and 2, National Service Law and People’s Militia Act of 1959.
1295 It is not certain that this legislation has entered into force since under section 1(2) it is provided that the Act “shall come into force on a day to be notified by the Government,” and it is not known if the necessary notification has been made. See Report of the Commission of Inquiry appointed under Article 26 of the Constitution of the International Labour Organisation to examine the observance by Myanmar of the Forced Labour Convention, 1930 (No. 29), Official Bulletin, Vol. LXXXI, Serial B, Geneva, 27/98, para. 255. This report is also available on the Internet: <http://www.ilo.org/public/english/standards/relm/gb/docs/gb273/myanmar.htm>.
1296 The Commission specified that the translation of this text is not an official one. See also US Army’s Area Handbook.
1297 Articles 170 and 171 of the 1974 Constitution provided for compulsory military service, but this constitution was repudiated by the State Law and Order Restoration Council (SLORC) in 1988. A new constitution has not yet been agreed. In November 1997, the SLORC reconstituted itself as the State Peace and Development Council (SPDC).
1300 Images Asia op. cit.
1301 Report of the ILO Commission of Inquiry, 2/7/98, op. cit. It should, however, be noted that the Commission did not find direct first-hand evidence to substantiate the widespread allegations of forced recruitment of minors.
1302 Ibid., para. 390.
1303 Ibid., paras. 391-392.
1304 Concluding observations of the Committee on the Rights of the Child, UN Doc. CRC/C/15/Add. 69, 24/1/97. See also Vichniac, I., “L’ONU condamne la Birmanie pour violations du droit des enfants”, Le Monde, 22/1/97.
1305 Summary Records of the 359th meeting, UN Doc. CRC/C/SR.359, 21 March 1997, para. 35.
1306 Images Asia op. cit.
Kathmandu, May 2000

1295 Report of the Director General to the members of the Governing Body on Measures taken by the Government of Myanmar following the recommendations of the Commission of Inquiry established to examine its observance of the Forced Labour Convention, 1930 (No. 29), International Labour Organisation, 21/5/99, see testimonies No. 157, 176.

The Myanmar Army has managed to attract experienced fighters. Through their record in battle and alleged powers, morale in the ranks has reportedly rallied men and directed a successful counterattack. Through their record in battle and alleged powers, morale in the ranks has reportedly rallied men and directed a successful counterattack.

According various sources, the group is composed not only of many children as young as 13 but also KNU veterans or members of the dissident student group that carried out the embassy take over in which 38 hostages were seized. “Youthful crusaders”, The Nation, 17/5/98; Weerawong, A. “Twins lead God’s army in Myanmar”, Associated Press, 31/1/00. See also Weerawong, A. “Twins lead God’s army in Myanmar”, Associated Press, 31/1/00; Khaikaew, T., “12-year-old twins lead God’s Army”, Associated Press, 24/1/00; Migault, Ph., “Le coup de folie des enfants Karen” Le Figaro, 25/1/00; Kestenholz, D., “Kindersoldaten als Heilsbringer: zwölfjährige Zwillinge als Symbolfigurer einer Gottesarmee in Birma”, Die Welt, 29/1/00.


1298 Ibid., paras 19 and 27.
1300 AFP 12/10/00. “Torture widespread and systematic in Myanmar: UN”.
1301 Anon laments plight of child rebels”, Associated Press, 10/2/00.
1302 AFP Myanmar slams US reports of abusive labour. 17/3/00
1303 Images Asia op. cit.
1305 Images Asia op. cit.
1306 RB Newsletter Children of War, No 3, 10/99, quoting BBC News, 31/7/99. See http://www.rb.se
1307 Horeman and Stolwijk op. cit.
1309 Horeman and Stolwijk, M. op. cit.
1310 Images Asia op. cit.
1311 RB Newsletter Children of War, No. 1/99 quoting an AP press release, see http://www.rb.se
1312 “Youthful crusaders”, The Nation, 17/5/98; Lockwood, C., “Army led by twins bullets cannot hit”, The Daily Telegraph, 25/1/00. Another source said that there are no more than 100 or 200 fighters within this armed group. See also Weerawong, A., “Twins lead God’s army in Myanmar”, Associated Press, 15/12/99; Khakkaew, T., “12-year-old twins lead God’s Army”, Associated Press, 24/1/00; Migault, Ph., “Le coup de folie des enfants Karen” Le Figaro, 25/1/00; Kestenholz, D., “Kindersoldaten als Heilsbringer: zwölfjährige Zwillinge als Symbolfigurer einer Gottesarmee in Birma”, Die Welt, 29/1/00.
1314 Spillius, A., “Twins missing as troops raid God’s Army HQ”, The Daily Telegraph, 27/1/00; “Children’s crusade of God’s Army under siege in Myanmar”, Associated Press, 31/1/00.
1315 “Youthful crusaders”, The Nation, 17/5/98. The twin’s followers believe that God gave them supernatural powers to help the Karen fight the enemy (they are said to offer divine protection and their followers believe they are immune to gunfire). The legend of the twins dates back to March 1997, a period during which the Myanmar army launched a new offensive against the KNLA. When guerrilla fighters fled, the twins reportedly rallied men and directed a successful counterattack. Through their record in battle and alleged powers, morale in God’s Army is high and has managed to attract experienced fighters.
1316 The Times, 18/1/00. “Terrible twins surrender with a smile”.
1317 “Children’s crusade of God’s Army under siege in Myanmar”, Associated Press, 31/1/00. According various sources, the group is composed not only of many children as young as 13 but also KNU veterans or members of the dissident student group that carried out the embassy take over in which 38 hostages were seized. “Youthful crusaders”, The Nation, 17/5/98; Weerawong, A. “Twins lead God’s army in Myanmar”, Associated Press, 15/12/99; Peck, G., “Myanmar hospital takeover a failure”, Associated Press, 26/1/00.
1318 Information supplied by Images Asia and Burma Ethnic Research Group to the Asia-Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000
1319 RB database quoting The State Of the World’s Children 1996, see http://www.rb.se
1321 Images Asia op. cit.
1322 BurmaNet, 6/2/01
NAMIBIA

REPUBLIC OF NAMIBIA

- Population:
  - total: 1,695,000
  - under-18s: 817,000
- Government armed forces:
  - active: 9,000
  - paramilitary: 6,000
- Compulsory recruitment age: unknown
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated; Namibian children recruited by Angolan armed forces
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other Treaties Ratified: CRC; GC/API+II; ILO 138

There are no indications of under-18s in government armed forces. There are continued reports that Namibian children, both boys and girls and some as young as 14, are recruited by armed forces from neighbouring Angola.

CONTEXT

Namibia continues to face internal opposition in the Caprivi strip in the far north-east of the country where an armed opposition is claiming independence. Namibian Defence Force soldiers were sent to the Democratic Republic of the Congo in 1998 and remained there throughout 2000. There were continuing reports of Namibian children being recruited into the Angolan armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Chapter 9 of the Namibian Defence Force Personnel Policies provides, inter alia, that volunteers for the armed forces must be between the age of 18 and 25 years of age and Namibian citizens. These ages are also mentioned in the recruitment brochure of the Namibian Defence Force.1297

Article 15-2 of the 1990 Constitution states that “children…shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education, or to be harmful to their health or physical, mental, spiritual, moral or social development…” However, this article defines a child as any person under 16 years of age.

CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES

There have been continuing reports that a large number of Namibians as young as 14, including teenage girls, have been recruited into the Angolan armed forces at Calai, a settlement on the Angolan side of the Kavango river.1298 Recent reports indicate that jobless Namibian boys
between the ages of 14 to 16 have joined the Angolan Civil Defence Force Unit (CDFU), a division of the Angolan Armed Forces. The boys reportedly signed up with the CDFU at the FAA temporary base near the Namibian-Angolan border at Oehonge village near the Ohangwena region, approximately 10 km inside the Angolan border.\textsuperscript{1299}

\section*{DEVELOPMENTS}

\subsection*{International Standards}
Namibia signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position. During the National Assembly debate on ratification of the Optional Protocol at the time of publication, Child Welfare Minister Netumbo Nandi-Ndaitwah said: “It has always been the policy of the ruling party, SWAPO, not to integrate anyone under 18 years of age into its armed forces and that is not going to change with the NDF. Thus, why should the Namibian Government allow local youths to fight in foreign armies like the FAA if it was opposed to the integration of such youths into its own army?”\textsuperscript{1300}

\begin{footnotesize}
\begin{enumerate}
\item\textsuperscript{1297} Namibian Defence Force. Interested in joining the NDF?
\item\textsuperscript{1298} RB, Children of War Newsletter, No.1/00.
\item\textsuperscript{1299} IRIN News, NAMIBIA: Boys join Angolan military, 18/1/01; See also, AI, Angola and Namibia: Human Rights Abuses in the Border Area, AFR/03/01/2000.
\item\textsuperscript{1300} IRIN, “Namibia: government says ‘no’ to child soldiers”, 30/04/01.
\end{enumerate}
\end{footnotesize}
NEPAL

KINGDOM OF NEPAL

- Population:
  - total: 23,385,000
  - under-18s: 11,258,000
- Government armed forces:
  - active: 46,000
  - paramilitary: 40,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18; training from 15
- Voting age (government elections): 18
- Child soldiers: unknown in government armed forces; indicated in armed opposition group
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: GC; CRC; ILO 138

Children as young as 14 have been recruited, sometimes forcibly, by the underground Communist Party of Nepal (Maoist). The CPN (Maoist) leadership made a commitment not to recruit children in August 2000. The government does not officially recruit under-18s but some may enter the armed forces through irregular means.

CONTEXT

In February 1996, the Communist Party of Nepal (CPN-Maoist) and its political wing, the Samyukta Jana Morcha, United People’s Front, launched an armed insurgency, declaring a “People’s War” in mid-western Nepal with the objective of overthrowing the government and establishing a republican communist state. It is estimated that between 1,000 and 3,000 people have been killed in fighting has now spread to more than 40 districts and involved grave human rights abuses on both sides. The government has dealt with the insurgency as a law and order problem, using the police rather than the army in counter-insurgency operations. Throughout 1999 and early 2000, there have been moves to grant the police special powers and establish paramilitary forces, though these have stopped short of deploying the army.

In November 1999, the government invited the Maoists to enter negotiations, promising amnesty and rehabilitation for those who gave up arms. By the time of publication, there have been several initial meetings.

GOVERNMENT

National Recruitment Legislation and Practice
Provision for conscription does not exist even in the event of war or national emergency, and there are no known plans for its introduction as voluntary applications to join the armed forces are apparently sufficient to achieve the requisite number of recruits. According to information provided by Nepal to the Committee on the Rights of the Child, the 1962 Royal Army New Recruitment Rules requires that a person be at least 18 years old for recruitment into the army. According to information provided to the Asia-Pacific Conference on the Use of Children as
Soldiers in Kathmandu in May 2000, the minimum age is set at 18. However, the 1971 Young Boys’ Recruitment and Conditions of Service Rules state that young boys must be between 15 and 18 years old to be recruited. The Government explained that this means that “[y]oung Nepalese men could enlist from the age of 15 years in order to follow military training, but nobody under 18 years of age could be recruited into the army.”

Officially, enlistment is open to all Nepalese, regardless of caste, religion or ethnic background. However, it is claimed that in practice, recruits tend to be drawn from the ethnic and caste groups that have traditionally supplied the bulk of the Nepalese and Gurkha regiments and from the ethnic groups of the mountainous areas and the Kathmandu valley.

In December 1999, there were reportedly 3,491 Gurkhas in the British Army: 65 in Nepal, 945 in Brunei, and the remainder either on operations or in the UK. Nepalese Gurkhas are also recruited in India. Recruitment to the British and Indian armies is apparently regulated by a tripartite agreement that sets recruitment and salary levels.

Training for the armed forces is said to take 6 months to one year depending on the type of duty. According to information provided by UNICEF, there is a Military Academy that admits young men of 18 years or above to train for national service.

Child Recruitment
The government denies the involvement of under-18-year-olds in the armed forces but interviews with ex-Ghurkas suggest some may enlist younger, either by lying about their age or through irregularities in birth registration. Other observers have also noted that minimum age legislation is not always upheld either due to irregularities in birth registration or corruption, and have estimated that some 10-15% of recruits may actually be under 18.

Military Training and Military Schools
The military also provides formal education to children in special military schools based on the national school curriculum. Formal education usually begins at grade 4 and continues till grade 12 (upper secondary). UNICEF mentions that there is a strict quota on admission to those schools and places are usually reserved for children of military personnel. Students are not automatically enrolled in the army.

Government Treatment of Suspected Child Soldiers
The Asia-Pacific Conference on the Use of Children as Soldiers was provided with information on armed ‘encounters’ in which children as young as ten had been killed by police. Many of these took place in disputed circumstances which could amount to extrajudicial executions. There have also been reports of the Nepalese Police detaining children for alleged involvement in Maoist activities. On 26 May 2000, one girl aged 17 from Kailali District was killed with five other Maoist suspects in Urma village, allegedly after being wounded and captured. The six had been pursued by police following a looting incident and refused to surrender.

OPPOSITION

Communist Party of Nepal (Maoist)/United People’s Front
The CPN (Maoist) is ideologically inspired by Peru’s Shining Path guerrillas and affiliated to the Revolutionary International Movement. The Central Military Commission of the Communist Party of Nepal in February 1998 declared that the development of the people’s army forces was taking place in three ways: by arming the general masses; preparing a broad and extensive network of the people’s militia; and principally, by building a regular people’s army.

Child Recruitment and Deployment

The Maoist insurgents have in the past made no attempts to hide the fact that they use children as soldiers, declaring that: “the increasing participation of women in the People’s War has had another bonanza for the revolutionary cause. That is the drawing of children into the process of war and their politicisation. A large number of children in the rural areas are now contributing substantially in the guerrilla war by way of collection and exchange information, etc. Indeed, these little ‘red devils’ hold immense potentials for the future of the revolutionary People’s War.” It further affirms that: “large scale rebellion of young girls mostly high school and college girls, from their patrimonial households to join the People’s War have been a common occurrence...”

The number of children involved in the Maoist movement is unknown. According to NGO sources, the recruitment of children is not yet a widespread problem, but the “symptoms” are present, as adult fighters are killed, detained or driven underground. Most children taking part in the armed conflict are believed to be between 14 and 18 years of age, but the use of even younger children cannot be ruled out. Children are also reportedly used as messengers, sentries and spies, and involved in cultural or propaganda activities. The Maoists are said to have formed “a youth wing to reach out to school children.” Some estimates suggest that 30% of Maoist guerrillas are children.

Press articles have likewise asserted that the Maoists are using “school and college students and even young children in their guerrilla activities.” The Himalaya Times claimed the Maoists are recruiting children between 14 and 18 years of age who are then sent out in groups of six or seven on guerrilla operations. A group of young girls from a women’s college in Kathmandu reportedly left a joint letter to their parents announcing they had gone to join the People’s War. There are even reports of school closures and parents keeping children from attending school for fear of involvement in Maoist activities. Evidence has also been received of beatings of children who refuse to join.

On 19 March 1999, it was reported that “seven Maoists were killed in an encounter with the police at Ankot village of Kavre district. Six of them have been found to be students and young people. Four of them were girls.” Among these “young people” was a 17-year-old and a 14 year-old. Two other young people, aged 15 and 16, were killed in the operation. In October 2000, the Kathmandu Post reported the surrender of a 14-year-old Maoist worker to the district administration after 6 months service with the CPN.

“I resisted them weeping a lot....When I physically turned to be unfit for handling the gun, they told me to work as a mess boy and guard their shelters.... We stayed there for a long time (in the jungle). .....There were six girls among the group of 15 guerrillas and a boy of my age.....I remembered my mother when I could not get food and sleep”

- 14 year old Damber abducted from Pame, Surkhet by Maoist guerrillas.(Kathmandu Post, 21/8/00, “When Damber Katri was forced to use a gun....”)
In August 2000, Amnesty International warned of a rising tide of recruitment of children by the CPN (Maoist). At least thirty children had reportedly been abducted in June and July by members of the armed group. Among them were believed to be three 14-year-olds and a 15-year-old from Janapriya High School in Jajarkot district, taken from their school hostel in Dashera on 8 and 9 June respectively. Although it had not been confirmed whether these children were abducted to be trained and deployed as combatants, Amnesty International urged that they be returned to their families or communities. Following the Amnesty International report, the CPN leader, Prachanda, denied using child soldiers: “We want to make it clear that no child soldier has been recruited in any unit of the People’s Army” and that the CPN (M) was even reportedly turning down children who were volunteering. There has been no further information on the implementation of this commitment.

DEVELOPMENTS

International Standards

The government signed the CRC-OP-CAC on 8 September 2000 and supports the “straight-18” position.


1301 AI, Nepal: Human Rights at a turning point? AI Index ASA 31/01/99.
1306 “Analysis – Nepal’s Maoist revolt spreads”, Reuters, 20/2/00.
1307 Horeman and Stolwijk op. cit.
1308 Initial Report of Nepal submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/3/Add.34, 10/5/95, para. 58. This information is supported by other source: www.rb.se; Brett and McCallin op. cit.; also information provided by UNICEF, 16/6/99.
1313 Information received from a reliable source that requests confidentiality, 8/3/01.
1315 Information received from a reliable source that requests confidentiality.
1316 UNICEF, 16/6/99, op. cit.
1317 Information provided to Asia Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000.
1318 Information provided to CSC, 7/8/00.
1322 BBC, 19/8/00, “Nepal: Almost a third of Maoist insurgents ‘children’ ”
1324 Kantipur Daily News, 19/5/00, and 14/5/00.
1327 Reuters, 24/8/00, “Nepal rebel group denies recruiting child soldiers"
NETHERLANDS

KINGDOM OF THE NETHERLANDS

- Population:\textsuperscript{1328}
  - total: 16,000,000
  - under-18s: 3,410,000
- Government armed forces:
  - active: 51,940
  - reserves: 32,200
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16
- Voting age (government elections): 18
- Child soldiers: indicated in government forces – 800-900 under-18s annually
- CRC-OP-CAC: signed on 7 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are indications of under-18s in government armed forces. Legislative provisions regarding the recruitment age need to be clarified and harmonised with actual practice. It appears that 16 is the minimum age in law but that the armed forces practice a policy of only recruiting 17-year-olds and deploying 18-year-olds.

GOVERNMENT

National Recruitment Legislation and Practice

Article 97 of the 1983 Constitution, as amended in 1995, states that: "1. All Dutch nationals who are capable of doing so shall have a duty to co-operate in maintaining the independence of the State and defending its territory. 2. This duty may also be imposed on residents of the Netherlands who are not Dutch nationals". Article 98 further provides that: "1. To protect its interests, the State shall maintain armed forces which consist of volunteers and which can also consist of conscripts. 2. The Government shall have supreme authority over the armed forces. 3. Compulsory service in the armed forces and the power to postpone the call-up in active service shall be regulated by Act of Parliament." Finally, Article 99 states that: "The conditions on which exemption is granted from military service because of serious conscientious objections shall be specified by Act of Parliament".\textsuperscript{1329}

The Dutch armed forces have undergone an extensive reorganisation since 1993 and conscription was suspended in August 1996 although it can be reinstated in case of emergency. At present, therefore, the armed forces are an all-volunteer force. The minimum age of 16 for recruitment was maintained, however, following the move to a professional army.\textsuperscript{1330} Military service is currently regulated by the law of 13 March 1997.\textsuperscript{1331} It appears that the Netherlands Ministry of Defence adheres to a policy that no person under 17 years of age is recruited into the armed forces and that no person under 18 years of age is deployed abroad for military operations. However, this policy is not set out in national legislation.\textsuperscript{1332}

As conscription has only been suspended and could be restored, all 17-year-old men are registered as a matter of course by the Municipal Registry Office for the draft but are not submitted to medical examination or called up.
The procedure for reinstating conscription is governed by Article 40 of the law on military service and requires a Royal Decree to be approved by both Chambers of Parliament. Reinstatement under this article is only possible for training and education and not for combat activities. If reinstated, the length of military service may vary according to the specific branch of the armed forces, but the maximum length is determined by Article 18 (4) of the "Kaderwet Dienstplicht", that is to say 18 months. In an emergency, pursuant to Article 20 of the "Kaderwet Dienstplicht", a Royal Decree can be issued reinstating conscription for all purposes. The adoption of this decree is to be followed immediately by legislation to be introduced in the Parliament. Should the Parliament reject the law, conscription is immediately discontinued.\textsuperscript{1333}

In 1995 and 1996, voluntary recruitment filled the necessary quota of the 8,000 men and women sought each year, although the proportion of women was lower than expected. There were some doubts about being able to maintain this level of recruitment.\textsuperscript{1334}

The Civil Code of the Netherlands (\textit{Burgerlijk Wetboek}) states that children between 16 and 18 years of age may seek employment of their own choosing, on condition that they receive permission from parents or guardians and dispensation from a judge.

**Child Recruitment**

Despite national legislation, it appears that the Dutch government in practice volunteers are recruited at 17 and deployed at 18. In 1998 it was reported that the Netherlands had modified its recruitment policy and its selection of personnel for peace operations abroad, setting 17 as the minimum age for recruitment and 18 as the minimum for participation in hostilities and/or taking part in UN/NATO international peace/humanitarian missions.\textsuperscript{1335} The Dutch armed forces recruit 800 to 900 under-18s every year.\textsuperscript{1336} According to internal rules of the armed forces, these recruits cannot be sent abroad to take part in military operations before they reach the age of eighteen.\textsuperscript{1337}

**Military Training and Military Schools**

There are several military schools in the Netherlands. These schools are formally part of the armed forces and all pupils are therefore members of the armed forces. The minimum age for entry is the same as that for recruitment in the armed forces, i.e. 17 years of age. Several "Regional Training Centres" do have a military component in their teaching programmes. Although sometimes taught by military instructors, the students remain civilian.

**DEVELOPMENTS**

**International Standards**

The Netherlands signed the CRC-OP-CAC on 7 September 2000 but does not support the “straight-18” position. The Netherlands made a declaration upon ratification of the UN Convention on the Rights of the Child stating: "With regard to Article 38, of the Convention, the Government of the Kingdom of the Netherlands declares that it is of the opinion that States should not be allowed to involve children directly or indirectly in hostilities and that the minimum age for the recruitment or incorporation of children in the armed forces should be above 15 years. In times of armed conflict, provisions shall prevail that are most conducive to
guaranteeing the protection of children under international law, as referred to in article 41 of the Convention”.

In November 1999, it was reported that a majority of the Dutch Parliament was in favour of setting 18 as the minimum age for recruitment.\textsuperscript{1338} MP Ms. Van ‘t Riet announced her intention in October 2000 to introduce a bill in Parliament accordingly setting a "straight-18 rule" for military recruitment.\textsuperscript{1339}

\textsuperscript{1328} Information provided by the Netherlands National Coalition in 3/01.
\textsuperscript{1329} Blaustein and Flanz op. cit.
\textsuperscript{1330} Initial report of the Netherlands to the Committee on the Rights of the Child, UN doc. CRC/C/51/Add.1, 24/7/97, para. 317-319.
\textsuperscript{1331} “Kaderwet Dienstplicht” (General Law Compulsory Military service), Staatsblad 1997, 139.
\textsuperscript{1332} Blaustein and Flanz op. cit.
\textsuperscript{1333} Initial report of the Netherlands to the Committee on the Rights of the Child, UN doc. CRC/C/51/Add.1, 24/7/97, para. 317-319.
\textsuperscript{1334} “Kaderwet Dienstplicht” (General Law Compulsory Military service), Staatsblad 1997, 139.
\textsuperscript{1335} Loebas Oosterbeek in publications for the Dutch Coalition to Stop the Use of Child Soldiers, “Memorandum Child Soldiers” (Nota Kindsoldaten) and "Kernvraag", a publication of the joint departments for clerical Services in the Dutch Armed Forces, 2000/2 nr. 124.
\textsuperscript{1336} Fax of the Dutch Ministry of Foreign Affairs to CSC, 9/12/99.
\textsuperscript{1338} Letter from the then Dutch Assistant Secretary of Defence Gmelich Meijling to the Upper and Lower Houses, The Hague, 8/12/97.
\textsuperscript{1339} Dutch Ministry of Foreign Affairs, 9/12/99, op. cit.
\textsuperscript{1330} Gmelich Meijling op. cit.
\textsuperscript{1331} Motion of MP Zijlstra/Van ’t Riet adopted by the Dutch Lower House (26 800X nr. 22 - 14 December 1999) and motion of MP Harrewijn adopted by the Dutch Lower House (26 900 nr. 15 – 14/2/00) that appends a period of two years for practical realization of the "straight-18 rule".
\textsuperscript{1332} “D66 wil wet tegen werven kindsoldaten”, De Telegraaf, 12/12/00.
NEW ZEALAND

- Population:
  - total: 3,828,000
  - under-18s: 1,035,000
- Government armed forces: 1340
  - active: 9,230
  - reserves: 5,490 1341
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated - some 40%-50% of annual recruits
- CRC-OP-CAC: signed on 7 September 2000; does not support “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC

- There are indications of under-18s in government armed forces. New Zealand permits recruitment from 17 but legislation prohibits the deployment of recruits until they have reached the age of majority.

GOVERNMENT

National Recruitment Legislation and Practice
There is no provision relating to military service in the New Zealand Constitution and conscription is not currently practised. It was abolished in 1973 upon repeal of the Military Service Act. Section 11 of the Defence Act of 1990 provides that additional army, naval and air forces may be raised by the Governor-General in time of war or other similar emergency. 1342

In its Initial State Report to the Committee on the Rights of the Child in 1995 New Zealand stated that under Section 36 of the Defence Act 1990,1343 enlistment in the armed forces without parental consent is possible at 18 years of age, and with parental consent at 16 years and 6 months both in the Navy and the Air Force and at 17 years and 6 months in the Army.1344 However, Section 36 does not specify any minimum age, it only requires written consent from parents or guardians if the enlisted person ‘is a minor’.

The Defence Act contains age limits on the deployment of members of the armed forces outside New Zealand. Section 37 of the Act states that: “No person serving in the Army or the Air Force shall be liable for active service outside New Zealand while that person is under 18 years of age,” and that: “[n]o person serving in the Navy shall be liable for active service outside New Zealand while that person is under 16 years and 6 months of age. The person who gives his/her consent according to Section 36 of the Defence Act for the recruitment of a minor must be aware of this liability for active service.” 1345 The Minister for Foreign Affairs and Trade confirmed to the Coalition in April 2001 that “it is proposed to amend the Defence Act 1990 to prohibit the use, in active service, of members of the armed forces who are under the age of 18 years.” 1346

The minimum age of 17 for voluntary recruitment is established by a Defence Force Order which has the power of subordinate legislation.1347 In April 2001, the Minister of Foreign Affairs and Trade confirmed “we are currently considering the policy issues related to (voluntary recruitment), with a view to implementing a minimum voluntary recruitment age of 17 years” 1348
The change in national legislation is reflected on the Army web site, which declares that the minimum age required to be a regular force soldier, regular force officer, or soldier in the Territorials is 17 years. There is no mention of the minimum age for recruitment, however, on the Navy or Air Force web sites.

Child Recruitment
According to the authorities, the number of under-18s voluntarily recruited could be as high as 40-50% in any one year. It is claimed, however, that 17-year-olds tend to be in training until the age of 18 years and, in their relations with adult soldiers, are treated in the same way as other soldiers of equivalent rank.

There is currently no specific legislation prohibiting the activities of non-governmental armed groups. The Minister of Foreign Affairs and Trade stated in April 2001, “we are considering whether existing legislation relating to criminal offending would adequately cover situations relating to armed groups”.

Military Training and Military Schools
There are reportedly no military schools in New Zealand, however, there are cadet forces in regular schools. According to the 1990 Defence Act, cadet forces include the Sea Cadet Corps, the New Zealand Cadet Corps, and the Air Training Corps. Cadet forces are not members of the armed forces. They are regulated in Part VI of the 1990 Defence Act. According to Section 77 of this Act the cadet forces shall have the following functions: “(a) the conduct of training courses or training programmes similar to those undertaken by the Armed Forces; (b) the promotion of an appreciation among members of the cadet forces of the functions and operation of the Armed Forces; (c) the development of good citizenship among members of the cadet forces”. Members of the cadet forces must be between 13 and 18 years of age and still at secondary school. Cadets are provided with a wide range of activities, from classroom lessons, physical and recreational activities, to civil defence and drill. According to official sources, as of mid-1998, there were 100 cadet units with more than 300 officers and about 5,000 cadets throughout the country.

DEVELOPMENTS

International Standards
New Zealand signed the CRC-OP-CAC on 7 September 2000 but does not support a “straight-18” position. The Minister of Foreign Affairs and Trade confirmed in April 2001 that “New Zealand hopes to ratify the Optional Protocol as soon as we have completed the relevant domestic procedures”. NZ Prime Minister, Helen Clark, participated in a special ceremony organised by the Coalition to Stop the Use of Child Soldiers at the UN Millennium Summit in September 2000.

Total number of reserves as of May 2000 was 2915 according to a communication from New Zealand Ministry of Foreign Affairs and Trade, 6/00. Figure given in the text is taken from IISS.


Initial State Report of New Zealand to the Committee on the Rights of the Child, UN Doc. CRC/C/28/Add. 3, 12/10/95, paras. 26 and 337.

Section 36 (4)(b) of the Defence Act.

Letter from Minister of Foreign Affairs and Trade, the Hon. Phil Goff, to CSC, 12/4/01.

Para. 2.4 of Defence Order 4 of 22/1/97, “Minimum age for recruitment into armed forces raised” New Zealand Executive Government News Release, 22/1/97; New Zealand Permanent Mission, 17/11/99; Communication from New Zealand Ministry of Foreign Affairs and Trade, 6/00.

Minister of Foreign Affairs and Trade, 12/4/01

The Territorials are men and women who make up the Army’s reserve force. The Territorial Army is a group of specially-trained part-time officers and soldiers who can be called upon to help in emergency situations.


Minister of Foreign Affairs and Trade, 17/11/99, op. cit.

Minister of Foreign Affairs and Trade, 12/4/01, op. cit.

Ibid.

Section 2 of the 1990 Defence Act.

For an example of a cadet unit, see the web site of the Hamilton City Cadet Unit (official homepage): http://www.thenet.co.nz/nzcc; or the web site of the 17 Squadron Air Training Corps (unofficial homepage): http://www.homepages.ihug.co.nz/~scottmcl.

Minister of Foreign Affairs and Trade, 11/2/01, op. cit.
NICARAGUA

REPUBLIC OF NICARAGUA

- Population:
  - total: 4,930,000
  - under-18s: 2,490,000
- Government armed forces:
  - active: 16,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 17
- Voting age (government elections): 16
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC; ILO 138; ILO 182

There are indications of under-18s in government armed forces as voluntary recruitment is possible from the age of 17. However, there are no reports of under 18-year-olds serving at present.

GOVERNMENT

National Recruitment Legislation and Practice
Article 96, which made military service compulsory for all citizens, was amended in 1995 by Law No. 192. This law provides that “[t]here shall be no obligatory military service and any form of forced recruitment to be part of the Army of Nicaragua and the National Police is prohibited.”\(^\text{1357}\) The legal minimum age for voluntary enlistment is 17.\(^\text{1358}\)

Child Recruitment
There are currently no reports of underage recruitment.

\(^\text{1357}\) Goodwin-Gill and Cohn op. cit.
\(^\text{1358}\) Horeman and Stolwijk op. cit.
**NIger**

**RepubliC of niger**

- Population:
  - total: 10,400,000
  - under-18s: 5,698,000
- Government armed forces:
  - active: 5,300
  - paramilitary: 5,400
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 138; ILO 182

- It is not known if there are any under-18s in government armed forces due to lack of information about minimum voluntary recruitment age. No evidence has emerged regarding the use of children as soldiers in Niger currently.

**COntext**

Opposition against the Government was mounted by the *Front de libération de l’Aïr et de l’Azawak* (FLAA), out of which a number of separate armed groups emerged. An agreement was signed in April 1995 in Ouagadougou, Burkina Faso by the Government and insurgents from the North – *Organisation de la Résistance Armée*. In November 1997 a second agreement was signed between the government, *Union des Forces de la Résistance Armée* (UFRA) and the *Forces Armées Révolutionnaires du Sahara* (FARS). A third agreement was signed in August 1998 by the Government and the last opposition group, the *Front Démocratique du Renouveau* (FDR). Between 1997 and the end of 1998, 5,000 combatants were gathered for reintegration into society or the national army. The peace process was fragile, however, and in April 1999 President Ibrahim Baré Maïnassara was killed by members of his presidential guard. In November Mamadou Tandja, leader of the *Mouvement national pour la société de développement*, was elected president. Niger also contributes troops to ECOWAS peace monitoring missions, and has sent troops to Guinea-Bissau, Guinea, Sierra Leone and Liberia.

**Government**

**National Recruitment Legislation and Practice**

Niger has selective conscription which lasts 24 months. The minimum age for recruitment is 18. Military service for women is not allowed but national service is mandatory for all young women who have completed university studies or professional training. Women may serve as teachers, health service workers, or technical specialists from between 18 months to two years.

No information is available regarding recruitment practice, in particular voluntary recruitment. However, there is no evidence to indicate the presence of child soldiers in Niger’s armed forces.
DEVELOPMENTS

Demobilisation
The various opposition groups have been in a process of demobilisation and reintegration. In March 2000 the UN began a two year training and reintegration programme for former combatants. In June a camp for ex-fighters from three armed groups was formed and the final stages of disarmament and the integration of anti-government forces into the national armed forces began. There have been no reports of child soldiers among those demobilised or reintegrated.

1360 UN IRIN, West Africa Weekly Round-up, 6-99, 12/2/99
1361 UN IRIN, “ECOMOG capable of defending border, ECOWAS head says”, 24/1/01.
1362 Horeman and Stolwijk op. cit.
1363 CIA World Factbook 2000
1364 US State Department Human Rights Report 2000
1365 UN IRIN, “Niger: Ex-fighters in reintegration programme”, 15/3/00
NIGERIA

FEDERAL REPUBLIC OF NIGERIA

- Population:
  - total: 108,945,000
  - under-18s: 54,771,000
- Government armed forces:
  - active: 76,500
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated in government armed forces; unknown in armed opposition groups
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position.
- Other treaties ratified: CRC; GC/API+II

There are no indications of under-18s in government armed forces. In 1999 and 2000 armed Ijaw youths thought to be age 16 and over took part in opposition to the government's oil policy in the Nigerian Delta. There is no information available regarding the participation of children in other ethnic militias.

CONTEXT

In May 1999, the election of a civilian government marked the end of 16 years of military-led regimes. Shortly after the government adopted a new Constitution. Ongoing internal ethnic conflict as well as opposition to oil production in the Niger river delta continued, with up to 1,240 people dying from the various clashes in 1999, and an estimated 2,000 – mostly civilians – dying the following year in clashes between Muslims and Christians in Northern and South-eastern Nigeria. In the Niger Delta some 4,000 Ijaws launched protests in December 1998, to which the government responded by sending in additional military troops and declaring a state of emergency. Confrontations between what are described as ‘militant youths’ and government forces continued to take place in 1999 and 2000. Nigeria contributes troops to ECOWAS peace monitoring missions in Guinea, Sierra Leone and Liberia.

GOVERNMENT

National Recruitment Legislation and Practice
Article 24 of the 1999 Constitution of Nigeria states that all citizens have a duty to “help to enhance the power, prestige and good name of Nigeria, defend Nigeria and render such national service as may be required”. However there is currently no conscription in Nigeria. According to Decree No. 51 of the 1993 National Youth Service Corps Decree, enlistment into the armed forces is voluntary and the minimum age is 18. University graduates are required to perform 12-months of civilian service.

Child Recruitment
In 1995 the Nigerian government reported to the Committee on the Rights of the Child that "Children do not take part directly in hostilities, nor is anybody under 15 years of age recruited into the armed forces. In times of conflict, the protection of the child is paramount...". There is no evidence of minors currently enlisted in the Nigerian armed forces.
Military Training and Military Schools
There are several military high schools in Nigeria: the Nigerian Airforce Secondary School, the Nigerian Airforce Military School; the Nigerian Air Force Girls Military School and the Nigerian Military School in Zaria. Until 1957 the Nigerian Military School was known as the Boys Company, and students were called Boy Soldiers. These were boys between the ages of 11 and 16 trained to become professional soldiers. Due to the growth of the school, by 1957 it no longer fell under the army definition of a company and thus became the Nigerian Military School. It now accepts boys between 11 and 18 years of age. It is not known whether students at these schools are considered members of the armed forces.

ARMED GROUPS

Ethnic violence occurs primarily between the *Ijaw* and the *Itsekiri* and between the *Yoruba* and *Hausa*. Various militias associated with the different ethnic groups have operated over the years. Some of the most active currently include the anti-Hausa militia known as the *Yoruba Odua People's Congress* (OPC). Another anti-Hausa militia is the *Onitsha Vigilante Services*, formerly known as the *Bakassi Boys*. Militias in the Delta region include the *Niger Delta Volunteer Force*, created by Major Isaac Boro for the *Ijaws*. One Ijaw leader, Mr Bello Orubebe, claimed 20,000 persons had already undergone six months of training in military camps in the Delta region by February 1999.

The new Constitution of Nigeria prohibits local and state police forces. As a result of violence in the Delta region, many oil companies employed local police or military troops to protect their facilities and personnel. There are reports that these "militias" have engaged in killings and other human rights abuses, in some cases with the support of foreign oil companies.

Child Recruitment
It is not known how many children are among the Niger Delta Volunteer Force. However ‘youth groups’ are well known to have played a major role in the Delta region. In April 1997 youths were reported as the driving force in clashes in Warri. In December 1998 many young *Ijaws* joined in the mass protest against government oil policy in the Nigerian delta. In August, bands of armed *Ijaw* youths captured a number of oil producing platforms and flow-stations, and took several oil workers hostage.

The US Department of State reported that confrontations between increasingly militant youths – described typically as unemployed males between the ages of 16 and 40 – oil companies and government authorities continued in 1999 and 2000. At least 28 Delta youths were killed in such clashes or suspected vandalization near oil flow stations in 2000.

DEVELOPMENTS

International Standards
Nigeria signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position.

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1372 Project Ploughshares, Armed Conflict Report 2000: Nigeria.  [www.ploughshares.ca/content/ACR/ACR00-Nigeria.html](http://www.ploughshares.ca/content/ACR/ACR00-Nigeria.html)
Confidential sources reported in 1999 that children of 9 or 10 years of age are enrolled.

HRW Report 2001

“Mélange explosif dans le Delta”, Le Monde Diplomatique, 2/99


Nigerian opposition radio, 30/4/97 cited in RB Newsletter Children of War, No. 2/97.


US State Department Report 2000
NORWAY

KINGDOM OF NORWAY

- Population:
  - total: 4,442,000
  - under-18s: 1,028,000
- Government armed forces:
  - active: 26,700
- Compulsory recruitment age: 18; 16 during war
- Voluntary recruitment age: 17 (men); 18 (women); 16 (Home Guard)
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces - about 100 recruited per year
- CRC-OP-CAC: signed on 13 June 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO
- There are indications of under-18s in government armed forces with approximately one hundred 17-year old volunteers accepted each year.

GOVERNMENT

National Recruitment Legislation and Practice

Article 109 of the 1814 Constitution states that: "As a general rule every citizen of the state is equally bound to serve in the defence of the country for a specific period, irrespective of birth or fortune. The application of this principle, and the restrictions to which it shall be subject, shall be determined by law." Today’s system of military service is based on the Military Service Act and the Home Guard Act, both adopted in 1953 (with later amendments). According to the Military Service Act of 17 July 1953 No. 29, a man is liable for military service from 1 January of the year he turns 19. Exceptions are made particularly in connection with military colleges. In the event of war, men may become liable for military service from 1 January of the year in which they turn 17, but older age groups are to be called up first. Military service in the Army, Navy and Coastal Artillery lasts between 6 to 12 months, while service in the Air Force lasts for 12 months. Those assigned to military service in the Home Guard may serve 6 months initial service in the army.

Postponements and exemptions of military service are possible. An application for exemption from military service is handled by the Ministry of Justice. If the Ministry approves the application, the applicant must spend 14 months performing civilian service. Rejected applicants must state whether they agree to military service. If no declaration is made by a specified date, the authorities must initiate legal proceedings. In 1999 there were 3,109 applicants for civilian service. In recent years 20 per cent of all applicants returned to the armed forces either at their own request or because their application was rejected.

Voluntary enlistment in the armed forces is possible for men beginning on the 1st of January of the year they turn 18. Women may perform military service on a voluntary basis from the year they turn 19. An amendment to the Acts from 1979 states that women who volunteer to serve in the Armed Forces become subject to the same rules for mobilisation and service as men. Norway is today of the few countries which allows women into all kinds of combat duty. In June
1998, women accounted for 5 per cent of the armed forces. Additionally, all citizens between the ages of 18 and 65 are liable to serve in the Civil Defence as part of the Total Defence System. Volunteers can serve from the age of 16. The Civil Defence Forces are not part of the armed forces.

Both females and males may volunteer to enlist in the Home Guard, which forms part of Norway’s defence forces, from the age of 16 according to The Home Guard Act. However, adolescents in the Home Guard must not be mobilised before they complete initial compulsory military service. Recruits under the age of 17 have the status of ‘aspirants’ and are trained in non-combat disciplines. They do not have uniforms nor are they trained with weapons (except the use of small calibre arms). From the age of 17, they are appointed as Home Guard Youth and trained with weapons but are not allowed to participate in action. When they turn 19 they become Home Guard Soldiers with a combatant status.

The government plans to substantially reduce and thoroughly reorganise Norway’s defence. Conscription will be maintained, but with a new and more differentiated pattern based on four or twelve months’ service combined with refresher training. The number of conscripts called for service will be reduced, with emphasis on the most qualified and suitable.

Armed Forces schools on all levels, from basic training to higher education, are open to both sexes. The Armed Forces offer education in many different fields. Technical military colleges accept students from the age of 17, and officer training colleges accept students at the age of 18. Their compulsory military services starts upon admission. In the Defence Budget report 2001 the Ministry of Defence stated that “Consideration must be given to a reduction in the overall intake quotas for military schools in the light of the coming restructuring of the Armed Forces.”

**Child Recruitment and Training**
Currently about 100 new recruits in the Norwegian armed forces each year are 17. There are currently about 1,700 Home Guard Youth, including 350 women.

**DEVELOPMENTS**

**Legislative change**
Norway is in the process of amending national legislation to comply with the principle of non-recruitment and non-participation of children below the age of 18. The proposed reforms would prohibit both compulsory and voluntary recruitment below the age of 18. However, volunteers between 16 and 18 years of age will still be allowed to participate in the Home Guard Youth, and volunteers over 17 will still be affiliated with the armed forces, i.e., under contracts of apprenticeship, for educational purposes not connected with Home Guard Youth activities. However, under-18s will be subject to the following measures.
- They shall not be enrolled/enlisted or in any other way be registered/considered as members of the armed forces;
- They shall not constitute part of the mobilisation force in any other way be affected by mobilisation plans;
• They shall be free at any time and with immediate effect to terminate their affiliation with the armed forces;
• They shall immediately be released from their affiliation with the armed forces if an armed conflict breaks out or becomes imminent, or if the armed forces or any part thereof has been ordered on a war footing;
• They shall not be allowed to receive training in combatant disciplines nor shall they be allowed to participate in any other form of combatant activities.\textsuperscript{1398}

International Standards
Norway signed the CRC-OP-CAC on 13 June 2000. During negotiations on the Optional Protocol in January 2000, the delegation of Norway stated that “as a country promoting the “straight-18” standard, Norway was satisfied that the age limit for participation in hostilities was set at 18... Norway regretted that there was no consensus on raising the age limit to 18 years for voluntary recruitment into national armed forces”.\textsuperscript{1399} Norway was also one of the very few European countries to support a clear prohibition on the use of children as soldiers in the ILO Convention on the Worst Forms of Child Labour. A declaration made by Nordic Foreign Ministers in August 1999 strongly supported the adoption of an Optional Protocol prohibiting all recruitment and deployment of under-18s.

\textsuperscript{1381} Blaustein and Flanz op. cit.
\textsuperscript{1382} Initial report of Norway to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.7, 12/10/93, para. 83; Fax from the Norwegian Ministry of Foreign Affairs, Oslo, to CSC, 25/11/99; Periodic report of Norway to the Committee on the Rights of the Child, UN Document No CRC/C/70/Add.2, 12/11/98.
\textsuperscript{1383} http://www.dep.no/archive/fdvedlegg/01/01/Ff200004.pdf, Norwegian Defence Facts and Figures 2001, pg. 53
\textsuperscript{1384} Norwegian Defence Facts and Figures 2001, op. cit. page 15
\textsuperscript{1385} Letter from the Permanent Mission of Norway to the United Nations, Geneva, to the QUNO, 19/2/98
\textsuperscript{1386} Initial report of Norway to Committee on the Rights of the Child, op. cit., para. 84; and Periodic report, op. cit.
\textsuperscript{1387} Norwegian Defence Facts and Figures 2001, op. cit. page 15
\textsuperscript{1389} Letter from the Permanent Mission of Norway to the United Nations, Geneva, to the QUNO, 19/2/98
\textsuperscript{1390} Initial report of Norway to the Committee on the Rights of the Child, op. cit., para. 85; Periodic report of Norway to the Committee on the Rights of the Child op. cit.; and www.global.march, op. cit.
\textsuperscript{1391} http://odin.dep.no/fd/engelsk/aktuelt/pressem/010011-070079/index-dok000-b-n-a.html, Adapting Norway’s Armed for to New Realities, 16/2/01, Press Release.
\textsuperscript{1392} Norwegian Defence Facts and Figures 2001, op. cit. page 58
\textsuperscript{1393} Initial report of Norway to the Committee on the Rights of the Child, op. cit. para. 83; Periodic report of Norway to the Committee on the Rights of the Child, op. cit.; Norwegian Ministry of Foreign Affairs, 25/11/99 op. cit.
\textsuperscript{1394} The Defence Budget 2001, op. cit.
\textsuperscript{1395} Norwegian Ministry of Foreign Affairs, 25/11/99 op. cit.; and also www.globalmarch.org/worstformsreport/world/norway.html
\textsuperscript{1396} www.globalmarch.org, op. cit.
\textsuperscript{1397} Paper circulated by the Norwegian Delegation to the European Conference on the Use of Children as Soldiers, Berlin, 18-20/10/99
\textsuperscript{1398} E/CN.4/2000/74, 27/3/00 paragraph 159.
OMAN

SULTANATE OF OMAN

- Population:
  - total: 2,460,000
  - under-18s: 1,260,000

- Government armed forces:
  - active: 43,500
  - paramilitary: 4,900

- Compulsory recruitment age: no conscription

- Voluntary recruitment age: 18

- Voting age (government elections): unknown

- Child soldiers: none indicated

- CRC-OP-CAC: not signed

- Other treaties ratified: CRC; GC/API+II

There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice

Article 14 of the Constitution states that “No organisation or group is allowed to establish military or paramilitary forces. The Law regulates military services, general or partial mobilisation and the rights, duties and disciplinary rules of the armed forces, the public security organisations and any other forces the state decides to establish.” Conscription has not existed in Oman since its independence in 1970. Voluntary recruits are accepted between the ages of 18 and 30.

In the past, Oman used to have trouble recruiting for its armed forces and up to ten per cent of its soldiers were foreign. After Oman’s independence in 1970, nearly all army officers and men were Baluchis from Pakistan, except for senior commanders, who were British. Oman formerly governed parts of the Baluchistan coast and when the territory was passed to Pakistan after independence there was an agreement that Oman would continue to recruit people from this area to its armed forces. As of early 1993, most officers were Omanis although British involvement continued, especially in the armoured regiment. The Ministry of Information’s annual report in 1999 claims that there is “stiff competition” to join the armed forces and that the Royal Oman Police had achieved over 98 per cent “Omanisation”. There are no military schools for children under 18. To join the army in Oman completion of secondary education is required.

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1400 Ministry of National Economy, Statistical Yearbook, Sultanate of Oman, 8/00, p.46., 596,000 of this figure are expatriates.
1401 UNICEF figures, Oman government figures indicate there are 1,071,059 persons under 19, of which 72,902 are expatriates; Ministry of National Economy, Statistical Yearbook, Sultanate of Oman, 8/00.
1402 www.uni-wuerzburg.de/law/mu0
1403 Helen Chapin Metz, op. cit.; Brett and McCallin op. cit.
1404 Ibid.
1405 Ministry of Information, Oman 99, p.69 and p.80
PAKISTAN

ISLAMIC REPUBLIC OF PAKISTAN

- **Population:**
  - total: 152,331,000
  - under-18s: 73,691,000

- **Government armed forces:**
  - active: 612,000
  - reserves: 513,000
  - paramilitary (active): 288,000

- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16; 18 for deployment in hostilities
- Voting age (government elections): unknown
- Child soldiers: indicated in government and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC

- There are indications of under-18s in government armed forces as the minimum age for voluntary recruitment is 16, but there is no evidence of their deployment. There is evidence that children, some under 14, have been recruited by armed groups fighting in neighbouring Afghanistan and Jammu and Kashmir. Some internal armed groups are also known to have children in their ranks.

CONTEXT

Pakistan’s military plays a central role in politics and has staged a succession of coups, most recently in October 1999. Pakistan is engaged in an ongoing dispute with India about the status of Jammu and Kashmir, where groups seeking independence or accession to Pakistan have fought with Indian security forces (see India country profile). A number of armed groups active in Kashmir have bases in Pakistan and allegedly receive political and material support from the Pakistani government. Pakistan has supported a variety of armed groups engaged in Afghanistan’s civil war. There has been periodic political violence in the province of Sindh, between parties drawing support among the indigenous Sindhi community and **Mohajirs**, the descendants of Muslims who migrated from India following the partition of the subcontinent; there has also been factional violence within the Sindhi nationalist and **Mohajir** movements themselves. Since the early 1980s, there has been violence between extremist Sunni and Shia Muslim parties, especially in Punjab and in Sindh.

GOVERNMENT

**National Recruitment Legislation and Practice**

Article 39 of the 1973 Constitution states that: “The State shall enable people from all parts of Pakistan to participate in the Armed Forces of Pakistan.” Conscription is not, however, currently practised in Pakistan. The 1952 Pakistan Army Act does provide for the possible introduction of compulsory military service in times of emergency, but this provision has never been applied as sufficient volunteers have been enlisted into the armed forces.
According to Pakistan’s Permanent Mission to the United Nations in Geneva in 1997, the legal enlistment age is between 17 and 22 for officers and between 16 and 25 for soldiers.\textsuperscript{1411} Information from the airforce indicates that fighter pilots are admitted for training from 16 years of age.\textsuperscript{1412} At the Asia-Pacific Conference on the Use of Children as Soldiers in Kathmandu in May 2000, the Pakistani Government representative said that while Pakistan recruited under-18s, it had adequate safeguards to ensure they were not involved in armed conflict.\textsuperscript{1413}

During negotiations on the Optional Protocol, the Pakistan delegation pressed for 16 as the minimum age for voluntary recruitment and 17 for involvement in hostilities, but did not ultimately obstruct consensus.\textsuperscript{1414} The Pakistani Government representative at the Kathmandu conference said that Pakistan had some reservations about certain aspects of the Optional Protocol, but in deference to its spirit had welcomed its finalisation.\textsuperscript{1415} In a communication to the Coalition in April 2001, Pakistan’s Ministry of Foreign Affairs stated that “the recruitment policy of the Government of Pakistan is in true letter and spirit of (the Optional Protocol), even though we are not signatory to it as yet. All clauses of Pakistan Armed Forces recruitment policy are in conformity with the Optional Protocol, the basic theme being that ‘no soldier less than 18 years should be sent to participate in active hostilities’.”\textsuperscript{1416}

**Military Training and Military Schools**

There are a number of cadet colleges which admit children from the age of 10. The Pakistan Government states that these colleges are exclusively focused on academic pursuits and that no military training is imparted.\textsuperscript{1417} Students receive no stipend and are under no compulsion to join the Armed Forces upon graduation.\textsuperscript{1418} According to UNICEF: “the pupils are not considered as recruits of the army. After completing the schooling and attaining the age of 18 years, the individuals may or may not join the army.”\textsuperscript{1419}

**OPPOSITION**

**CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES**

A large refugee population and porous borders have made Pakistan a natural source of recruits for various armed groups involved in the neighbouring conflicts of Afghanistan and Jammu and Kashmir (See the India and Afghanistan entries for further information). Groups associated with Islamist and sectarian parties in Pakistan have also attracted children to their ranks,\textsuperscript{1420} but the degree to which they have participated in political violence to date is unclear.

Much attention has been paid to the role of informal Islamic schools or madrassas in recruiting children for political and military activities.\textsuperscript{1421} Many madrasas are legitimate, informal educational institutions, serving poor students with no alternative educational opportunities. There are no official figures regarding the number of madrasas in Pakistan; estimates vary between 15,000\textsuperscript{1422} and 25,000.\textsuperscript{1423} Some madrasas, however, are sponsored by political parties and factions and have emerged as centres for indoctrination, training and recruitment of young fighters for the armed conflicts in Afghanistan, Jammu and Kashmir. In February 2000, the Pakistan’s Interior Minister claimed that “only one per cent” of the madrasas in Pakistan sent their students for training in Afghanistan.\textsuperscript{1424} In April 2000, he warned that sectarian parties were “spreading poison” and “polluting the minds” of children: “All their madrasas, inappropriate literature, weapons and their activities will be stopped.”
The Pakistan Government is reportedly working on a draft law to regulate and monitor these schools. The establishment of a Religious Educational Board has been proposed, but the Islamist groups that sponsor some madrasas will be reluctant to accept state control. Similar moves to tighten blasphemy laws were dropped after fierce opposition. Through its administration of zakat tithes the Pakistan Government is an important conduit of financial support to the madrasas, but many of the schools have independent sources of income and links to international Islamist networks.

Amnesty International has reported cases of forced recruitment of children through madrasas in Pakistan to fight in Afghanistan. In July 1997 the father of 13-year-old Maroof Ahmad Awan filed a petition in the Sindh High Court in Karachi, Pakistan, accusing the principal of the local Jamia Islamia of sending his son to fight in Afghanistan without consulting the parents. The father said: “I handed him over to the school to learn the Qur’an, not to handle guns. He is too young to fight in a war.” Maroof joined the school in early May and was missing for several weeks until school authorities admitted he had left, presumably of his own volition, to fight in Afghanistan.” A month after the petition was submitted the boy returned saying “I was persuaded to go to Afghanistan by the nazim of the school.” According to Amnesty International some 600 other juveniles were taken in buses to Afghanistan on the same day. The father withdrew his petition after the Pakistan police registered a criminal case, although no investigation was made and no one was arrested.

UN sources reported further recruitment of children from madrasas in the summer of 1999 when the Taleban launched a major recruitment drive in expectation of a new offensive (see Afghanistan entry). During a visit to Pakistan in November 2000, Coalition representatives were told that madrasas aligned with different factions periodically close and dispatch young students to Afghanistan; they are reportedly not often used on the frontline but rather to free more experienced fighters for the front. While some of these recruits undoubtedly become long-term soldiers, many return after one or two months. Veterans of Afghanistan often become involved in armed Islamist and sectarian movements active in Pakistan itself (see section below).

In relation to the conflict in Jammu and Kashmir, sources in Pakistan suggest that some armed groups might identify prospective recruits at 15 or 16 (often from poor and disadvantaged families), but they are generally over 18 by the time they infiltrate Indian territory or engage in operations. In May 1999 Reuters reported on 250 young recruits at a Lashkar-e-Taiba in Pakistani-held Kashmir: “All are Pakistanis from villages and small towns in Punjab and the North Western Frontier Province. ... The training is divided into three stages: 21 days of small weapons training, wilderness skills and fitness. The boys are then sent home, where they are monitored by party elders to see if they are spiritually and physically fit enough to continue.”

See country entries on India and Afghanistan for further information on child participation in these conflicts.

CHILD RECRUITMENT BY ARMED GROUPS WITHIN PAKISTAN

- Mohajir Qaumi Movement (MQM)
The MQM represents the Mohajir community politically, but its factions have engaged in periodic violence with nationalist groups drawn from the indigenous Sindhi community. The number of fighters is not known, but are reportedly split between the original MQM, (MQM-Altaf), a large breakaway group (MQM-Haqiqi), and other smaller factions. It is believed that the MQM factions have under-18s in their ranks. Human Rights Watch reported in 1999 that “on August 12 [1998], unidentified gunmen shot Mohajir men, including one sixteen-year-old, who was the only one to survive. Later that evening nine Muttahida activists, ranging in age from fifteen to twenty-two, were killed and five were injured by unknown gunmen.” The degree to which activists under 18 are engaged in armed conflict is unclear as many such killings take place in disputed circumstances.

- **Jeay Sind Qaumi Mahaz (JSQM)**
  JSQM is the leading Sindhi nationalist movement. There is no available information on the recruitment and use of child soldiers by this group.

- **Sectarian Groups**
  The Shia movement Tehrik Nifaz-e-Fiqah-e-Jafria (TNJF) and Sunni groups Sipah-e Muhammad and Sepah-e-Sahaba are engaged in sectarian violence, primarily in Punjab and Sind. After the death of its leader in 1983 the TNJF split into two factions, the more radical and pro-Iranian transforming into a political party, the Tehrik Jafria Pakistan (TJP). Although no information is available on the participation of children in these groups, their sectarian cause could be attractive to young people. The Coalition was told during a visit to Pakistan in November 2000 that children were recruited to these groups from sponsored madrasas or from amongst returning veterans of conflicts in Afghanistan and Jammu and Kashmir. In October 1999, the Pakistan Government complained about Afghan training and support for sectarian groups in Pakistan.1434

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1410 Blaustein and Flanz, op. cit.
1412 Horrman and Stolwijk, op. cit.
1413 Communication from the Permanent Mission of Pakistan to QUNO, 16/12/97.
1414 Pakistan airforce website. www.paf.museum.com.pk
1417 Statement to Asia-Pacific Conference op. cit.
1418 Communication from the Ministry of Foreign Affairs in Islamabad to CSC on 2/4/01.
1419 Ibid.
1420 Information provided to CSC by the Pakistan Government, 5/00.
1421 Information provided by UNICEF, 11/6/99; RB://www.rb.se>.
1422 “Inside Jihad” by Zahid Hussain, Newsline, 2/01 and also www.rb.se quoting Far Eastern Economic Review, 7/9/00
1425 Spillius, A. op. cit.
1426 Barah, A., “Pakistan bans display of arms”, The Hindu, 17/2/00.
1427 Ministry of Foreign Affairs in Islamabad. 2/4/01.
1428 Zaidi, M., “Pakistan drafting law on madrassas regulation”, The Hindustan Times, 2/2/00; Chandran, S., “Madarassas in Pakistan-II. Breeding ground for Islamic militants?”, op. cit; CNN.Com, 14/4/00.
Information provided by HRW, 4/00.
Ibid.
See also “Child soldiers for Taleban? Unlikely” by Scott Peterson, Christian Science Monitor, 6/12/99
The Independent (Bangladesh), 13/10/99; CNN, 7/12/99
PALESTINIAN AUTHORITY/OCCUPIED TERRITORIES

- Population:
  - total: 3,000,000 \(^{1435}\)
  - under-18s: 53% \(^{1435}\)
- Security forces: \(^{1436}\)
  - active: nil
  - paramilitary: 35,000
- Compulsory recruitment age: not applicable \(^{1437}\)
- Voluntary recruitment age: 18; 17 under Jordanian law applied in special cases
- Voting age (government elections): unknown
- Child soldiers: indicated in various armed groups
- CRC-OP-CAC: not member of UN so cannot formally sign or ratify
- Other treaties ratified: not member of UN or ILO so cannot formally sign or ratify. However, the PLO officially endorsed the CRC on 5 April 1995

While there are some reports of children participating in Palestinian armed groups, there is no evidence of systematic recruitment. Children participating in intifada demonstrations cannot be considered child soldiers.

CONTEXT

Israel has militarily occupied the Palestinian territories of East Jerusalem, the West Bank and Gaza Strip, and border areas of the Golan Heights since 1967. Israel agreed to transfer most administrative responsibilities for civil government in the Gaza Strip and parts of the West Bank to the Palestinian Authority (PA) in the May 1994 Gaza-Jericho agreement and the September 1995 Interim Agreement. In January 1996, Palestinians elected their first government, which consisted of an 88-member Council and the Chairman of the Executive Authority. The Fatah faction of the Palestine Liberation Organization (PLO) holds most senior government positions in the PA. Renewed conflict began in September 2000 with clashes between various Palestinian factions and the Israeli Defence Forces (IDF), and demonstrations by unarmed Palestinians dubbed the Al-Aqsa intifada.

PALESTINIAN AUTHORITY

**Palestinian Police and Security Forces**

According to the Oslo agreement, the PA cannot have armed forces but only a Palestinian Police Force, which may comprise up to 30,000 policemen serving in Palestinian Authority Areas (zone A) only (18,000 in Gaza and 12,000 in West Bank) \(^{1438}\). The Palestinian Police Force includes the Palestinian Public Security Force, the Palestinian Civil Police, Emergency and Rescue, the Preventive Security Force, the General Intelligence Service (mukhabarat), and the Palestinian Presidential Security Force, known as Force 17 \(^{1439}\). The Palestinian Authorities refuse to declare the actual numbers of these forces and have been accused by Israel of recruiting above agreed levels. With the police drawing only $300 per month in salary, there is reportedly widespread “ghosting”, with personnel on the books who receive salary but not actually on police duty.
The minimum age for volunteering in the PA police forces is 18, is the same as for any other servant in the administration. The draft Palestinian Child Rights Charter incorporates an article forbidding the enlistment of children under 18 in any armed forces. According to some sources, the Palestinian authority applies Jordanian military law and accepts some recruits below 18 for special tasks, e.g. musical ability. When the PA attempted to introduce national service law in 1997, which would induct high school graduates into community service, Israeli authorities objected stating that this was an attempt to induct young people into military service.\(^{1440}\)

There is no military training in regular schools. However, in the summer of 2000 it was estimated that nearly 50,000 children were enrolled in military-style camps, which included military discipline rules and training in the use of light arms. These were mostly organised by a government organisation, the Political Guidance and Training Unit.

**Armed Groups and Militias**

In addition to role as a political party, *Fatah* has a loosely organised network of militias engaged in resistance to the Israeli military occupation. The minimum age to join *Fatah* as a political party is sixteen and as militia members are chosen from this political support base they would therefore almost always be over seventeen. There have been no reports of the military recruitment of children by *Fatah* militias.

**OTHER ARMED GROUPS**

- **Hamas (Harakat Al-Muqawama Al-Islamia -- Islamic Resistance Movement)**

*Hamas* is an Islamist political organization which became active in the early stages of the first *intifada*. *Hamas* has a complex structure, working openly through a network of mosques and social service institutions designed for recruitment, fund raising and the distribution of propaganda. *Hamas*' activities are concentrated in the Gaza Strip and in a few areas of the West Bank. Like other political groupings, *Hamas* maintains an armed wing to fight Israeli military occupation, the *Izz al-Deen Al-Qassem* Brigades.

*Hamas* receives funds from Palestinian expatriates, private benefactors in Saudi Arabia and other moderate Arab states as well as the state of Iran. Some fundraising and propaganda activities take place in Western Europe and North America. There have been reports of children below 15 years of age in *Hamas*, with the lowest recorded age being 12, but the process of selection for the *Izz al-Deen Al-Qassem* Brigades is reportedly long and rigorous and has not to date included children.\(^{1441}\)

- **Islamic Jihad**

The Islamic Jihad, another political organisation with an armed wing which originated in the Gaza Strip during the 1970s, is committed to the creation of an Islamic Palestinian state.\(^{1442}\) There is no evidence of child participation in Islamic Jihad.

**THE INTIFADAS**

- The first intifada
The Palestinian *intifada* or uprising against Israeli military occupation that erupted in December 1987 in the West Bank and Gaza Strip, apparently began as a spontaneous popular movement and was not directly controlled by the PLO. Local members of *Fatah*, the Popular Front for the Liberation of Palestine, the Democratic Front for the Liberation of Palestine and other parties put aside their differences and united in order to provide an organisational role through "popular committees" in camps and villages. The Israeli authorities responded to the uprising with force.

Youths played a pivotal role in the first *intifada* through civil disobedience and non-violent protest, as well as "throwing stones, blocking roads, burning tires, spraying graffiti..." According to one study by the Palestinian Women's Committee, "The average participation of children in the (first) *Intifada* reached 73 per cent." Palestinian journalist Daoud Kuttab, writes how the different age groups were assigned different roles during the *intifada*. The seven to ten-year-olds would "roll tires to the middle of the road, pouring gasoline on them, and setting them on fire. The eleven to fourteen-year-olds were "[a]ssigned the task of placing large stones in the road to slow down or stop traffic." The fifteen to nineteen-year-olds were cited as the experienced stone throwers.

Communiques were issued by *al-Qiyada al-Wataniyya al-Muawawahda lil-Intifada*, the United Leadership of the Uprising, which consisted of PLO factions: *Fatah*, the Democratic Front for the Liberation of Palestine, the Popular Front for the Liberation of Palestine and other factions. The communiqué were designed to serve as directives to Palestinian society during the *intifada*. For example, Communiqué No.2 says, “O youth of Palestine, O throwers of incendiary stones, clearly the new fascists will be forced to admit the facts entrenched by your ferocious rebellion.” They outlined specific days when the confrontations were to take place, “Intensify the use of popular means against all enemies beginning with the holy stones and ending with the incendiary Molotov cocktails. O our people and the youths and the girls of Palestine, further strike force, further sacrifices for sake of Palestine.”

Voluntary youth organisations attached to political parties and factions helped in the mobilisation of Palestinian youth. The *Lijan al-Shabiba l-Amal al-Ijtimat* (Youth Committees for Social Activity) was established by *Fatah* in 1981 to increase support for the organisation and the connections between cities and rural countryside through sports and social activity. In addition, there were clubs in a number of towns in the West Bank and Gaza Strip, including the Young Men's Muslim Association in Jerusalem and the Islamic Centre in Gaza. The Democratic Front, the Palestine Communist Party, Muslim Brotherhood and other groups all had youth movements associated with them.

- **The Al-Aqsa intifada**
  Children have been prominent in media portrayals of the latest *Al-Aqsa intifada* which began on 28 September 2000. There is no evidence to date of children being recruited or used systematically by the Palestinian authority or armed groups.

The image of 12-year-old Mohammed al-Dirrah's last minutes before being shot by an Israeli soldier, or Fares Odeh, a small boy wearing jeans pants and sandals slinging a stone at an Israeli Merkavah tank have been widely reported the conflict. Such images have galvanised Arab anger and prompted international criticism that Israel is using excessive force to contain the unrest. Children have also been prominent at many funerals, public rallies and demonstrations,
sometimes wearing insignia or fatigues or carrying toy weapons. On 16 March, in Gaza city, young children reportedly acted out a suicide bombing at one public rally: "a boy of 10 went on stage in a white shroud and climbed into a coffin-like box covered with an Israeli flag as another boy threw a firecracker to mimic the sound of an explosion."1450

A significant percentage of Palestinians killed in the Al-Aqsa uprising have been children, but few of these have been actively involved in violent demonstrations.1451 According to the PA website, as of 26 Feb 2001 a total of 97 children under 18 were killed during the al-Aqsa intifada.1452 Many children killed in the conflict were mere bystanders or were killed in their homes or on their way to or from school. According to independent estimates, less than one percent of the total Palestinian adolescent population (aged 12 to 18) has taken an active part in the clashes with the IDF.

The Israeli authorities have accused the Palestinian community and political leadership of using children as “soldiers” in demonstrations where stones or Molotov cocktails are thrown, but Palestinian children participating in demonstrations in the Occupied Territories cannot be classified as child soldiers and there is no evidence of their having been recruited or used systematically by the authorities or armed groups. According to a UN Commission of Inquiry which visited the region in February 2001, “stone throwing by youths at heavily protected military posts hardly seems to involve participation in hostilities”.1453

The PA Minister of Information Yasser Abed Rabbo issued a statement on 8 November 2000 calling on "all actors in Palestinian society to protect and prevent children from participating in violent demonstrations against the Israeli occupation.” He added that "all political Palestinian parties had taken a decision to prevent all children under 18 years old to participate in the clashes.” This decision was to be implemented by keeping Palestinian schools, colleges and universities open; urging children to stay away from confrontation areas; educational programs to convince students not to participate in demonstrations; and forming a national coordination committee to implement this decision.1454 There is no information on the implementation of this commitment or other statements by the Palestinian political leadership. There have been many cases, however, in which Palestinian policemen have attempted to remove armed men from demonstrations in which civilians or children have participated.1455

Responding to a complaint from the B’tselem human rights organisation regarding Palestinian child participation in the clashes, the Minister explained that Palestinian authorities were making an effort to prevent children from taking part in the demonstrations, but that it was difficult to stop them because the children had grown up in an atmosphere of hostility toward the Israeli occupation. "Some of them live near settlements and are subject to daily harassment by the settlers... others had fathers or brothers killed or jailed in Israeli prisons."1456.

The UN Commission of Inquiry, in its report to the UN Commission on Human Rights, stated: “While the Commission is prepared to accept that some children are likely to have been exposed to anti-Israeli propaganda in school or special training camps, it cannot disregard the fact that demonstrations are substantially the result of the humiliation and frustration felt by children and their families from years of occupation. The Commission heard evidence from parents and NGOs about the unsuccessful attempts of many parents to prevent their children participating in demonstrations and the grief caused them by the death and suffering of their children...It is likely
that the Palestinian Authority could have done more to restrain children from participation in stone-throwing demonstrations. The evidence suggests that, on occasion, the Palestinian police made attempts to prevent demonstrations, but these attempts were often unsuccessful. This can be ascribed to the incompetence of the Palestinian police, the fact that the Palestinian police were themselves targeted by stone-throwers when they attempted to curtail demonstrations, and an understandable identification of the Palestinian police with the goals and spirit of the demonstrators.”  

Youths arrested for political reasons are detained with criminal prisoners. In 1999, the Israeli military re-instituted Military Order No. 132, permitting its forces to arrest Palestinian children as young as twelve. Originally issued during the first intifada, this order had been suspended in 1993. Following the renewed implementation of the order, groups of Palestinian children reported that they were beaten and threatened with physical abuse during interrogation. Palestinian youth held in Israel’s Telmond Prison said they were held in over-crowded conditions and experienced difficulties in receiving family visits and medical treatment. Often arrested from home, they are taken to detention centres under Ministry of Defence control, and then to military court where they have been sentenced to 10-20 months, and in one case of attempted stabbing - six½ years. Children of the intifada were incarcerated along with Palestinian adults, though Palestinian community leaders have indicated that the detention of children with adults may offer better protection from ill treatment and coercion. 

DEVELOPMENTS

International Standards

Since the PA is not a UN or ILO member state it cannot formally sign and ratify the Convention on the Rights of the Child (CRC), its optional protocols or any other international legal instruments. However, the PA officially endorsed the CRC on 5 April 1995. In October 1993, Chairman Yasser Arafat told Amnesty International that the Palestine Liberation Organisation (PLO) was committed to respecting all internationally recognised human rights standards and to incorporate them fully into Palestinian legislation.

Palestinian children, whether or not participating in demonstrations, are entitled to all the rights under the Convention on the Rights of Child. In addition, they are entitled to the special protections afforded by the Fourth Geneva Convention (GC IV), which defines the rights of persons living under occupation and the obligations of the Occupying Power towards them.

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1435 Figures for the West Bank, Gaza and East Jerusalem according to IISS op. cit.
1436 IISS op. cit., p. 50-151.
1437 Brett and McCallin op. cit.
1438 Information provided by DCI - Palestine
1440 “National Service Law Proposed”, Jerusalem Times, 15/8/97
1441 The Jerusalem Report 6/4/95
1442 Federation of American Scientists op. cit.
1443 Kate Rouhana, "Children and the Intifada", Journal of Palestine Studies, vol. 18, no. 4, 111.
Youssef Nashef, The Psychological Impact of the Intifada on Palestinian Children Living in Refugee Camps in the West Bank as Reflected in their Dreams, Drawings and Behaviour.” Peter Lang Berlin 1992, 76-7


“Communiques of the United National Leadership of the Uprising,” in Intifada, eds. Zachary Lockman and Joel Benin, 330

Ibid 353.


The Guardian, 17/3/01

Kathryn Westcott, “Children Become Symbol of Struggle” BBC News, 19/11/00.

http://www.pna.org/mininfo/issues/mlist1.htm

UN Commission of Inquiry chaired by Prof John Dugard, E/CN.4/2001/121

Ibid.

Danny Rubinstein, “No Mere Stone’s Throw” Haaretz

UN Commission of Inquiry, op cit


PANAMA

REPUBLIC OF PANAMA

- Population:
  - total: 2,812,000
  - under-18s: 1,056,000
- Government armed forces:
  - active: nil
  - paramilitary: 11,800
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 31 October 2000
- Other treaties ratified: CRC; GC/API+II; ILO 182

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Article 305 of the 1978 Constitution states that “All Panamanians are required to take arms to defend national independence and territorial integrity of the state.” However, the armed forces were dissolved in 1994 and conscription does not exist. National legislation prohibits the recruitment of persons less than 18 years old, either compulsorily or voluntarily.

DEVELOPMENTS

International Standards
Panama signed the CRC-OP-CAC on 31 October 2000. It is currently in the process of ratification, with the National Congress recognising the instrument as national law in December 2000 (Law No. 48 of 15 Dec. 2000). Final deposit is pending. Panama proposed that the Summit of Chiefs of Iberoamerican States held in November 2000 adopt a statement promoting ratification of the Optional Protocol.
PAPUA NEW GUINEA

- Population:
  - total: 4,702,000
  - under-18s: 2,127,000
- Government armed forces:
  - active: 4,400
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Child Soldiers: unknown in government and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC

- It is not known if there are under-18s in the government armed forces due to insufficient information about the minimum age for voluntary recruitment. Under-18s fought with an armed opposition group during a secessionist war on Bougainville.

CONTEXT

The 1998 peace accord between the Papua New Guinea Government and armed secessionist Bougainville Revolutionary Army (BRA) continued to hold amidst continued tensions. It is estimated that 20,000 people were killed during the conflict and up to 40,000 forced to flee their homes during fighting since 1998. An armed Peace Monitoring Group drawn remains in place.

GOVERNMENT

National Recruitment Legislation and Practice

Article 43 of the 1975 Constitution states that: “1. No person shall be required to perform forced labour. 2. In Subsection (1), ‘forced labour’ does not include: (f) labour of reasonable amount of kind (including the case of compulsory military service, labour required as an alternative to such service in case of a person who has conscientious objections to military service) that is required in the national interest by an Organic Law that complies with Section 38.” However, Papua New Guinea has no conscription in practice. No information has been obtained on legislation governing voluntary recruitment. Some sources claim that some recruits in the governmental armed forces are under 18 years of age, but no further information is available. PNG is heavily influenced by Australia and New Zealand in military affairs, both of which recruit at 17.

According to a 1999 White Paper, the Government decided to “reactivate the Volunteer Rifles as a reserve force capable of assisting the Government in Law and order and internal security situations.” It was also been decided to “reactivate the School Cadet Scheme beginning in the year 2000.” The same document indicated that “women should be offered full employment in non-combat trades of the PNGDF.”

In April 2001, PNGDF soldiers mutinied in Port Moresby in protest at plans to halve the size of the army as part of an economic restructuring package. The reduction in military expenditure would cut the PNGDF’s personnel levels by approximately 2000.
OPPOSITION

Child Recruitment
The BRA which fought a long secessionist conflict with government forces on the island of Bougainville has admitted having children under 18 years in its ranks. There had been reports of BRA recruitment of children as young as 13 and 14 years old.\(^{1462}\) During an international conference on the use of children as soldiers, organised by the Australian Coalition to Stop the Use of Child Soldiers in Melbourne in September 1999, a BRA representative claimed that while the BRA never had a policy to involve children, “there were incidents where they could not be stopped. In such instances, every BRA Commander was strictly advised not to have these young boys in the frontline fighting, but could be used as ammunition carriers, messengers, food carriers and cooks, and even sometimes as spies.”\(^{1463}\) The BRA subsequently announced that it would review its own recruitment practices and ensure that in the future no person below the age of 18 would either be recruited into their forces or participate in armed conflict

“To protect our families, it is true that many of our children picked up arms and fought in the war. This did not happen under forced conscription or even parent pressure. Our youth became adults very quickly in this situation of survival...”

- President of the Bougainville Women for Peace and Freedom (Australian Conference on the Use of Children as Soldiers, Melbourne Australia)

\(^{1461}\) RB, [http://www.rb.se](http://www.rb.se); Brett and McCallin op. cit.
\(^{1462}\) Information provided by Worldvision Australia, 16/9/99.
PARAGUAY

REPUBLIC OF PARAGUAY

- Population:
  - total: 5,358,000
  - under-18s: 2,503,000
- Government armed forces:
  - active: 20,200
  - reserves: 164,500
  - paramilitary: 14,800
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age for government elections: 18
- Child soldiers: indicated in government armed forces - 10,400 in 2000
- CRC-OP-CAC: signed on 13 September 2000 but does not uphold “straight-18”
- Other treaties ratified: CRC; GC/API+II, ILO 182
- There are indications of under-18s in government armed forces. Despite clear legal prohibitions, the recruitment of children between 12 and 17 is widespread. There are also reports of ill-treatment and deaths in questionable circumstances of under-age recruits.

CONTEXT

In May 2000 members of two army units and a group of national police officers loyal to former General Lino Oviedo attempted to overthrow President Gonzalez Macchi. The attempted coup lasted less than one day and the majority of the military remained loyal to the Government.

GOVERNMENT

National Recruitment Legislation and Practice

Article 129 of the 1992 Constitution makes military service compulsory. It is regulated by Law 569 of 24 December 1975 and is performed in either the armed forces or the national police. All men over 18 are liable for military service, which lasts one year. In case of international armed conflict, Article 129 mandates that women must assist the armed forces. No minimum age is provided in this case. Article 56 of Law 569/75 states that: “Authorities who recruit minors younger than 18 (…) without affecting their penal responsibility, will be removed or deemed unfit for public positions for five years”.

In 1995 the then Commander in Chief of the Armed Forces, Ing. Wasmosy, ordered that no more children should be recruited into the armed forces. This order, reiterating Paraguayan law, was later also issued by the government of Raúl Cubas Grau in March 1999.

Child Recruitment

Despite clear legal provisions prohibiting the recruitment of children under the age of 18, the armed forces and police have forcibly recruited children between the ages of 12 and 17, sometimes forcibly or by falsifying their identity papers. Such recruitment frequently involves
visiting rural areas to forcibly round-up conscripts. In many cases recruitment takes place after intimidating the parents of children with “good physical appearance”. Servicio Paz y Justicia Paraguaya (Serpaj-Py) estimated in 2000 that 80% of conscripts are under the age of 18 (roughly 10,400 people), of these approximately 30.3% (4,000) are 15 years or under and their average age is 16.4 years.

Cases of ill-treatment and torture of under-age recruits, resulting in death or physical and psychological damage, continue to be reported. Between 1996 and 2000, 56 under-18s died during military service. Military service has been described by the Asociación de Familiares de Víctimas del Servicio Militar Obligatorio (AFAVISEM) as a “graveyard” of teenagers. At least eight recruits – six under the age of 18 – died in questionable circumstances in 2000. AFAVISEM highlighted the inadequate conditions under which conscripts carry out military service, including failure to meet basic needs such as providing food, beds, medical attention, medicines and dental care. Accidents and illness are also the main causes of deaths of under-18 conscripts according to Serpaj-Py.

Deaths of under-18s during military service have included a 17-year-old conscript who died in July 2000 as a result of inadequate medical attention after receiving a gunshot wound to his foot. Similarly, Héctor Adán Maciel died at the age of 17 while fulfilling military service on 3 April 2001, due to the inadequate medical care he received after being shot by a fellow conscript; the Armed Forces argued that the necessary treatment in an intensive care unit was too expensive, and refused to pay. 14-year-old Pedro Centurión was shot and killed in September 2000; military officials maintain that Centurión committed suicide. In 1998 two youths aged 4 and 15 “disappeared” while on military service. The reason for their disappearance was not determined; the Armed Forces maintained the conscripts had run away and as such were considered deserters under military law. In another case, two sergeants allegedly forced 15-year-old Cesar Francisco Pereira to fight another recruit, while the sergeants wagered on the fight. After losing, Pereira alleged that he was pistol whipped by the sergeant who lost the bet and had to spend a month in a clinic recovering from the injuries sustained.

Prompted by Héctor Adán Maciel’s death a group of senators and NGOs visited military units in Chaco on 30 April 2001 and confirmed the presence of under-18s. Maciel had been recruited when he was just 16 years old. The armed forces apparently falsified his mother’s signature on documents where her consent was required. After the death of Centurión, the records of at least 100 other underage recruits whose ages had been altered were found at Vista Alegre barracks. Centurión was allegedly recruited at age 13 against his wishes through the use of false documents, and was later discovered to be an Argentine citizen.

Relatives of conscripts who have died during military service are reportedly intimidated by the Armed Forces. In order to hand over Pedro Centurión’s body the Armed Forces demanded his mother sign a document promising not to ask for an autopsy. She was threatened that if she refused, her son’s brain would have to be operated on to find the bullet and he would be cut up (“descuartizado”).

In November 2000, the Government proposed an agreement to the Inter-American Commission on Human Rights accepting responsibility for the 1998 deaths of two 14-year-old military
recruits, Cristián Nuñez and Marcelino Gomez. In this case, the two boys were abandoned by military officers in the inhospitable Chaco region during military exercises.1488

“My son was hit a lot, and he escaped, arriving at my house very beaten up, with his nose bleeding, and bruises on his back, that was when I took him back. After 10 days he escaped again after more ill-treatment… and I don’t know what further ill-treatment he received before he escaped again.”
- Mother of Rosalino Ortiz, 16-year-old conscript who ran away from his barracks twice, alleging ill-treatment.

“My son was kidnapped and he didn’t commit suicide… I begged the captain to give me back my son, because he was only thirteen years old. But he told me he was tall enough to go into the barracks (conscription),”
- Cemproniana Centurión, mother of Pedro Centurión.1489

"I never signed any document or authorization… and I let him go thinking he would be all right; now look at the state he’s in.”
- Basilisia Bogarín, Héctor Adán Maciel’s adoptive mother when she saw him in hospital before his death.

DEVELOPMENTS

International Standards
Paraguay signed the CRC-OP-CAC on 13 September 2000 but does not uphold the “straight-18” position.

1467 Ibid.
1469 The orders were given on 10/03/95 and 12/06/95
1470 Circular No. 2 of 6 March 1999.
1471 Concluding Observations of the Committee of the Rights of the Child, UN Doc. CRC/C/15/Add.75, para. 17, 18/06/97.
1473 Ibid.
1474 Servicio Paz y Justicia Paraguay (Serpaj-Py), “Derechos Humanos y Paraguay 2000”
1476 Economía. “Máxima inseguridad en los cuarteles. La muerte absurda de Héctor Adán Maciel”, 15/04/01.
1479 La Nación. “FF AA habrían falsificado firma de la madre de soldao fallecido” 18/04/01.
1480 US Department of State, op.cit.
1482 US Department of State, op.cit.
1483 ABC Color. “Habria menores en cuarteles de Chaco” 30 April 2001
1484 La Nación. “FF AA habrian falsificado firma de la madre de soldao fallecido” 18/04/01.
1485 ABC Color, 27/09/00.
1486 US Department of State, op.cit.
1488 US Department of State, op.cit.
1489 Clarín Digital. “A mi hijo lo secuestraron y no se suicidó” 17/09/01.
PERU

REPUBLIC OF PERU

- Population:
  - total: 25,230,000
  - under-18s: 10,174,000
- Government armed forces:
  - active: 115,000
  - reserves: 188,000
  - paramilitary: 77,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces; indicated in armed opposition groups in recent past
- CRC-OP-CAC: signed 1 November 2000; does not support "straight-18 position".
- Other treaties ratified: CRC, GC/API+II
- There are indications of under-18s in government armed forces, including some forcibly recruited despite legislation to the contrary. Armed groups used child soldiers extensively in past conflicts.

GOVERNMENT

National Recruitment Legislation and Practice
Law No. 27178, Law of Military Service, published in the official diary on 29 September 1999 eliminated the system of Obligatory Military Service and implemented a voluntary service.\(^{1490}\) Under Article 6 of this law, forced recruitment is explicitly prohibited.\(^{1491}\)

Although there is no conscription, young people of the age of 17 are required to present themselves to a Military Institute in order to be evaluated. A Military Ticket (Boleta Militar) and later a Military Passbook (Libreta Militar) are obtained through the process of military registration and selection. The latter document is required to obtain a national identity document which is the only civilian identity document.\(^{1492}\)

Supreme Decree No. 004-DE/SG was published in the Official Diary of Peru on 17 March 2000, approving the Regulation of the Military Service Law. In the period 2000-2002, there will be a mandatory call-up if those volunteering for military service are insufficient to meet the minimum quota necessary for the effective functioning of the armed forces. Reserve service will remain obligatory and may possibly be extended for more than 30 days in situations of emergency.\(^{1493}\)

Mistreatment of military recruits is reported to be common. Four deaths among recruits in 2000 were reportedly the result of mistreatment, however all appear to have been 18 or older.\(^{1494}\)

Child Recruitment
A mission of the Inter-American Commission on Human Rights which reported in June 2000 "was informed by experts that although legislation establishes that registration for compulsory military service is required from age 18, in recent years there have been many cases of levies or
forced recruitment of persons under 18 years of age in several parts of the country, particularly in border areas or rural areas of the interior.”

**OPPOSITION**

*Sendero Luminoso (Shining Path): 1500*

*Movimiento Revolucionario Tupac Amaru (MRTA): 200*

Both the armed opposition movements in Peru have effectively been defeated, although they are thought to retain minimal forces.

**Past Child Recruitment**

At its peak, Shining Path was believed to have forcibly recruited several thousand children from indigenous communities in areas under its control. The MRTA was also known to recruit child soldiers.

**Criminalisation of Child Soldiers**

One of the consequences of the recruitment of children by armed groups has been the adoption of legislation that lowers the age of criminal responsibility to 16 and establishes up to 25 years imprisonment for anyone threatening the public order. According to the Working Group on Arbitrary Detention, more than 40 juveniles under the age of 18 have been tried or sentenced. According to another source, 200 adolescents between 15 and 18 years of age had been tried and sentenced as of 1999.

**DEVELOPMENTS**

**International Standards**

Peru signed the CRC-OP-CAC on 1 November 2000, but does not support a "straight-18" position.
PHILIPPINES

REPUBLIC OF THE PHILIPPINES

- Population:
  - total: 74,454,000
  - under-18s: 32,371,000
- Government armed forces:
  - active: 106,000
  - reserves: 131,000
  - paramilitary: 42,500 active
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: indicated in paramilitaries and in armed opposition groups
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138: ILO 182

Children have been used as soldiers by armed opposition groups, some as young as 13. There are no indications of under-18s in government armed forces, although under-18s have been reported in government-aligned paramilitaries and are admitted to military schools. There is strong legislation protecting children from military recruitment.

CONTEXT

The leftist New People’s Army (NPA) has fought a long insurgency in many parts of the country, although renewed peace talks had commenced at the time of publication. Islamist and secessionist armed groups have fought a long-standing armed conflict with government forces in the south of the country. After successive periods of fighting and negotiations, a split within the Moro National Liberation Front (MNLF) saw the creation of the Moro Islamic Liberation Front (MILF) and the Abu Sayyaf group. A peace agreement between government and the MNLF was signed in September 1996, but the MILF and Abu Sayyaf continued to fight. In February 2000, peace talks between the government and the MILF were broken off and the government launched a major new offensive. After intensive fighting leading to massive displacement, peace talks were set to resume in mid-2001.

GOVERNMENT

National Recruitment Legislation and Practice

The 1986 Constitution (art.II.4) states that, “The Government may call upon the people to defend the state and, in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal military or civil service”. Article XVI(4) of the Constitution provides that “the Armed Forces of the Philippines shall be composed of a citizen armed force which shall undergo military training and serve, as may be provided by law. It shall keep a regular force necessary for the security of the State.”

Section 51 of the National Defence Act states that “all Filipinos are liable for military service.” The 1991 Act Providing for the Development, Administration, Organisation, Training and Maintenance and Utilisation of the Citizen Armed Forces of the Philippines is the legal basis for
military service. Under Section 14 of the 1991 Act, registration for military service is compulsory for all men aged between 18 and 25 years of age.1502

Legal protection of children from recruitment is specifically provided for in the 1991 Republic Act No. 7610 (the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, July 1991) also provides specific protection for children in situations of armed conflict. Article X(22)(b) states “[c]hildren shall not be recruited to become members of the Armed Forces of the Philippines or its civilian units or other armed groups, nor be allowed to take part in the fighting, or used as guides, couriers, or spies.” Children are defined in Section 3(a) of this Act as “persons below 18 years of age or those over but unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.”1503

The legal protection afforded to children was further clarified in 1994 with the drafting of the rules and regulations for implementing Article X of Act No. 7610.1504 Section 3 provides that: “children shall not be recruited or employed by government forces to perform or engage in activities necessary to and in direct connection with an armed conflict either as soldier, guide, courier or in a similar capacity which would result in his being identified as an active member of an organised group that is hostile to the government forces”. According to Section 1(b) of the rules and regulations ‘Government forces’ refers to the Armed Forces of the Philippines, the Philippine National Police and other armed groups supporting the government forces, and ‘child’ refers to anyone below eighteen years of age.

The Philippines National Police (PNP) has the duty to “support the Armed Forces of the Philippines on matters involving suppression of insurgency, except in cases where the President shall call on the PNP to support the AFP in combat operations.”1505. Recruitment into the Philippine National Police is governed by the Republic Act 8551. Under Section 14 of the Act, a new applicant must be not less than 21 years of age and not more than 30. However, breach of this requirement does not constitute grounds for separation from the service. Nevertheless, according to Section 15, when the number of qualified applicants fall below the minimum annual quota, no one can be recruited into the PNP if he is younger than 20 years of age.1506

Even though the 1991 Act provides for compulsory military training, in practice only certain groups are liable for military service. It appears that conscription has never been enforced as it is considered too expensive and the necessary intake level is achieved through voluntary recruitment. The police appear to have a strengthened role in counter-insurgency operations.1507

**Paramilitary Groups**

The Citizen Armed Force Geographical Units (CAFGU) paramilitary units were created in 1987 and their members are subject to military law and regulations, receive up to a month’s military training and must wear uniforms. According to 1987 government guidelines, recruitment into CAFGU is voluntary. However, as CAFGU are regarded as part of the armed forces, it is legally possible for people to be conscripted. There are no recent reports of forced recruitment into CAFGU, although this had occurred in the early 1990s, particularly for people living in areas where armed opposition was suspected.1508 There are reports that some CAFGU members are younger than 18.1509
In addition to the governmental armed forces, a number of private armies have been created by local leaders and landlords. In 1993, it was estimated by the authorities that there were about 562 private armies, although it is believed that more than 400 of these have since been dismantled.\(^{1510}\)

**Military Training and Military Schools**

Basic military training is compulsory for all boys and girls at high school and military training is compulsory for male college and university students. This training, which is done in the ROTC (Reserve Officers’ Training Corps), takes two years and must be completed in order to graduate. Trainees completing ROTC are assigned as reservists.\(^{1511}\)

The Philippines Military Academy, Fort del Pilar, Baguio City\(^{1512}\) is the highest military school in the Philippines, offering a tri-service curriculum for the three branches of the armed forces. The minimum age to enter the academy is 17 years, and once a cadet has been accepted he or she becomes a member of the armed forces. Female cadets make up about 5 per cent of the total number of cadets.\(^{1513}\)

**Government Treatment of Suspected Child Soldiers**

The Asia-Pacific Conference on the Use of Children as Soldiers was provided with information on armed “encounters” in which children as young as ten had been killed by police. Many of these took place in disputed circumstances which could amount to extra judicial executions. There have also been reports of the Nepalese Police detaining children for alleged involvement in Maoist activities.\(^{1514}\) On 26 May 2000, one girl aged 17 from Kailali District was killed with five other Maoist suspects in Urma village, allegedly after being wounded and captured. The six had been pursued by police following a looting incident and refused to surrender.\(^{1515}\)

Children in areas with insurgent activity have been at risk of ill-treatment by government armed forces. Of 415 cases of child torture from 1976 to 1996, 326 involved children between 15 and 18 years of age who were “suspected of being either members of armed dissent groups or supporters/sympathisers of rebel movements”.\(^{1516}\)

Under the implementing rules and regulations for Act 7610, “a child taken into custody by government forces in an area of armed conflict shall be informed of his constitutional rights and treated humanely. He/she shall not be subjected to torture or to cruel, inhuman or degrading treatment, or used in a military operation in any capacity. The government forces shall ensure the physical safety of the child under its custody; provide him with food and the necessary medical attention or treatment; and remove him from the area of armed conflict and transfer him at the earliest possible time to higher echelons of command/office for the proper disposition.” Government forces are required to inform the child’s parents or guardians and relevant social workers within 24 hours of the child’s transfer to a military camp and permit access to officials of the Department of Social Welfare and Development.\(^{1517}\)

Under the Act, “Any child who has been arrested for reasons related to armed conflict, either as a combatant, courier, guide or spy, is entitled to … (a) separate detention from adults except where families are accommodated as family units; (b) immediate free legal assistance; (c) immediate notice of such arrest to parents or guardians; (d) release of the child on recognisance within 24 hours to the custody of the Department of Social Welfare and Development or any responsible member of the community determined by the courts.”\(^{1518}\)
On 21 March 2000, several government agencies, including the AFP and PNP, signed a Memorandum of Agreement on the handling and treatment of children involved in armed conflict. The MOA specifies responsibilities for rescuing or facilitating the surrender to children involved in armed conflict; provision of physical and medical treatment; placement in protective custody; and protection from exposure to the media. This initiative followed a lawsuit between the government and parents of a 17-year-old girl captured from the NPA in February 1999. There have been continued instances, however, of military commanders exposing captured children to the media for propaganda purposes.

OPPOSITION

Child Recruitment and Deployment

- New People’s Army (NPA)

According to Government sources, the NPA had 9,463 fighters in June 1999, and between 13 and 18 per cent of opposition forces during the past two years were children under 18. UNICEF estimates that 3% of NPA members are boys and girls under the age of 18. Some 20 to 25% of new recruits are reportedly children. It is claimed that NPA cadres are generally aged between 16 and 25 years.

Principle III of the Basic Rules of the NPA provide that: “Anyone who is physically fit, regardless of age, sex, race, nationality or religion and has the capacity to fight and ready to participate in a protracted armed struggle against the reactionary state power, may be a member of a fighting unit of the New People’s Army.” However, in the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines (including the NPA), both sides accepted an undertaking to: “provide special attention to women and children to ensure their physical and moral integrity. Children shall not be allowed to take part in hostilities.” A Joint Monitoring Committee was created to monitor the implementation of the Agreement.

In February 2000, the NPA announced that it would no longer accept recruits below 18 years of age. Jorge Madlos, a spokesperson for the National Democratic Front in Mindinao, said the NPA regional commands had been ordered to raise the minimum age requirement for recruits from 15 to 18. He stated that the NDF would allow children below the age of 18 to join medical teams and non-combat operations.

In late 2000, the government claimed at least 86 NPA child combatants, aged between 14 and 17 years of age had been captured or surrendered since last year. In February 1999, nine suspected NPA guerrillas were killed by the armed forces, most of whom were under 18, and a 17-year-old girl was wounded and captured. In August 1999, Philippine troops captured five teenage NPA fighters: two girls and three boys aged between 13 and 17. All were armed with pistols or grenades and had documents produced by the NPA. On 26 November, security forces arrested a 17-year-old boy in the city of Ligao, Albay and a 15-year-old girl in the province of Masbate. In February 2000, Philippines Army Brigadier General Victor Obillo...
and Captain Eduardo Montealto were captured by the armed group; they claimed that 40 per cent of the NPA cadres who guarded them were children.\textsuperscript{1533}

During negotiations with the government in April 2001 (see below), a spokesperson reiterated that the NPA has “a policy… stating that children under 18 will not be recruited to combat functions.”\textsuperscript{1534}

- **Moro National Liberation Front**

The MNLF signed a peace accord with the government on 2 September 1996.\textsuperscript{1535} By the end of March 1999, 2,902 former MNLF fighters had been integrated into the Armed Forces of the Philippines. Another batch of 1,929 former MNLF fighters started training on 1 April 1999.\textsuperscript{1536} No specific information on the use of child soldiers by this group has been received.

- **Moro Islamic Liberation Front**

This armed group, which broke away from the MNLF, reportedly numbers between 6,000 and 10,000.\textsuperscript{1537} The MILF reportedly includes children from 13 years of age and up. Teachers in the central Mindanao province of Manguindanao admitted that they were aware many of their male pupils were being recruited to join the Moro Islamic Liberation Front.\textsuperscript{1538} During the fighting in 2000, some youths dressed in oversized fatigues and brandishing rocket launchers had been seen manning checkpoints with older fighters in Camp Abubakar, the front’s jungle stronghold.\textsuperscript{1539} An ICRC survey in 1998 provided evidence of the use of children by the MILF. A male teacher, a Muslim, said that 10 of his 35 elementary pupils had been absent from class and been seen training at an MILF camp. The ICRC also interviewed rank and file MILF guerrillas who admitted recruiting young fighters, some as young as 10. They said that they were their reserve and were confined within their camps and given schooling.\textsuperscript{1540} One such recruit, Abdul Mohammad, claimed he was only nine years of age when he was recruited by the MILF. He said that he was not afraid to die in battle since fighting is “the only way for the Bangsamoro people to stop being slaves to the Philippine government and its people.”\textsuperscript{1541}

According to NGO sources, MILF policy allows children as young as twelve to undergo training.\textsuperscript{1542} The MILF is reported to train girls as well as boys in madrasas (religious schools) and other camps. According to one MILF leader, some 300 to 500 women undergo training at Camp Bushra near Butig town in any one year, some aged between 10 and 16 years.\textsuperscript{1543} Recently obtained footage of armed groups shows children holding M-16 and AK assault rifles.\textsuperscript{1544}

Although Al–Haj Murad, the MILF’s military spokesman, claimed that no one younger than 18 could join a combat unit, Hashim Salamt, the MILF leader, said: “[w]e are planting the seeds of struggle in the minds of young people so that future generations will be able to fight for freedom if it doesn’t come in our lifetime. We want to find peaceful solutions… but we have to prepare ourselves to fight”.\textsuperscript{1545}

- **Abu Sayyaf Group**

The Abu Sayyaf group has been involved in a protracted series of hostage-taking incidents in the southern Philippines. At the end of March 1999, the Southern Command of the Philippine armed forces warned about increasing recruitment by the Abu Sayyaf group; as a result, troops were deployed to the region to try to prevent young males joining the armed group.\textsuperscript{1546} The group has
been estimated to number around 1000 with local youths reportedly joining up.1547 Evidence of child involvement with this group emerged in September 2000 when a 15-year-old was among those captured by Philippine armed forces during a raid on a mosque on the island of Jolo.1548

- **Moro Islamic Reformist Group**
  Another breakaway group from the Moro National Liberation Front, but there is no specific information on the use of child soldiers.

- **Cordillera Peoples’ Liberation Army**
  The Cordillera Peoples’ Liberation Army is an armed group in Abra and Mountain Province which is reported to recruit children.

**DEVELOPMENTS**

**International Standards**
The Philippines signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position.

**Peace Negotiations**
During peace negotiations between the Philippines Government and the National Democratic Front (which includes the NPA) in Norway in late April 2001, government negotiators asked the opposition group as a confidence-building measure to agree “not to recruit youths under the age of 18 as soldiers nor use children in roles where their lives may be endangered.” In reply, NDF representatives were quoted as claiming that the NPA observed the UN Convention on the Rights of the Child and did not use child soldiers: “There is already a policy… stating that children under 18 will not be recruited to combat functions.” The opposition group claimed government forces had both targeted children in indiscriminate attacks and falsely claimed that children captured in attacks were child soldiers for propaganda purposes.1549

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1501 Blaustein and Flanz, op. cit.
1502 Horeman and Stolwijk, op. cit.
1503 For a more detailed implementation of International Humanitarian Law in the Philippines, see Muyot, A.T. and Yambao, V.P.F., “Steps taken to ensure implementation of international humanitarian law in the Philippines”, International Review of the Red Cross, No. 834, 6/99, pp. 303-316.
1504Rules and Regulations on Children in Situations of Armed Conflict adopted on 21/1/94.
1506 These provisions amend Section 30 of Republic Act No. 6975 establishing the Philippine National Police.
1508 Horeman and Stolwijk, op. cit.
1509 Children forced onto frontlines of conflict in Mindanao by Mihael B. Benwayan, Earth Times News Service.
1510 Balencie and de La Grange, op. cit.
1511 Horeman and Stolwijk op. cit.
1512 See the unofficial web page of the Academy: http://www.pixi.com/~jplaputt/.
1514 Information provided to Asia Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000.
1515 Information provided to CSC, 7/8/00.
1516 CSC update No. 7, 11/00 quoting Philippine Daily Inquirer on 10/10/00.
1517 Human Rights Forum, Philippines Human Rights Information Centre, Vol IX, No. 1, 7-12/99
1518 Ibid.

352
“Rebel forces growing despite peace talk”, AFP, 10/10/99; Statement to Asia Pacific Conference op. cit.

Reuters, “Philippines government rebels say talks helpful”, 28/04/01.

US State Department Report 2001

Balencie and de La Grange, op. cit.

Basic Rules of the New People’s Army, issued by the Meeting of the Red Commanders and Fighters, March 1969 and approved by the Central Committee of the Communist Party of the Philippines, 13/5/69. See http://www.geocities.com/CapitolHill/2078/npa6.htm


Article 1, Part V of the Agreement.

Ibid.

Philippine Daily Inquirer, 10/10/00.


“Army arrests two teenage communist rebels after gun battle”, AFP, 1/12/99.

PDI Mindiniao Bureau, 23/2/00

Reuters, “Philippines government rebels say talks helpful”, 28/04/01.


Number of MILF fighters unknown; estimates vary between 10,000 and 30,000, although it is believed to be continuing to grow in size. See Balencie and de La Grange, op. cit.; “Beharrliche Rebellen in Mindanao”, Neue Zürcher Zeitung, 11/11/99. According to Philippine military intelligence, this group had 15,415 fighters in 6/99. See “Rebel forces growing despite peace talk”, AFP, 10/10/99; “MILF recruitment continues”, Philippines News Agency, 31/12/98.


RB newsletter Children of War, No. 1/99, quoting Philippine Daily Inquirer, 29/1/99, see http://www.rb.se


RB newsletter Children of War, No. 1/98, quoting Deutsche Presse Agentur, 25/12/97 see http://www.rb.se.

Human Rights Forum op. cit.

Ibid.

Child Labour News Service. 15/1/01.


www.rb.se quoting Far Eastern Economic Review, 7/0/00

CSC Update No. 7/11/00.

Reuters, “Philippines government rebels say talks helpful”, 28/04/01.
POLAND

REPUBLIC OF POLAND

- Population:
  - total: 38,740,000
  - under-18s: 9,798,000
- Government armed forces:
  - active: 217,290
  - reserves: 406,000
  - paramilitary: 21,500
- Compulsory recruitment age: 18 or 17
- Voluntary recruitment age: 17
- Child soldiers: indicated in government armed forces
- Voting age (government elections): 18
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138
- There are indications of under-18s in government armed forces as compulsory and voluntary recruitment are possible from seventeen.

GOVERNMENT

National Recruitment Legislation and Practice

Article 85(1) of the 1997 Constitution states that "[I]t is the duty of every Polish citizen to defend the homeland". Compulsory military service covers men and women (if the latter have skills suitable for military service) who are Polish citizens, starting from 1 January of the calendar year in which they reach the age of 18 years. In accordance with Article 83 of this law, men who have reached the age of 18 and who voluntarily enlisted in the armed forces are also called up for basic military service. Citizens of at least 17 years of age may be called up for military service as candidates to be regular soldiers, if they enlisted voluntarily. It seems that, in practice, women cannot serve in the armed forces.

In 1999, a law was adopted to reduce the length of military service from 18 months to 12. This law restricts the basis for temporary or permanent exemption. There are different ways of performing military service and the length of service varies according to the type of service chosen. The 1967 law was apparently under revision in 1994 to remove the possibility of conscripting men under the age of 18, but this amendment is apparently not yet in force.

Conscientious objectors are required to perform 24 months of service in public service establishments. Several provisions of the law on conscientious objection are at odds with internationally recognised principles as the length of alternative civilian service is nearly twice the length of military service and the time period in which applications for alternative civilian service can be made is limited to "the time of receiving a call-up order for military service".

There are also concerns about living conditions in barracks. A report released by the Supreme Controlling Chamber (a body in charge of investigating the work of all Polish State organs)
denounced the appalling hygiene conditions and bad treatment of new recruits by older servicemen: "[i]n some barracks, soldiers, particularly the conscripts, washed only once a week and changed their underwear only once a month". Furthermore, new recruits are harassed and punished by longer-serving soldiers. It is said that officers often prefer to turn a blind eye to such practices "[c]onsidering that they were a useful initiation to military discipline".

Modernization of the armed forces is ongoing. The number of professional soldiers is to be increased to about 50 per cent of the total armed forces, increased funds are at be allocated to military education, and that the military education system is to be adapted to new needs.

Military Training and Military Schools

Seventeen-year-old Polish citizens are eligible to apply for army studies in professional schools – Army Academies, Officer High Schools, Warrant Officer School or Junior Officer Professional Schools.

DEVELOPMENTS

International Standards

Poland has not signed the CRC-OP-CAC as yet. However, during negotiations on the draft Optional Protocol, Poland supported a "straight-18" ban on military recruitment and participation.

Poland made a reservation upon ratification of the UN Convention on the Rights of the Child regarding the application of Article 38, stating that "[t]he Law of the Republic of Poland shall determine the age from which call-up to military or similar service and participation to military operations are permissible. That age limit may not be lower than the age limit set out in Article 38 of the Convention".

1560 Blaustein and Flanz op. cit.
1561 Article 58(1), items 1 and 2, Dziennik Ustaw of 1992, No.4, Text 16.
1562 www.globalmarch.org/worstformsreport/world/poland.html
1564 Ombudsman wants action to allow women to join the armed forces", Polish Press Agency, 23/11/98.
1566 Initial report of Poland to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.11, 31/1/94, para. 39.
1567 Horeman and Stobijk, op. cit.
1568 www.poland-embassy.si/eng/politics/system.htm
1569 AI Report 2000
1571 http://www.state.gov/www/background_notes/poland_0006_bgn.html#defense, 8/10/00.
PORTUGAL

PORTUGUESE REPUBLIC

- Population:1566
  - total: 9,997,500
  - under-18s: 2,063,430
- Government armed forces:
  - active: 44,650
  - reserves: 210,930
  - paramilitary: 45,800
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 6 September 2000; supports “straight-18” principle
- Other treaties ratified: GC/API+II; ILO 138; ILO 182
- There are no indications of under-18s in government armed forces. Portugal recently made changes to its recruitment legislation: conscription is no longer practised and the age for voluntary recruitment is firmly set at 18.

GOVERNMENT

National Recruitment Legislation and Practice
Article 276 of the Constitution, pursuant to the recent changes introduced by Constitutional Law 1/97 of 20 September, states in paragraph 2: "Military service shall be regulated by law, which shall prescribe the forms, voluntary or compulsory nature, duration and content of the respective service". Military service, which was previously compulsory in accordance with the Constitution has ceased to be so and its regime is now governed by ordinary law.1567

Under the 1987 Military Service Law (30/1987) men between 18 and 35 were liable for conscription,1568 and voluntary service was permitted at the age of 171569 "with the consent of whoever exercises parental authority in respect of the young person concerned."1570 However a new Military Service Law was adopted (Law 174/99) on 21 September 1999, establishing voluntary military service at a minimum enlistment age of 18.1571 The new Law on the Military Service entered into force on 14 December 2000.1572 Conscription no longer exists. There is no minimum age for admission into the National Republican Guard but recruits must have completed their military service, thus they are over 18.1573 Recent changes in recruitment legislation mean that under-18s will not in effect be part of the National Republican Guard.

Military Training and Military Schools
According to information given by the Government, the minimum age for admission into military education establishments is 17.1574 One source indicates that students obtain military status after completing the training. Each year there are about 780 students in these establishments.1575 For admission to the Air Force Academy, persons under 18 years can apply if they have obtained parental authorization. There is no specification of a minimum age but it is indicated that
candidates have to be at least 1.60m. Candidates for the Army Sergeant School (Escola de Sargentos do Exército) have to be 18 years old to be admitted.

DEVELOPMENTS

International Standards
Portugal signed the CRC-OP-CAC on 6 September 2000 and supports the “straight-18” position. A declaration was made at the time of signature as follows: “Concerning article 2 of the Protocol, the Portuguese Republic considering that it would have liked the Protocol to exclude all types of recruitment of persons under the age of 18 years – whether this recruitment is voluntary or not, declares that it will apply its domestic legislation which prohibits the voluntary recruitment of persons under the age of 18 years and will deposit a binding declaration, in conformity with number 2 of article 3 of the Protocol, setting forth 18 years as the minimum age for voluntary recruitment in Portugal”.

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1576 Information provided by C. de Albuquerque, Procuradoria Geral da República, Gabinete de Documentação e Direito Comparado, 21/9/99 and16/3/01.
1577 Information provided to the Coalition by Tavares, R., Procuradoria Geral da República, Gabinete de Documentação e Direito Comparado, 20/8/99.
1578 See respectively, Diário da República, No. 153, 7/7/87 and Diário da República, No. 138, 19/9/91. Further details on conscription are contained in Articles 10, 14, 28, 24. See also Horeman and Stolwijk op. cit.
1579 Article 22 of the 1987 Law. See also Communication from the Permanent Mission of Portugal to the UN in Geneva to the CSC, 2/9/99.
1581 Information provided by de Albuquerque, C., op. cit.; Information confirmed by a document provided by the Embassy of Portugal in Berlin to the Conference on the Use of Children as Soldiers in Europe, Berlin, 18-20 October 1999.
1582 Information provided by de Albuquerque, C. op. cit.
1584 Communication from the Permanent Mission of Portugal to the UN in Geneva to CSC, 2/9/99; de Albuquerque, C., op. cit.
1585 de Albuquerque C., op. cit.
1588 Albuquerque, C. op. cit.
QATAR

STATE OF QATAR

- Population:
  - total: 589,000
  - under-18s: 182,000
- Government armed forces:
  - active: 12,330
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): unknown
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC; ILO 182

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Qatar has never had conscription law. The government stated in 1992 that “Enlistment in the armed forces and the police in the State of Qatar is optional and voluntary. Accordingly, the question of conscientious objection to military service does not arise in view of the non-compulsory nature of military service in the State.” The minimum age for joining the armed forces in Qatar is 18. Qataris only form 30 per cent of the armed forces with the remainder coming from Pakistan, Somalia and other Arab countries.

DEVELOPMENTS

International Standards
At the second preparatory meeting for the UN General Assembly Special Session on Children in January 2001, the representative of Qatar said “The government supports international efforts aiming at the universal ratification of the Optional Protocols (including on the involvement of children in armed conflict)… accordingly, we strongly condemn any illegal exploitation of children as something totally contrary to our tolerant and enlightened Islamic teachings. We encourage efforts by the international community to put an end to such outrageous practices.”

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1580 Ibid.
1582 Qatar government statement at the second preparatory committee meeting of the UN General Assembly Special Session on Children, 1/01
ROMANIA

- Population:
  - total: 22,402,000
  - under-18s: 5,096,000
- Government armed forces:
  - active: 207,000
  - reserves: 470,000
  - paramilitary: 75,900
- Compulsory recruitment age: 20; 18 in times of war
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 6 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182
- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Article 52 of the 1991 Constitution states that "1. Citizens have the right and obligation to defend Romania. 2. Military service is compulsory for male Romanian citizens who have reached the age of 20, with the exception of cases defined by law. 3. Citizens up to the age of 35 can be called up for training for active military service". The legal basis for military service is the 1996 Law on the Preparation of the Population for Defence. According to article 11 of the 1996 Law, all men between 20 and 35 are liable for military service. However, at war or upon their request at peace, youth may be enlisted from the age of 18 years. There are two different modalities for performing military service: a long-term military service which lasts 12 months (section 2 of the 1996 Law Article 12) and a short-term military service which lasts 6 months only for graduates of state-recognised civilian higher education institutions (section 3 of the 1996 Law Article 26). In addition, articles 53 and 54 of the 1996 Law provide for civil defence training.

The Romanian armed forces are due to be completely restructured with the eventual aim of creating a volunteer professional army and reducing conscription.

Military Training and Military Schools
There are six military schools in Romania and the minimum age of admission is 18 years. Students are not members of the armed forces. NCOs become military staff at 20 years of age and officers at 22 years of age. However, according to Article 34 of the 1996 Law, "youths admitted to military education institutions, except military high schools, shall be deemed enlisted". This is also enshrined in article 3 of the same law. According to official information, in January 1998 there were five military high schools with not more than 100 students in each per year. The minimum age for entering these schools was between 14 and 15 years of age and students were considered members of the non-combatant armed forces. After the completion of the reform of the armed forces, the military education system will have 31 institutions.
According to Article 45 of the 1996 Law, pre-military training is organised on a voluntary basis for physically able youths between the age of 15 and the age of conscription. This training is aimed at providing adequate knowledge and orientation in military and technical fields and cultivating ethical and civic values. This pre-military training is organised by the Ministry of Defence in co-operation with the Ministries of Interior, Youth and Sports, and Education as well as other public authorities and bodies, and is held in centres attached to military units, educational institutions, enterprises or public bodies. Those who attend are not members of the armed forces.

DEVELOPMENTS

International Standards
Romania signed the CRC-OP-CAC on the 6 September 2000 and supports the “straight-18” position.

1581 Blaustein and Flanz op. cit.
1584 Horeman and Stolwijk op. cit.
1585 http://www.janes.com/defence/interviews/dw990120_i.shtml, An interview from Jane’s Defence Weekly, 20/1/99 to the Romania’s Defence Minister Victor Babilic
RUSSIAN FEDERATION

- Population:
  - total: 147,196,000
  - under-18s: 34,811,000
- Government armed forces:
  - active: 1,004,100
  - reserves: 20,000,000
  - paramilitary: 423,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated in government armed forces; indicated in armed opposition groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are no indications of under-18s in government armed forces as the minimum age for compulsory and voluntary recruitment is 18. Armed opposition groups, especially in Chechnya, reportedly use child soldiers.

CONTEXT

In recent years, Russian forces have fought Islamist and separatist armed groups in Chechnya, Daghestan and other parts of the Caucasus region. The UN Commission on Human Rights, UN High Commissioner for Human Rights and the UN Committee on the Rights of the Child expressed concern about grave human rights abuses by both government and opposition forces.

GOVERNMENT

National Recruitment Legislation and Practice

Article 59 of the 1993 Constitution states that “1. Defence of the homeland shall be the duty and obligation of the citizen of the Russian Federation. 2. The citizen of the Russian Federation shall do military service in conformity with the federal law.”

The current legal basis for military service is the 1995 Law on Compulsory Military Service (signed in by President Yeltsin on 29 April 1995). Military service can be performed in the armed forces, the Russian border troops abroad and the internal security troops run by the Ministry of Interior. Conscripts can be assigned to prison guard duties, road and bridge construction, or civilian police tasks. A law aiming to revise the tasks of conscripts and refocus them on military activities was vetoed by President Yeltsin.

Only certain categories of women (such as those with medical qualifications) are, in theory, liable for military service. However it seems that this rule has never been applied in practice. Military service lasts two years or only one year in the case of university and college graduates. Concessions are made for recruits who have taken part in hostilities or who had spent at least one month in a conflict zone after 18 months of military service. Moves to end conscription and
create a fully professional army have stalled in the face of political opposition and budget constraints.

Conditions of service in the Russian armed forces are notoriously harsh and often brutal. Bullying of new recruits is rampant, leading to suicides, widespread drug abuse and criminality. Many prefer to evade the draft, use or ‘buy’ exemption to military service, or simply desert after having enlisted. Furthermore, conscripts are afraid to be sent to conflict zones, such as Chechnya, or as border guards in Tajikistan.

As a result of the many problems, the majority of conscripts in the Russian armed forces are from rural areas and many are not highly educated and come from lower socio-economic classes. In St Petersburg, for example, official records found that 52 per cent of recruits had no secondary education.

The Russian Soldier’s Mothers Committee denounced untrained conscripts being sent to fight in Chechnya and Daghestan. On 16 August 1999, the Duma passed a non-binding resolution urging the government to send only volunteers and experienced draftees. On 16 September 1999, a presidential decree was adopted stating that soldiers do not have to take part in military action during peacetime unless they have more than a year’s experience and volunteer for combat.

**Military Training and Military Schools**

There are seven special military schools (the so-called ‘Suvorovskya’) located in Ekaterinberg, Kazan, Moscow, St. Petersburg, Ever, Ulyanovsk and Ussurisk, where about 4,900 pupils are currently studying. Children are accepted from the age of 14 and orphans can enter without the need to pass an examination. There is also a specialised navy school in St. Petersburg. There are five special cadet corps in the Russian Federation where children of 11-12 years of age study. Each cadet corps has 30 to 40 pupils and the total number of cadets is not more than 200 in the whole country. It has been claimed that an elite military academy in Novocherkassk admits students at age 11. The cadets are taught military history and how to handle firearms and grenades.

Government funded camps have been created to teach children ages 9 to 17 skills in self-sufficiency, including how to use a grenade launcher or fire Kalashnikovs. In January 2001, 130 children were reported to have attended one such camp at Zhukovsk. It was also reported that government ministers had visited the camp and praised its work, which is partly funded and equipped by the army.

A report in *Life Magazine* claimed that orphans or street children have been recruited by the armed forces. “Russian Army officers all over the nation have set up units of ‘youngsters’, children between the ages of 11 and 18 who might otherwise live on the streets. No one is sure how many kids are in these units because the programme is not official and gets no financial support”. Allegedly, the first unit of youngsters was created in 1997 at the headquarters of the elite Kantemirovskaya Tank Division. Vanya, 12 years old, is one of 16 children who are in the Division’s 202nd Air Defence Battalion. Boys are required to attend school, take training classes, care for the livestock of the base, and participate in drills and shooting exercises.
In February 2000, President Putin issued a decree which provides “approval of the statute on enrolment of under-age citizens of the Russian Federation into military regiments as wards and of their supply with required provisions.”

**OPPOSITION**

**Child Recruitment and Deployment**

Armed groups in Chechnya are reported to use child soldiers extensively, some as young as 12, although there are no estimates of the number of children involved. In one report, 64 fighters aged 16-18 years surrendered to Russian forces on 5 March 2000.

It is also reported that Islamist separatists in Dagestan have offered money to poor youths to join their ranks. There have also been unconfirmed reports of one such armed group, supporters of Sharia, planning to train teenagers to become suicide bombers.

**RELATED ISSUES**

In its concluding observations on Russia’s periodic report, the Committee on the Rights of the Child expressed concern at reports of alleged summary executions, involuntary disappearances, arbitrary detention, torture and ill-treatment of children in areas of armed conflict. In its periodic report to the Committee on the Rights of the Child, the Russian authorities acknowledged that in the course of the earlier conflict in the Chechen Republic there had been instances of recruitment of minors to form part of illegal armed groupings, but claimed that they did not have information on the numbers involved.

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1588 Blaustein, A.P. & Flanz, G.H., Constitutions of the countries of the world, Oceana Publications, New York.
1589 Horeman B & Stolwijk, M op cit.
1590 Horeman B. & Stolwijk M. op cit.
1594 A 24-hour confidential telephone line was set up by the military prosecutor’s office to receive anonymous reports of unlawful actions.
1595 “Bullying, albeit less, remains a problem in the Russian army; excerpts from report by Russia TV on 30 June”, BBC Monitoring Service 30/06/98.
1596 “Russia: deserters return to army in Rostov region in successful experiment: text of report by Russian public TV on 31st May”, BBC Monitoring Service, 1/06/98
1597 Horeman and Stolwijk op cit.
1598 “Les jeunes Russes s’efforcent d’échapper à l’horreur du service militaire”, AFP, 10/11/98.
1600 Smolar, P. “Moscou prepare une offensive annoncee comme decisive au Dagestan”. Le Figaro, 19/8/99.
1601 Information supplied by UNICEF.
1602 Ibid.
1604 The Sunday Review, “Putins Puppets: Russia prepares its children for war”, 7/1/01.
1605 Decree of the Government of Russian Federation, 14/2/00, #124. Moscow.
1606 www.rb.se
1608 Smolar, P. “Moscou prepare une offensive annoncee comme decisive au Dagestan”. Le Figaro, 19/8/99.
1609 “Islamic group vows teen bombngs if Russia bombs Chechnya”, ITAR TASS, 15/11/99.
1610 Concluding Observations of the Committee on the Rights of the Child, UN Doc. CRC/C/15/Add.110.
1611 Ibid., para. 361.
 RWANDA

RWANDESE REPUBLIC

- Population:
  - total: 7,235,000
  - under-18s: 3,829,000
- Government armed forces:
  - active: 55,000-70,000 (up to 90,000 reported; all services)
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 16
- Voting age (government elections): not applicable
- Child soldiers: indicated in government and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138+182

It has been estimated that over 20,000 children have taken part in hostilities in Rwanda. While the Rwandan government today claims that there are no children remaining among government forces, reports of child recruitment continue to emerge both in the context of sporadic fighting with Hutu armed groups in Rwanda and fighting in the Democratic Republic of Congo in support of opposition forces there. Hutu opposition forces in Rwanda (also active in the DRC and Burundi) continue to recruit children, both within Rwanda and in neighbouring countries. Hundreds of children imprisoned on genocide charges since 1994 – many under age 13 at the time – remain in detention.

CONTEXT

Since the 1994 genocide in which 800,000 Tutsis were killed, there has been continuing armed conflict between members of the Hutu dominated former Rwandese Armed Forces (ex-FAR) and Interhamwe militia, and the Tutsi dominated Rwandese Patriotic Army (RPA). The conflict abated somewhat in 1999 and 2000, but the situation remained tense with occasional outbursts of fighting. Since 1998 the RPA has also supported opposition forces attempting to depose former President Kabila of the Democratic Republic of Congo, largely in response to Kabila’s failure to expel extremist Hutu militias. There they have been responsible for numerous violations of international human rights and humanitarian law. Rwandan government troops began preparing to leave the DRC in February 2000.

The Rwandan government’s support for armed groups in the DRC was allied with that of Ugandan forces until 1999 when relations deteriorated. Fighting between the two countries erupted in North-eastern DRC, killing 700 people, mainly civilians. The Rwandan government also accused Uganda of harbouring, mobilising and training anti-Rwanda elements to destabilise Rwanda. Relations between Rwandan Hutu armed groups and FNL, a Burundian opposition group broke down in February 2000. Since 1998 Burundi Hutu armed groups, especially the FDD, have supported Hutu forces in Rwanda and the DRC.

GOVERNMENT

National Recruitment Legislation and Practice
Article 5 of Ordinance No. R/85/25 of 10 May 1962 on the creation of the Rwandan Army says that it is based on voluntary recruitment. Legislation adopted in 1977 sets the minimum age for volunteers at 16 years for contract non-commissioned officers, corporals and privates. The Ministry of Defence, however, is allowed to make exceptions with respect to the age and educational level of recruits.

The minimum age of entry to schools for commissioned officers is 17, however the Ministry in charge of the Armed Forces may derogate from this rule. Minimum age of entry for non-commissioned officers is 16, with no provision for derogation.

**Child Recruitment and Deployment**

Government forces and allied paramilitary groups continue to recruit children as soldiers. There are currently three schools for non-commissioned officers, two of which opened in early 1998. It has been estimated that over 45,000 children are in these schools. According to one source, the minimum age is as low as 10 for rank soldiers.

In 1994 the Rwandan Ministry of Defence agreed to demobilise all child soldiers – commonly referred to as *kadogo* or 'little ones' in Kisiwahili. At that time it was estimated that 5,000 persons under 18 were members of the Rwandan Patriotic Army. The government initially claimed *kadogos* were used primarily for menial work and did not go to the front lines during the genocide. However, a 1997 survey found that 725 children associated with the military had an army number, indicating that they were soldiers. At the end of 1996, 2,922 *kadogos* had been demobilised and the Ministry of Defence claimed no children remained in the army – although this has been contested.

Today, Rwandan children continue to be recruited by the Rwandan Armed Forces. One source estimated between 14,000 and 18,000 children between 7 and 14 years old are recruited into the armed forces every year. At the African Conference on the Use of Children as Soldiers, Rwandan representatives denounced this claim as "ridiculous". However it is known that Local Defence Units, which continued to operate throughout the country in 2000, included children as well as young men. These volunteer forces are comprised of local civilians who are provided arms and brief training, and are believed sometimes to be forcibly recruited. At times they are trained for the Local Defence Forces and later sent to the DRC to fight.

Throughout 1999 and 2000 the RPA also continued to send reinforcements to the DRC, including volunteer and forcibly recruited children. These children include both Rwandans and citizens of the DRC who are press-ganged or kidnapped by Rwandan and Congolese forces, and often trained by the Rwandan armed forces. In December 2000 Human Rights Watch found the RPA and the Congolese RDC-Goma had abducted children and young men from roadsides, markets and their homes in Eastern DRC. That month the Head of the Department of Foreign Affairs of the RCD-Goma denied the recruitment of children and claimed all RCD-Goma commanders had been instructed not to recruit children. Instead it was claimed the RCD-Goma had "inherited" child soldiers recruited by the late President Kabila. These child soldiers were also known to have been trained by Rwandan forces.

It was further reported that throughout 2000, RPA and Ugandan troops, in addition to Congolese RCD fighters, abducted many young women from the villages they raided. An RCD-Goma
military trainer also reported that RPA soldiers and officers oversaw the training of “local defence forces” in the DRC, similar to those in Rwanda.  

“I was coming from school at about 17:00... when soldiers in a vehicle stopped me and made me get in. They were Rwandans. There were lots of other young boys in the vehicle. We went to the airport in Goma and from there to Kalemie by plane. We were all ten, twelve, thirteen years old and older. Then we were sent to Camp Vert in Moba and trained there. Lots were killed in the training. Lots died of sickness. The food was poorly prepared and many got dysentery.”  

- Boy recruited in Goma at the age of 13

**OPPOSITION**

**Child Recruitment and Deployment**

Armed opposition groups and militias have made no declarations on the non-recruitment of children. It is hard to determine how many children are among armed groups, particularly as not many children returned to Rwanda after refugee camps in Eastern Zaire were dismantled in late 1996.

Some of the children currently fighting the government are forcibly recruited by armed groups; others ‘voluntarily’ join groups because they have no family or financial support. Their age varies between 11 and 14 years. When first recruited they are mostly used as porters, spies or cooks. After brief training they become active soldiers. In 1998 children were among a group of about 1,000 rebel fighters who attacked Kinihir a and displaced a people’s camp in Kayove (in the northwest prefecture of Gisenyi) killing 29 and wounding 20. Since 1998, children in the north-western area of Rwanda have reportedly been targeted for recruitment by the FAR and Hutu militias.

The exiled Rwandan *Interahamwe* Hutu militia is also thought to be associated with armed groups in the Democratic Republic of Congo. Together with the assistance of Kenyan agents they have been discovered to be recruiting Kenyan street boys into their ranks. Sources say over $500 is paid for every 150 street boys delivered to armed groups and their agents. The children are typically lured in with offers of money, well-paid jobs and good living conditions in Uganda, Rwanda and Tanzania. The *Interahamwe* began recruiting Kenyan children in February 1999, reaching highest recruitment levels between May and August. At the time Kenyan authorities had begun arresting and clearing Nairobi of street children in preparation for the Common Market for East and Southern Africa meeting, making street children particularly vulnerable to offers.

"It was terrible! I was a member of the so-called ‘Interahamwe’ militia. We were backing the army to flush out anything that resembled a Tutsi. It seemed to me that almost everyone was taking part in the fighting. While the army were busy fighting the RPF, we people were also taking part, to make sure that the whole country was being cleansed. In Gikondo suburb (Kigali), I remember going through hundreds of dead bodies with a FAL rifle. People were crying all the time, amid heavy gunfire and mortar shells.”

Shadrack, former child soldier
DEVELOPMENTS

Demobilisation
The Rwandan government had, in 1994, committed itself to demobilising all child soldiers. The Rwandan Ministry for Social Affairs reported that of the 2,922 kadogos demobilised by the end of 1996, 902 were sent to the kadogo School where they received primary education and professional training in addition to psychological support, 820 were sent to various secondary schools across the country, and 1,200 were reunited with their families or relatives. Some children reportedly asked to return to the army because many secondary schools refused to accept them. In 1996 the Ministry of Rehabilitation and Social Integration proposed to review their application on a case-by-case basis.

At the 1999 African Conference on the Use of Child Soldiers the government reiterated that thousands of former child soldiers had been returned to society, and the aim was now to provide them with vocational skills and to reintegrate them. In 1999, the authorities reported that together with UNICEF the government had provided assistance to over 2,000 child soldiers, many of whom were reunited with their families and offered schooling. Thus the number of demobilised children does not seem to have increased. Moreover the government has continued to insist that there are no remaining or newly recruited children among the Rwandan armed forces.

Two re-education centres have been established by UNICEF in Rwanda. Some 600 children attended the first, at Gitagata, for about one year. In December 2000, another 486 children believed to have participated in the genocide attended a targeted re-education course at the Busogo camp, aimed at helping them return to their communities. The children, between 14 and 18 years of age during the course, were all under 14 at the time of the genocide.

Criminalisation of Child Soldiers
Despite repeated Government promises to release minors held as genocide suspects – some as young as 8 years of age – it was estimated in early 1998 that at least 2,893 remained in Rwandan detention centres. Of these, 197 were sent to the Gitagata re-education centre for boys under age 14, the minimum age for criminal responsibility under Rwandan legislation. Some minors held on genocide-related charges appear to have been arrested arbitrarily; others were arrested due to alleged actions of their relatives; others were accused of genocide but were provided no specific reasons for their arrest. Children in local detention centres (cachots) have been subjected to ill-treatment. In 1999 the ICRC reported that approximately 570 children who were under the age of 14 when incarcerated on genocide-related charges currently remained in the prison system, and that 25 children under the age of 14 in 1999 were incarcerated.
1621 Gervais Abayeho op. cit.
1622 US State Department, op. cit.
1626 HRW, 3/01 op. cit.
1627 US State Department, op. cit.
1628 HRW, 3/01 op. cit.
1629 Ibid.
1630 Gervais Abayeho, CSC 1999.
1631 OCHA/IRIN, Weekly Round-up No. 24-98, 12/6/98.
1632 RB, 3/01.
1634 Testimony received by Gervais Abayeho, CSC 1999.
1637 IRIN, “Child genocidaires in re-education”, 8/12/00.
1638 Information supplied by AI; Matloff, J., “Rwanda’s bind: trying children for genocide”, Christian Science Monitor, 28/1/97; Cantwell, N., op. cit.
1639 US State Department op. cit.
SAN MARINO

REPUBLIC OF SAN MARINO

- Population:
  - total: 26,000
  - under-18s: 5,000
- Government armed forces:
  - active: two military units
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: signed on 5 June 2000
- Other treaties ratified: CRC; GC/API+II; ICC; ILO

- It is not known if there are under-18s in San Marino's small contingent of armed forces due to lack of information on the minimum age for voluntary recruitment.

GOVERNMENT

National Recruitment Legislation and Practice
Besides civilian police, San Marino maintains two small military units, the Gendarmerie and the Guardie di Rocca.\textsuperscript{1640} There is no compulsory military service but citizens between 16 and 55 years may be enlisted in certain circumstances to defend the State.\textsuperscript{1641}

DEVELOPMENTS

International Standards
San Marino signed the CRC-OP-CAC on 5 June 2000.

\textsuperscript{1641} www.globalmarch.org/worstformsreport/world/san-marino.html
SAUDI ARABIA

KINGDOM OF SAUDI ARABIA

- Population:
  - total: 20,899,000
  - under-18s: 9,831,000
- Government armed forces:
  - active: 201,500
  - reserves: 25,000
  - paramilitary: 15,500+
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): unknown
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- It is not known if there are under-18s in government armed forces due to insufficient information about minimum voluntary recruitment age

CONTEXT

There is no armed conflict in the country though armed groups have mounted attacks in connection with the presence of US and Western alliance forces in the region.

GOVERNMENT

National Recruitment Legislation and Practice
According to article 34 of the Constitution, "The defence of the Islamic religion, society, and country is a duty for each citizen". The government establishes the provisions of military service. Conscription has never existed in Saudi Arabia, however, and volunteers are relied on to fill the ranks of the services.\(^{1643}\) Anyone seeking a commission by attending a military academy has to be 18 years-old and a citizen by birth or a naturalised citizen for at least five years.\(^{1644}\) The minimum age for voluntary recruitment to ordinary ranks is not clear.

Plans to increase the size of the army and National Guard would seem to necessitate some form of compulsory service. On several occasions, Saudi officials have stated that a draft would be introduced, but conscription has not been implemented as it would most likely be unpopular and easy to avoid, and could draw unreliable elements into the armed forces. In June 1991, however, the Minister of Defense and Aviation declared that conscription was not a viable option because the number of volunteers was exceeding the capacity of military centres available to train them.\(^{1645}\)

In order to attract Saudi youth into joining the armed forces, the Ministry of Defense and Aviation has established its own high schools and colleges which offer subsidised education. The government also conducts advertising campaigns to entice young Saudi males to join the armed
forces. Recruiting stations are spread throughout the country. The National Guard continues to rely on tribal levies to fill its ranks, recruiting from the tribes of Najd, reputedly the most trustworthy in the Kingdom. 1646

To augment its armed forces, Saudi Arabia imports officers from other Arab countries, as well as Pakistan. At one time, there were approximately 15,000 Pakistanis in the armed forces. However, the contracting of Pakistani soldiers was phased out due to a disagreement between the Saudi and Pakistani governments over the screening-out of Shi’a soldiers during the Iran-Iraq war. 1647 (The Pakistan armed forces accept voluntary recruits from age 16 – see Pakistan country entry.)

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1643 Brett and McCallin op. cit.
1644 Ibid.
1645 Helen Chapin Metz, op. cit.
1646 Ibid.
1647 Ibid.
SENEGAL

REPUBLIC OF SENEGAL

- Population:
  - total: 9,240,000
  - under-18s: 4,755,000
- Government armed forces:
  - active: 9,400
  - paramilitary: 5,800
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 138; ILO 182
- There are no indications of under-18s in government armed forces.

CONTEXT

The Senegalese government and the Movement of Democratic Forces of the Casamance (MDFC) have struggled over the status of Casamance for 18 years, at a loss of some 1,800 lives. The government and MFDC signed a cease-fire in March 2001, however it is not known if Father Diamacoune, the MDAC leader who signed the accord, has full political backing from hard-line factions. Senegalese troops supporting former President Vieira during the civil war in Guinea-Bissau withdrew in March 1999. Insurgents in Guinea-Bissau have reportedly been supported by the MDAC. Senegal has contributed troops to Economic Community of West African States (ECOWAS) peace monitoring missions in Guinea, Sierra Leone and Liberia.

GOVERNMENT

National Recruitment Legislation and Practice
Although the Constitution makes military service compulsory, in practice enlistment occurs on a voluntary basis. The government retains the right to call citizens to service at any time, but “this particular provision is used exceptionally as an enforcement measure within the framework of the civic and moral training of young people.”

By law recruits must be between 18 and 21 years of age. However, in practice the minimum enlistment age tends to be between 19 and 22. The period of military service is 24 months, after which the recruit may choose to remain in the armed forces or be placed on the reserve list. There is no evidence of under-18s in the Senegalese armed forces.

Military Training and Military Schools
There is a military secondary school (Prytanée Militaire, formerly Ecole Des Enfants De Troupe) in Saint-Louis where children are given both military and academic instruction. The boys, about 12 years of age when they enrol, are selected competitively. Some are citizens of other African countries including Mali, Burkina-Faso and Niger. Teachers are under the supervision of the Ministry of Education. Students are not part of the armed forces, but may enlist upon attaining their baccalauréat after seven years of secondary school.

There is also a military health school for the medical professions, in which applicants must have a general certificate of education and must be between ages 18 and 20. A military training school for officers that opened in 1998, l’Ecole d’Application de à Thiès, requires applicants to be at least 25 years old.1655

OPPOSITION

Child Recruitment
The MFDC, with an estimated 2,000 to 3,000 members,1656 has never formally pledged not to recruit children. It has been reported that children have fought with the MFDC but no precise figures are available and there is little evidence to support this.1657 The government has stated that there is no evidence of children being used as soldiers in the conflict.1658

DEVELOPMENTS

International Standards
Senegal signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position.

1649 UN IRIN-West Africa Update 888, “Guinea-Bissau army to move against Casmance separatists”, 16/1/01.
1650 UN IRIN, “ECOMOG capable of defending border, ECOWAS head says”, 24/1/01.
1652 Initial report of Senegal to the Committee on the Rights of the Child, UN doc. CRC/C/3/Add.31, Submitted 31/10/94.
1653 Information supplied by DCI-Senegal, 4/99.
1655 Initial report of Senegal to the Committee on the Rights of the Child, op. cit.
1656 Information on military schools supplied by DCI-Senegal and UNICEF.
1657 IISS, Military Balance op. cit.
1658 DCI-Senegal op. cit.
1659 Statement by the Ministry of the Family and National Solidarity, Senegal at the International Conference on war-Affected Children, Winnipeg Canada, 9/00.
SEYCHELLES

REPUBLIC OF SEYCHELLES

- Population:
  - total: 77,000
  - under-18s: 40,550
- Government armed forces:
  - active: 450
  - paramilitary (active): 250
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: signed on 23 January 2001
- Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 138; ILO 182

- It is not known if there are any under-18s in government armed forces due to lack of information about minimum voluntary recruitment age. Children are encouraged to participate in a National Youth Service, however.

GOVERNMENT

National Recruitment Legislation and Practice
According to most sources, there is no military conscription in the Seychelles. Military service is on a voluntary basis according to the government, although the minimum age is not known.

Military Training and Military Schools
A National Youth Service (NYS) does exist and was compulsory until 1993. It is not clear whether military training is still part of this service. Participation in the NYS seems to be voluntary but it is still a requirement before admission to the Polytechnic School for Vocational Training. Before 1993 it was a requirement for getting a government job. The minimum age for the NYS is not known but "the Government strongly encourages children to fulfil one year of National Youth Service (NYS) before entering the work force at the age of 16 or the Polytechnic School for Vocational Training".1659 It is not known if there is a link between the NYS and the military recruitment. 1660

DEVELOPMENTS

International Standards

1659 US State Department of State Human Rights Report, 30/1/98.
1660 Horeman and Stolwijk op. cit.; RB has stated that any link between the NYS and the armed forces stopped in the late 1980s and thus there is no military training any more for participants in this service.
SIERRA LEONE

REPUBLIC OF SIERRA LEONE

- Population:
  - total: 4,717,000
  - under-18s: 2,370,000
- Government armed forces:
  - active: 3,000-4,000
  - paramilitary (Civil Defense Forces): strength unknown
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: previously any age with consent; unknown if recent government commitments to an age limit of 18 has resulted in legislative change
- Voting age for government elections: 21
- Numbers of child recruits/soldiers: indicated - 5,000-10,000 in government and opposition armed groups
- CRC-OP-AC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; ICC; GC/API+II

- Some 5000 child combatants serve among government and opposition forces, and a further 5,000 are estimated to have been recruited for labour among armed groups. Armed groups typically rely on forced recruitment through abduction and drug use, and are responsible for particularly cruel and degrading treatment of children in their camps, often including the sexual slavery of girls. The Lomè peace agreement of July 1999 included important provisions on the demobilisation of child soldiers, however the resumption of fighting in May 2000 significantly slowed progress. To date slightly more than 1,800 children are reported to have entered disarmament, demobilisation and reintegration programmes. Underage recruitment, including the re-enlistment of some of those previously demobilised, has continued among all forces.

CONTEXT

Since 1991 Sierra Leone has been in the grips of internal armed conflict between government forces and international peacekeepers, and armed groups including the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC). Thousands of men, women and children have been killed, raped, wounded or systematically mutilated. The Lomè peace agreement of July 1999 included important provisions on the demobilisation of child soldiers. Just over 24,000 combatants, including 1,700 children, were disarmed before the peace process collapsed in May 2000. Renewed insecurity resulted in further abuses against civilians and massive displacement. A 30 day ceasefire signed in November 2000 held throughout the early months of 2001, however the RUF did not disarm and violence towards civilians, including returning refugees, continued. The RUF still controls large sections of the diamond-rich north and east of Sierra Leone.

Fighting in Sierra Leone has also affected neighbouring Guinea, where some 340,000 Sierra Leonean refugees reside. Since September 2000 rebel fighters have launched a series of cross-border attacks prompting military counter-attacks by Guinean forces. The deployment of an ECOWAS border monitoring force, agreed upon in January 2001, has been delayed for months pending a status of forces agreement between Guinea and Liberia and approval by the UN Security Council.
Liberia is also involved in the conflict in Sierra Leone, having actively supported the RUF since its inception in 1991 through arms and diamond trafficking. Liberia announced its intention to sever ties with the RUF following UN Security Council action in March 2001.1665

GOVERNMENT

National Recruitment Legislation
The Sierra Leone government has made repeated commitments to raise the legal age of military recruitment to 18, demobilise all underage combatants, and fulfil its obligations under the UN Convention on the Rights of the Child.

There is no conscription in Sierra Leone.1666 In February 2000 the UN Committee on the Rights of the Child issued concluding observations on Sierra Leone’s initial report, expressing concern over the continued failure to define minimum voluntary recruitment age in national legislation. Rather, Section 16(2) of the Royal Sierra Leone Military Forces Act 1961 states that volunteers under “the apparent age of 17½ years” may not be enlisted without the consent of parents or legal guardians. However the Committee welcomed the government's intention to pass legislation raising minimum recruitment age to 18, urging the government to move quickly in this direction and to ensure enforcement.1667

On 24 May 2000, following reports of children fighting with government-allied forces or remaining in front-line positions, the government issued the statement that "government policy ... stipulates that 18 years is the minimum age for bearing arms in Sierra Leone". The government further reported that the Acting Chief of Defence Staff was "instructed to ensure that all those below the age of 18 currently involved in fighting on the side of the government should be immediately withdrawn, demobilised and handed over to competent institutions for rehabilitation. Henceforth, any commander who allows a child below 18-years to carry arms within his area of operations or allows children to remain in areas of active conflict will face severe disciplinary action."1668 At the International Conference on War-Affected Children in Winnipeg in September 2000 the government stated its commitment to the Optional Protocol to the Convention on the Rights of the Child regarding "voluntary recruitment into any fighting force before age 18".1669 However, it is unclear whether this commitment has resulted in appropriate legislative change.

Child Recruitment and Deployment
Government-allied forces comprise a loose alliance of the Civil Defence Forces (CDF) and the Sierra Leone Army (SLA), including more recently former AFRC members retrained by British forces. Chain-of-command control for these forces is in practice weak. This is particularly true of the largest and most powerful membership of the CDF, the Kamajors, which are well known for recruiting children.

It is not clear how far measures to prevent underage recruitment and demobilise child soldiers have been implemented by the various government-allied forces. There is evidence that these forces continued to recruit and use children in combat in 2000 and currently, including some previously disarmed and demobilised child combatants.

- New Sierra Leone Army (SLA)
After the Lomè Peace Accord the Sierra Leone Army (SLA) began restructuring its units and training with the aid of foreign forces; UK military personnel are currently training the new SLA. By January 2001 some 6,500 persons, all age 18 or over, had completed training (not all of these soldiers are yet on active duty). Members of the new SLA are also being trained in child protection by UNICEF in conjunction with the Ministry of Defence, child protection agencies and the Ministry of Social Welfare.

- **Civil Defense Forces (CDF)**

Since the war began civilians began forming self-defence militias comprised of various groups of traditional hunters, in particular the kamajors. The government came to rely on these militias, which officially became known as the Civil Defence Forces. The CDF has been accused of serious human rights violations including extrajudicial killings and execution of suspected rebels and collaborators, arbitrary arrest and detention, and induction of child soldiers. However in May 2000 the Deputy Minister of Defence and National Co-ordinator of the CDF, Samuel Hinga Norman, denied the CDF recruited children or "initiated" them into militias comprising the CDF. He claimed children among CDF forces had been rescued or captured from armed groups and transferred to child protection agencies. In mid-July 2000 he further instructed CDF leaders and "initiators" not to recruit children.

While these instructions may reduce the number of children newly admitted into the CDF, it does not resolve the problem of those already in CDF forces. A senior member of the CDF in Kenema, Eastern Province, informed Amnesty International in 2000 that, although he personally opposed the use of children, it was normal practice within the CDF.

"I was beaten because I became separated from a CDF patrol.” – Brima, a 12-year-old who became a soldier with the CDF at age 10, explained that when children dis obeyed orders they were beaten unless their parents paid a fine.

CDF recruitment of children – including some previously demobilised – is reportedly continuing in Bo, Kemena and Moyamba Districts in Southern Province. According to some reports, villages in Southern Province are expected to provide a certain number of children to the CDF. In some areas there appears to be an attempt to conceal the use of children to guard checkpoints along major roads in Southern Province; aid workers repeatedly report seeing children, some of them openly armed, others concealing arms or hiding themselves in the bush. In other areas an increase in the number of children guarding checkpoints has been observed. In May 2000 a UN assessment mission observed children between 7 and 14 years old comprising 25 to 30 per cent of the SLA/CDF in the town of Masiaka. Militia members claimed the children had volunteered as fighting spread through the villages. The low rate of child demobilisation after May 2000 (see below) suggests that many underage recruits may remain among these government forces.

- **Armed Forces Revolutionary Council (AFRC)**

The AFRC was comprised primarily of former Sierra Leone Army (SLA) officers who organised a coup in 1997 and joined forces with the RUF. The AFRC forcibly recruited children and used them to fight against government forces before the signing of the Lomè Peace Accord. The AFRC was also known to abduct young girls for use as sex slaves.
After the Lomè Accord the AFRC, led by Johnny Paul Koroma, re-joined the government as a political party. Some of its members re-joined the new SLA being trained by British forces. However, some members of the AFRC refused to join the government, instead occupying areas outside the capital, resulting in the formation of the West Side Boys, which is known to include under-18s (see below). On 24 May 2000 Koroma issued a statement voicing his opposition to the recruitment of children and warned “all warring factions to desist from recruiting child soldiers”.1675

“I did not want to go; I was forced to go. They killed a lot of women who refused to go with them... when they capture young girls, you belong to the soldier who captured you.” – Isatu was abducted by the AFRC at the age of 15.1676

"When I go to the battle fields, I smoke enough. That's why I become unafraid of everything. When you refuse to take drugs, it's called technical sabotage and you are killed." – Sayo (age 14, ex-AFCR soldier) described how his skin was cut and cocaine rubbed in the wounds.1677

**OPPOSITION**

Currently the opposition group posing the greatest challenge to government forces is the Revolutionary United Front (RUF). Opposition groups also include the West Side Boys, and before the Lomè Accord, the AFRC (see above).

**Child Recruitment and Deployment**

- **Revolutionary United Front (RUF)**

In May 2000 a RUF spokesman SWB Rogers was quoted as saying: “The RUF doesn't believe in using children as soldiers. When they are five or six, they are far too young to fight. We only use the older boys, from ten or eleven upwards.”1678 The RUF is well known for its abduction and forcible recruitment of children, both boys and girls, for use as soldiers, sexual slaves and forced labour. In 2000 reports also emerged of armed groups forcing children to work in diamond fields under their control since the signing of the Lomè Accord in 1999.1679

The RUF commonly abducts children during attacks. After the January 1999 Freetown attack, in which an estimated 10 per cent of armed forces were children, more than 4,800 children were reported missing.1680 Of these about 60 per cent were girls, who are typically forced into sexual slavery.1681

Since May 2000 RUF forces have continued to abduct and forcibly recruit children as combatants, often using drugs to induce their compliance and fighting ferocity. Others were reported to have volunteered to join the RUF, however it appears that in many cases these children had little option but to do so. From May through August 2000 reports from Kambia and Makeni Districts, Northern Province, described RUF forces going from village to village demanding a quota of men and boys, most of whom were forced to join under duress. Local traditional rulers, known as Paramount Chiefs, were ordered to provide a certain number of
recruits and families were forced to hand over children, including those aged under 18. The RUF has also reportedly killed children who refused to join their forces and frequently extorted money from families of conscripted youths.

Recruits also include hundreds of those who were previously demobilised after the July 1999 peace agreement. Some 200 demobilised children were abducted on their way from Kabala to Freetown in January 2000. In May re-recruitment increased with RUF commanders targeting interim care centres; at the Makeni rehabilitation centre for example, a group of 72 former child soldiers were forced to rejoin. Some of the children were told by RUF forces that their families had been traced and that the RUF would help them return to their homes. It was also reported that the RUF threatened to kill everyone at the centre if the children did comply.

Recent interviews of children staying at transit centres set up in Bo and Kenema as part of the demobilisation programme in 2000 confirmed reports of sexual violence and abuse of children, both boys and girls, by RUF personnel. Three adolescent boys interviewed by an aid worker reported they had been abducted around age 14 and 15 and were sexually abused by female members of the RUF. They also reported being sexually abused by male RUF members, apparently as a form of punishment. Other forms of abuse included being forced to aid and abet the rape of girls. Rape of girls by RUF members was frequently cited.

"By then the rebels had moved from Makeni to Lunsar. They came to our camp and asked some children to join them again and we refused. We have rights to live and play. They encouraged us to join them. We told the manager of the centre to move us. At that time there were no vehicles; even the NGO's vehicle was not around. We walked along the road to Rogbert Junction where we met the rebels. They told us to return to our camp. We knew that they were killing people around. After that they said, please, come and join us or we are going to kill you people. After that we fled in the bush." – Former child soldier describes how the RUF tried to lure children back into their ranks.

"I had to go through the training and learn to fight, otherwise the RUF people would beat me or kill me." – David, abducted by the RUF at the age of 10.

**West Side Boys**

The West Side Boys are an ex-AFRC splinter group aligned with the RUF. Like the RUF they have committed serious human rights abuses including killing, abduction, deliberate mutilation, rape and the forced recruitment of children as soldiers. In September 2000 British troops conducted raids on the West Side Boys, during which scores of child soldiers were seen fleeing into the jungle, likely to have rejoined armed groups.

**RELATED ISSUES**

In Sierra Leone it is often difficult to distinguish between recruitment into armed conflict versus the initiation process young boys undergo to mark entry as an adult into societies of traditional hunters. For example, some parents may not try to prevent the recruitment of their children by the CDF due to the traditional status associated with membership in groups such as the *kamajors*, which are an important element of the CDF.
DEVELOPMENTS

International Standards
The government of Sierra Leone signed the CRC-OP-CAC on 8 September 2000 but does not uphold the “straight-18” position.

Appeals
The problem of child soldiers in Sierra Leone has attracted significant international and national attention. In January 2000 hundreds of people marched in Freetown to protest the recruitment of children and to demand such children be reunited with their families. Some 40 child protection agencies and NGOs working with government have been constituted into a child protection committee coordinated by UNICEF, and the government of Sierra Leone committed itself to establishing a National Commission for War-Affected Children. In October 2000 the UN Security Council urged the government of Sierra Leone to establish the promised Commission. The Coalition vigorously lobbied for the establishment of a special court in Sierra Leone to try those responsible for the recruitment of child soldiers (see below).

Demobilisation
In 1999 little demobilisation appeared to be taking place. Following the Lomé peace agreement the RUF admitted that 30% of its forces were under 18 but that official demobilisation had not begun. Later that year a mere 111 children were said to have been demobilised. The CDF reported equally small numbers with approximately 100 children demobilising in October 1999.

In January 2000 the pace picked up considerably and by May the UN reported that approximately 1,700 of an estimated 5,000 underage recruits had entered disarmament, demobilisation and reintegration programmes. But renewal of hostilities that month derailed the process, and by November 2000 the total number of demobilised child soldiers had only risen to slightly over 1,800. About 138 of these children, between the ages of 8 and 16, were handed over by the CDF in June 2000. The UN Security Council reported in October 2000 that "a significant portion of the rank and file RUF would be willing to disarm but were not allowed to do so by their commanders, who often used brutal methods, including execution, to prevent fighters, including children, from leaving."

Some of the demobilisation since 1999 has come about through self-disarmament, which established programmes were not always equipped to address. But in 2000 efforts were being made to establish reporting and outreach mechanisms that would facilitate the inclusion of such former combatants in disarmament and reintegration programmes. A National Commission of Disarmament, Demobilisation and Reintegration is expected to be established in 2001.

A particular challenge for reintegration programmes concerns child rape victims forced to live among the RUF. The taboo nature of the subject, the social ostracisation that often follows abuse, and the lack of appropriate government services all present significant obstacles to dealing with such victims of armed conflict. In March 2001 UNAMSIL announced the launch of a skills training project for about 390 young girls who had been abducted by armed groups as a step toward addressing the needs of such children.
Special Court
In August 2000 the UN Security Council set in train the establishment of a special court to try war crimes in Sierra Leone, recommending that this court prosecute those with greatest responsibility for crimes. The Security Council agreed that all recruitment and use of child soldiers be considered a war crime under the Special Court in accordance with statute of the International Criminal Court. Following considerable debate about whether 15 – 18-year-olds should also be eligible for trial, as initially proposed by the UN Secretary General, the Security Council later reiterated that the Special Court should target only those most responsible for war crimes, and recommended that juveniles appear before a separate Truth and Reconciliation Commission.
SINGAPORE

REPUBLIC OF SINGAPORE

- Population:
  - total: 3,522,000
  - under-18s: 914,000
- Government armed forces:
  - active: 60,500
  - reserves: 213,800
  - paramilitary: 108,000+ active
- Compulsory recruitment age: 18
- Voluntary recruitment age: 16
- Child soldiers: indicated in government armed forces - about 300 per annum under-18 and less than 2% of servicemen
- CRC-OP-CAC: signed on 7 September 2000; does not support “straight-18” principle
- Other treaties ratified: GC; CRC

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is practised in Singapore. According to the Enlistment Act of 1 August 1970, a “person subject to this Act means a person who is a citizen of Singapore or a permanent resident thereof and who is not less than 16½ years of age and not more than 40 years of age.” Persons from the age of 16½ years are required to report for registration, fitness and medical examination for the purposes of service under the Act. However, only persons of 18 years are liable to perform military service. Section 10(1) of the Enlistment Act states that “Subject to the provisions of this Act, the proper authority may by notice require a person subject to this Act not below the age of 18 years to report for enlistment for national service.” National Service liability is for 2 or 2½ years depending on the rank attained.

The Singapore Armed Forces (Volunteers) Regulations allow a person “who is not less than 16 years and 6 months of age” to be enlisted as a volunteer under the “Voluntary Early Enlistment Scheme” (VEES). Enlistment intake normally takes effect six months after the application. In addition, Section 19 (1) of the Enlistment Act states: “Any person may apply to the proper authority to be enlisted in regular service in the Singapore Armed Forces (SAF) established under the Singapore Armed Forces Act.” Under the 1990 Enlistment Regulations, Section 14: “(1) The proper authority may in special cases permit any person below the age of 18 years to apply to be enlisted in regular service. (2) Consent to the application shall be given in writing by the parent or guardian of that person.” No minimum age is specified in the law. According to the Singaporean Permanent Mission to the UN, however, administratively, only those above the age of 16½ years are allowed to enlist into regular service.

Section 16 of the Enlistment Act states: “The President may, by proclamation, where the interests of Singapore so require, empower the proper authority to call out persons liable to render full-time service, operationally ready national service or regular service for mobilised service.” Under Section 10 (1) of Singapore’s Enlistment Act, a “person liable to render full-time service” shall
not be under 18. Hence, those who are 18 and above, as well as operationally ready soldiers (including under-18 volunteers), can be mobilised in an emergency.

In case of doubt as to the age of the applicant or conscript, according to Section 30 of the Enlistment Act, “[f]or the purpose of calculation of age under this Act, the following provisions shall apply:
(a) where the month in which a person was born is not entered in his identity card, he shall be deemed to be born on 1st July;
(b) where the day of the month on which a person was born is not entered in his identity card he shall be deemed to be born on the first day of the month; and
(c) where the year in which a person was born is not entered in his identity card, the proper authority may order him to undergo medical examinations and produce evidence in respect of his age and shall decide on his year of birth.”

Training and organising the population to respond at times of emergency is the function of Civil Defence. The civil defence force is a paramilitary force and has units in every constituency. It is 105,000-strong, most of its members being volunteers. In peacetime, civil defence force members are trained in emergency services along with military training.

There is no alternative civilian service for conscientious objectors. At least 32 conscientious objectors, all Jehovah’s Witnesses, were imprisoned in the course of 1999 according to Amnesty International.

Child Recruitment
According to official figures, the average number of servicemen between 16½ years and 18 years of age enlisted each year for both National Service and Regular Service in the last two years is about 300. Personnel enlisted between the ages of 16½ years and 18 years form less than 2 per cent of all personnel enlisted in the SAF for both National Service and Regular Service. According to officials, Singapore does not have “under-aged soldiers, i.e. soldiers below the minimum age of 15 years as stipulated in the Convention on the Rights of the Child.”

The SAF provide children with the possibility to study from the age of 16½ years. The “Learn-As-You-Earn Scheme” (LAYE Scheme) allows students who want to pursue a career as Combat Specialist to take their GCE ‘O’ Level in the Army. This Scheme involves nine months of academic study as well as basic military training. Students in the LAYE Scheme serve a seven-year contract as Combat Specialist, which includes the nine month study period and 2½ years of national service. LAYE trainees are considered part of the military. According to official sources, about 80 LAYE trainees were enlisted for the year 1998.

Only those candidates who perform outstandingly under this scheme are admitted to the Officer Cadet School (OCS). The OCS, created in 1966, comes under the SAFTI - Military Institute. The school oversees a total of about 1,200 officers cadets at any time. The minimum age required for entry is also 16½ years. Since 1 April 1998, the Singapore Armed Forces has no longer required all regular officers to serve their contracts.

Singaporean Armed Forces have contributed to UN peacekeeping duties in East Timor (UNTAET), Ethiopia/Eritrea (UNMEE) and Iraq/Kuwait (UNIKOM).
DEVELOPMENTS

International Standards
Singapore signed the CRC-OP-CAC on 7 September 2000 but does not uphold the “straight-18” position.

1701 Enlistment Act, 1 August 1970, Section 2.
1702 Enlistment Act, 1 August 1970, Section 3.
1704 Enlistment Act, 1 August 1970, Section 12.
1705 Singapore Armed Forces (Volunteers) Regulations, Section 4, paragraph 1; see also communication from the Permanent Mission of Singapore to CSC, 25/2/00.
1707 Permanent Mission of Singapore, 25/2/00, op. cit.
1708 Information provided by Permanent Mission of Singapore on 3/7/00.
1709 Horeman and Stolwijk op. cit.
1711 Ibid.
1712 Permanent Mission of Singapore, 25/2/00 op. cit.
1713 Ibid
1714 Ibid
1715 Ibid
1716 Permanent Mission of Singapore, 7/00, op. cit.; also <http://www.mindef.gov.sg>
1718
SLOVAKIA

SLOVAK REPUBLIC

- Population:
  - total: 5,382,000
  - under-18s: 1,357,000
- Government armed forces:
  - active: 38,600
  - reserves: 20,000 approx.
  - paramilitary: 2,600
- Compulsory recruitment age: 18
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

There are indications of under-18s in government armed forces as the voluntary recruitment age is seventeen. Attendance at military schools can start at the age of fifteen. The government has indicated that it will be passing legislation prohibiting military service under eighteen.

GOVERNMENT

National Recruitment Legislation and Practice
Article 25 of the 1992 Constitution states that "1. The defence of the Slovak Republic is the honourable privilege and duty of every citizen. 2. No person may be forced to perform military duties if it is contrary to his or her conscience or religious faith or conviction. Further details shall be specified by law." Constitutional amendments in February 2001 included new provisions on the deployment of troops outside of Slovakia and the establishment of an ombudsman for vulnerable groups, including children. There are two acts which regulate military service: namely, the Conscription Act (Act No. 351/97 Coll. of 21 November 1997) and the Act on Military Service (Act No. 370/97 Coll of 21 November 1997).

All men who have reached the age of 18 years in a given year are called up for military service. According to official information received by the Coalition, it is likely that 17-year-olds could be called to perform compulsory military service.

According to the Ministry of Defence, the Slovak Republic plans to amend a number of laws concerning military service so that children under 18 cannot be called up to perform military service, although there are presently no children under 18 performing compulsory military service. Citizens who wish to join the army earlier may be given permission to do so as of 1 January of the year in which they turn 17. The consent of legal representatives is required in such cases. Women may be called up in times of emergency only.

In addition, according to the Slovakian Permanent Mission to the UN in Geneva, a Slovakian citizen can become a professional member of the armed forces only if he is 18-years-old and if he
has performed his military service. This means that no children can become professional soldiers. The Ministry of Defence of the Slovak Republic states that there are no children under 18 serving obligatory service in the year 2001.

Amnesty International reported in 2000 that conscientious objectors to military service face prosecution and imprisonment. The Slovakian armed forces are in the process of restructuring and there is a planned reduction of soldiers to 30,000 by 2002. In addition, the military service term has been reduced from 12 to 9 months due to pressure from public opinion, NGOs and human rights activists. The aim of these reforms is to transform the army into a professional force.

Military Training and Military Schools
A new system of training is being introduced in order to respond to reductions in personnel and duration of compulsory military service. The Military school system in Slovakia consists of Military Academies and Secondary Schools. According to official sources the minimum age for entering military school is 15 but students are not considered members of the armed forces. According to paragraph 52(1)(a) of the Act on Military Service, a student at the military secondary school may perform military service during his study at that school, and can start performing military service one day after reaching 17 years in order that this service is completed by the age of 18.

DEVELOPMENTS

International Standards
The government is considering ratification of the CRC-OP-CAC in the year 2001 after the completion of the legislative process on Conscription Act No. 351/1997 Coll.
SLOVENIA

REPUBLIC OF SLOVENIA

- Population:
  - total: 1,989,000
  - under-18s: 411,000
- Government armed forces:
  - active: 9,000
  - reserves: 61,000
  - paramilitary: 4,500
- Compulsory recruitment age: 17
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces - six in 1999 (0.06% of the armed forces)
- CRC-OP-CAC: signed on 8 September 2000
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are indications of under-18s in government armed forces as voluntary enlistment is possible from age 17.

GOVERNMENT

National Recruitment Legislation and Practice
Article 123 of the 1991 Constitution states that: "Defence of the state shall be an obligation for citizens to the extent and on the basis determined by law. Citizens who are not prepared to co-operate in military preparations on the basis of their religious, philosophical or humanitarian beliefs must be enabled to co-operate in the defence of the state in other ways". All men aged 18 to 27 are liable for military service according to the 1995 Military Service Law. The male population performs military duty during peace and wartime; women may enlist voluntarily. Postponement and exemptions may be granted on various grounds.

Draft duty is obligatory for all male citizens once they are 17 years of age and lasts until the call-up for conscription actually takes place. In this period a physical examination and psychological tests are made in order to determine the candidate’s capabilities for military service. Conscription duty is performed in military units and institutions and lasts seven months. It can be shortened by up to 30 days by a decision of the President of the Republic. Reserve duty is obligatory for all men capable of military service after conscription and continues until the age of 50 (soldiers, NCOs) or 60 (officers). Trained and able women between the ages of 19 and 40 can voluntarily join a reserve.

Under the 1991 Law on Military Obligation, recruitment during the calendar year in the candidate reaches 17 was only possible through individual petitions. The Ministry of Foreign Affairs has reiterated that in such cases the recruit must be at least 17 years of age. Young men are usually called up to perform military service in the year they turn 19. A downsizing of the armed forces is currently underway and is to be completed by the year 2010.

Military Training and Military Schools
The training of soldiers lasts seven months with a possibility of a six month extension. A non-commissioned officer school established in 1992 has a minimum age of admission of 19 years. A school for commissioned officers, a school for combat unit officers and a command and staff school were later created within the framework of this centre. During 1995, substantial changes were introduced in military training and the Military School Centre became the basic educational institution of the Slovene Army. In accordance with bilateral programmes and the individual partnership programme between NATO and the Republic of Slovenia, the members and units of the Slovene Army participate in various forms of training and exercises abroad.

**Child Recruitment**

Given that recruitment under 18 can only take place by individual petition, in 1999, there were 6 recruits below the age of 18 i.e. 0.06 per cent of the armed forces.

**DEVELOPMENTS**

**International Standards**

Slovenia signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” policy, but it is not clear how it intends to reconcile this position with its national recruitment laws.

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1733 [http://www.urich.edu/~jpjones/confinder/const.htm](http://www.urich.edu/~jpjones/confinder/const.htm)
1734 [http://www.mo-rs.si/mors/eng/tipicasveng.htm](http://www.mo-rs.si/mors/eng/tipicasveng.htm)
1735 Initial report of Slovenia to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.25, 30/5/95, para. 16.
1736 Letter from the Slovenian Ministry of Foreign Affairs, Ljubljana, to CSC, 27/7/99
1737 Ministry of Defence website: [http://www.mo-rs.si/mors/eng/reorgan.htm](http://www.mo-rs.si/mors/eng/reorgan.htm).
1739 Slovenian Ministry of Foreign Affairs, 27/7/99 op. cit.
1740 [http://www.mo-rs.si/mors/eng/tipicasveng.htm](http://www.mo-rs.si/mors/eng/tipicasveng.htm)
1741 Slovenian Ministry of Foreign Affairs, 27/7/99, op. cit.
SOLOMON ISLANDS

- Population:
  - total: 430,000
  - under-18s: 215,000
- Government armed forces: Unknown
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: not known
- Child Soldiers: unknown in government forces; indicated in opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC,GC/API-II

- There have been indications of under-18s participating in armed groups involved in recent ethnic conflict.

CONTEXT

In June 2000, an armed group, the Malaitan Eagles, seized control of the capital Honiara and held Prime Minister Ulufa‘ulu hostage. The Malaitan group had been fighting Guadalcanese armed groups intent on evicting Malaitan settlers from the island. The same month, fighters linked with the Bougainville secessionist movement seized the western town of Gizo. On 30 June, the parliament elected former opposition leader Sogavare as new Prime Minister. Peace talks started in July. Some 60 people were killed in the fighting and more than 20,000 Malaitan migrants were expelled from Guadalcanal.

OPPOSITION

The Isatabu Freedom Movement (IFM), a collective name for armed political groups also known as "Guadalcanal militants", emerged between March and October 1998. Apparently without a single leader, several commanders representing eastern and western Guadalcanal groups cooperate in armed operations which in 1998 and 1999 focused on driving out Malaitan settlers from rural Guadalcanal. In 1999, the IFM was also known as Guadalcanal Liberation Front, Guadalcanal Revolutionary Army (GRA) and Isatabu Freedom Fighters (IFF). The IFM continues to control rural Guadalcanal around Honiara outskirts, extorting support from villagers.

Child Recruitment

The IFM is said to draw most of its fighters, estimated to number between 300 and 2,000, from impoverished villages along the rugged Guadalcanal south coast. They have, at times, included at least 100 child soldiers aged 12-17 and are armed with hunting rifles, some stolen police guns and explosives, traditional weapons and home-made pipe-guns or refashioned World War II rifles.\(^ {1737} \)

\(^ {1737} \)AI, Solomon Islands: A Forgotten Conflict, 9/00
SOMALIA

SOMALI DEMOCRATIC REPUBLIC

- Population:
  - total: 9,672,000
  - under-18s: 5,269,000
- Government Armed forces: nil
  - Clan/Movement groupings in Somaliland (northern Somalia): 12,900 including United Somali Front; Somali Democratic Alliance; Somali National Movement (5,000-6,000); and the United Somali Party.
  - Clan groupings in Somalia include the United Somali Congress; Ali Mahdi Faction (10,000); Somali National Front; Somali Salvation Democratic Front (3,000); Somali Democratic Front; Somali Patriotic Movement (2,000-3,000); and the Maritime Security Force
- Compulsory recruitment age: no functioning national government
- Voluntary recruitment age: no functioning national government but children as young as 14 are known to volunteer
- Voting age (government elections): no functioning national government
- Child soldiers: indicated in various armed opposition groups
- CRC-OP-CAC: no functioning national government able to sign/ratify treaties
- Other treaties ratified: no functioning national government; ACRWC was signed in 1991 before government authority broke down
- The use of child soldiers, including some as young as 10, is widespread by all forces involved in the conflict.

CONTEXT

Somalia has been without a central government since President Siad Barre fled the country in 1991. Since 1991, there has been inter-clan fighting for control of the country, with no faction controlling more than a fraction of the territory. Under the initiative of Djibouti President Ismail Omar Guelleh, a Conference for National Peace and Reconciliation in Somalia met in Arta, Djibouti in June 2000 with delegates representing all clans and a wide spectrum of civil society, including non-governmental organizations. In July 2000 the Conference adopted a charter for a 3-year Transitional National Administration and selected a 245-member Transitional Assembly. Adqiqassim Salad Hassan was elected as the Transitional President on 26 August and sworn in on 28 August 2000. In October 2000 Ali Khalif Gallayr was named Prime Minister. The administrations in Somaliland and Puntland, however, do not recognise the results of the Conference, nor do several Mogadishu-based factional leaders. Inter-clan fighting continued in central regions of Hiran and Middle Shabelle, and the southern regions of Gedo and Lower Shabelle.

CHILD RECRUITMENT AND DEPLOYMENT

As noted above, all of the factions involved in the fighting are reported to use child soldiers. The UN independent expert on Somalia has reported that children under the age of 15 are recruited by the militias, and some faction leaders recruit children as young as 10 years of age to serve as personal bodyguards. The US State Department continues to report “boys as young
as 14 or 15 years of age have participated in militia attacks, and many youths are members of the marauding gangs known as *morian* or ‘parasites’ or ‘maggots’.” 1741

1740 Ibid.
1741 Ibid.
SOUTH AFRICA

REPUBLIC OF SOUTH AFRICA

- Population:
  - total: 39,900,000
  - under-18s: 16,550,000
- Government armed forces:
  - active: 63,389
  - reserves: 87,392
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 182
- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Recruitment into the armed forces is voluntary since a decision was taken in 1994 to end conscription. The Defence Act adopted in 1999 provides that the minimum age for recruitment into the armed forces is 18.

Military Training and Military Schools
There are no students under the age of 18 in military schools in South Africa.
SOUTH PACIFIC

Nauru became the first South Pacific state to sign the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Reports of children being recruited by armed groups in Bougainville and the Solomon Islands continued.

See individual entries on Fiji, Papua New Guinea, and the Solomon Islands
SPANISH

KINGDOM OF SPAIN

- Population:
  - total: 39,634,000
  - under-18s: 7,345,000
- Government armed forces:
  - active: 166,050
  - paramilitary: 75,760
- Compulsory recruitment age: registration at 16, service at 18 (conscription being phased out)
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces and armed opposition group
- CRC-OP-CAC: signed on 6 September 2000; does not support "straight-18" position
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138
- There are indications of under-18s in government armed forces despite conflicting information and impending changes. It appears that 16-year-olds can and will be able to register for recruitment into the armed forces. No distinction seems to be made regarding the age of recruitment and deployment in conflict situations. Children are known to be involved in violent activities linked to the Basque Separatist Movement.

CONTEXT

Spain has faced political violence by the Basque separatist movement, ETA (Euskadi ta Askatasuna), over the past three decades. In September 1998, ETA declared a cease-fire but ended the truce on the 13 December 1999. Since then, it has been responsible for 29 deaths up to March 2001. The government pursues a vigorous counter-terrorist policy.

GOVERNMENT

National Recruitment Legislation and Practice
According to article 30 of the 1978 Constitution: "1. Citizens have the right and the duty to defend Spain. 2. The law shall determine the military obligations of Spaniards (...)." The legal basis of conscription is the Military Service Law (Ley Organica 13/1991). Previously, Article 9(2) of the Law 13/1991 required all Spanish men to register for military service during the year they reached 17 years of age, i.e. while they were still 16; they were liable for military service from age 18, but call-up normally took place in the year during which they reached 19. New regulations were subsequently laid down in 1993 (Decreto del Reclutamiento 1107/1993) and 1994 (Decreto 1410/1994 Reglamento del Servicio Militar).

In recent years there has been increased public debate about conscription. In May 1999 a new Law 17/1999 on the Regulation of the Armed Forces Personnel (Régimen del Personal de las Fuerzas Armadas) was adopted to professionalise the armed forces. According to this law, by 31 December 2002, military service as regulated by Law 13/1991 will be suspended and with it
the obligation to perform military service for all young men born after the 1 January 1983. It should be noted that this law will only suspend conscription and not abolish it.

From 1 January 2002, recruits will be eligible to join the professional army in the year they become 17. Spanish women are equal to men in the new professional army under law 17/1999. About 2,400 women make up 2.3 per cent of Spain’s armed forces.

Law 17/1999 also establishes a mobilization and reserve system, a voluntary system for which the minimum age required is 18 years, and compulsory reserves which can be mobilised when the national defence demands it (by Real Decreto) and for which the minimum age is 19 years.

In its initial report to the Committee on the Rights of the Child, the government stated that young people can volunteer to perform their compulsory military service from the age of 17. However, carrying firearms before 18 years is prohibited, in conformity with the declaration made by the Government while ratifying the Convention on the Rights of the Child with regard to the provisions of Article 38(2) and (3). Spain also regretted the low age limit set for the recruitment of children into the armed forces and their participation in hostilities in the Convention on the Rights of the Child. Yet in the subsequent discussions with the Committee, the Spanish delegation appeared to claim that a sixteen-year-old could perform voluntary military service if he had either received parental permission or been ‘emancipated’.

Spain has lowered the minimum intelligence requirements for military recruits in an effort to increase the size of its forces. The lowest acceptable IQ has been cut from 90 to 70 to try to ensure there will be 85,000 professional soldiers by the end of the year, according to El Pais.

Military Training and Military Schools

At the moment there are 10 military schools or academies in the Ministry of Defence, 18 for Armed Forces, 18 for the Navy and 17 for the Air Forces. The candidates for the military training centre for General Armed Forces Corps (Cuerpo General de las Armas), Specialist Corps of the Army (Cuerpo de Especialistas del Ejercito de Tierra), General Armies (Ejércitos), Navy Infantry (Infantería de Marina) and Civil Guard (Guardia Civil) must be 18 years old. Law 17/1999 also defines requirements for entry into the military education system for the professional armed forces. In order to enter this education system, the candidates must have reached 18 years. Also Article 15b of the new Reglamento General de Ingreso y Promocion en las Fuerzas Armadas establishes the age of 18 years for that purpose.

OPPOSITION

Child Involvement in Opposition Activities

Haika, a Basque youth organization, was created in April 2000 by the “children” (retonos) associated with the ETA movement. In what has been characterised as a 'youth intifada', teenagers hurl petrol bombs at Basque police in San Sebastian. In one case a 16-year-old boy was convicted of such an attack. According to a study by the University of Bilbao, they are ordinary youths, aged between 15 and 26: “They come from middle and lower middle-class backgrounds and are strongly influenced by the separatist ideology preached by the moderate nationalist parties. They believe violence is the only answer to the real oppression, exercised by
an occupying force. As a result, they feel they have to have certain things”. Girls also take part. It was reported that a female member of ETA’s Executive Committee began working with the Vizcaya commando while still a teenager, helping to store explosives according to her police dossier. The Interior Ministry in its annual report under the heading “Urban Terrorism” reported a 30 per cent increase in street vandalism last year by Basque youth. In the first half of 2000 the Ministry recorded 298 attacks, mostly incendiary bombs against public buildings and “property of individuals”. In July a member of the ruling political party, the Partido Popular, had a Molotov cocktail thrown in front of his house.

DEVELOPMENTS

International Standards
Spain signed the CRC-OP-CAC on 6 September 2000 but does not support a “straight-18” position.

1761 Basta Ya, http://www.geocities.com/bastayaonline/
1762 US State Department, Human Rights Report, 2000
1763 http://www.urich.edu/~jpjones/confinder/const.htm
1764 Article 9(1)
1765 Article 12 (1); also http://www.mde.es/mde/mili/prefer.htm; BOE, No. 305, 21/12/91.
1766 See BOE, No.119, 19/5/99; also http://www.mde.es/mde/docs/basicos/.
1767 Information received from the Spanish Mission to the UN in Geneva, 9/3/01
1768 Spanish Ministry of Defence http://www.mde/fuerzas/fuerzas.htm
1769 Information source: http://www.nato.int/, Nato Military Women Share Views
1770 Article 170.
1771 Article 178.
1772 Initial Report of Spain submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.6, 26/10/93, para. 88.
1773 Recently, in comments on the draft of this report made to CSC by the Spanish Ministry of Labour and Social Affairs on 15/11/99, it was stated, with reference to Spain's recent periodic report to the Committee on the Rights of the Child, that a person "voluntarily (after an application) can anticipate the beginning of the performance (of military service) [at] the moment they reach eighteen, but not below this age." The justification for this assertion is the Law 13/1991 and the Real Decreto 1107/1993. No explanation was given about the claimed minimum ages of 16 and 17 previously reported to the Committee.
1774 Spanish Ministry of Defence, op. cit.
1776 Article 87
1777 Article 63(2)
1778 Reglamento General de Ingreso y Promocion en las Fuerzas Armadas, Article 15 (b)
1779 Economist, 14/12/96; BBC World Service, 26/4/97
1780 The Observer, 14/1/01
1781 “The Guardian weekly”, 29/9-4/10 2000, ETA women emerge as top guns
1782 http://www.mir.es/
SRI LANKA

DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

- Population:
  - total: 18,639,000
  - under-18s: 6,163,000
- Government armed forces:
  - active: 110,000 – 115,000
  - reserves: 4,200
  - paramilitary: 88,600
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated in government armed forces; indicated in paramilitary and armed opposition groups
- CRC-OP-CAC: signed on 21/8/00; ratified on 8/9/00; supports “straight-18” position
- Other treaties ratified: GC; ILO 138

The Tamil armed group, the Liberation Tigers of Tamil Eelam (LTTE), has a long record of using child soldiers, some as young as nine. There have been encouraging signs recently of a shift in LTTE policy, but previous promises have been broken and child recruitment has continued to be reported. There are some reports of child recruitment in government allied paramilitary groups. There is inadequate protection and rehabilitation provided to LTTE child soldiers who have surrendered to the government.

CONTEXT

Since 1983, a civil war has been fought between government armed forces and the Liberation Tigers of Tamil Eelam (LTTE), a group seeking an independent homeland in the north and east of the country for the minority Tamil population. Approximately 60,000 people have been killed in the war which has been characterised by grave human rights abuses, including thousands of “disappearances” on both sides. In late 1999 and early 2000, the LTTE launched a major offensive in the northeast, seizing new territory and inflicting large losses on government armed forces. During 2000 there were renewed moves towards peace negotiations, facilitated in part by the Norwegian government.

GOVERNMENT

National Recruitment Legislation and Practice

Recruitment into the armed forces is on a voluntary basis. No concrete proposals for introducing conscription have ever been made, although this has been recommended at times by government or army officials. According to official sources, the minimum legal recruitment age for the armed forces is 18. The army has in the past called for applications from candidates under the age of 17, but desisted after appeals from UNICEF and national bodies. In 1992, after its ratification of the Convention on the Rights of the Child, Sri Lanka adopted a Children’s Charter, which includes a prohibition on recruitment into the armed forces under the age of 18 years. This document is only a policy paper and does not have legal force.
Several paramilitary forces were created in the 1980s, including the (Muslim) Home Guard and the (Sinhalese) Civil Defence Force. They are armed by the government and collaborate with the armed forces at the local level. The government also has the power to mobilise auxiliary forces and no minimum age is specified under this authority.

The government uses propaganda campaigns and economic incentives to recruit into its armed forces. It seems, however, that the Sri Lankan Army (SLA) has faced serious shortfalls in recruitment. Troop morale is reportedly low, especially after defeats in late 1999, and the desertion rate is believed to be high, despite frequent general amnesties.

**Military Training and Military Schools**

There are various military training institutions. Eighteen is the minimum age requirement for entry and students are not considered to be members of the armed forces. The National Cadet Corps, which provides pre-military and civil training to students, is open to those over 16. Cadets may not be called to active service, and it is claimed that cadets are not members of the armed forces. There have been reports that senior schoolboys are required to perform civil defence duties normally performed by Home Guards in the Dimbulagala and Welikanda area of Pollonaruwa district.

**Child Recruitment**

There are concerns about recruitment into some of the paramilitary groups that fight with the armed forces, such as the Eelam People’s Revolutionary Liberation Front (EPRLF), the People’s Liberation Organisation of Tamil Eelam (PLOTE) and the Tamil Eelam Liberation Organisation (TELO). These groups fought against the government in the 1980s, but have since shifted their alliance. The general recruitment policies of these forces are not known, though there have been reliable reports of young men (for instance, 14 to 17-year-olds in Batticaloa town) being forcibly recruited. The PLOTE, like other paramilitary groups, maintains a student wing. In February 1999, a 17-year-old member of the PLOTE’s student organisation was shot and critically wounded by unidentified assailants in Vavuniya.

When hearing Sri Lanka’s Initial State Party Report in 1995, the Committee on the Rights of the Child recommended the government submit further information within two years on “[t]he effects of the armed conflict on children, their participation in combat and the way authorities handle child soldiers prisoners of war.”

**Government Treatment of Suspected Child Soldiers**

It seems that children between 16 and 18 years of age can be charged under the Prevention of Terrorism Act for their alleged activities with the LTTE since the age for criminal responsibility under the PTA is 16. According to human rights lawyers representing detainees, children arrested under the PTA on suspicion of involvement with the LTTE can face years in detention. Amnesty International has reported a number of cases of children who have been tortured in custody after being arrested on suspicion of being LTTE guerrillas. It is claimed that there are more teenage than adult LTTE fighters in government custody because children are more reluctant than their adult counterparts to take the cyanide capsule when they surrender or are wounded.
Children fight with the LTTE and then escape, surrender or are captured are usually interrogated at Special Task Force (STF) barracks but may also be sent to Colombo for further questioning by the Terrorism Investigation Division (TID), a division of the Sri Lankan police. They may be returned to their families, but are still obliged to report to the STF thereafter, some being used as spies and infiltrators for their contacts on both sides. Captured and surrendered child soldiers have at times also been used for propaganda purposes. For instance, 14 children who surrendered in October 1998 were paraded in front of the media and diplomatic corps by Sri Lankan Defence officials, another LTTE girl soldier was made available to the New York Times and other international media just before the Winnipeg International Conference on War-Affected Children in September 2000.

On 25 October 2000 a mob from nearby villages attacked Bindunuwewa rehabilitation camp killing 26 inmates of whom all were young men between the ages of 14 and 23. Amnesty International accused the police personnel of, at the very least, being negligent in their duty to protect the inmates and called for a full and impartial enquiry into the killing. A Presidential Commission of Inquiry into the massacre began sitting in May 2001.

**OPPOSITION**

**Child Recruitment and Deployment**

**Liberation Tigers of Tamil Eelam (LTTE)**

There is substantial evidence of the use of children as soldiers by the Liberation Tigers of Tamil Eelam (LTTE) throughout the Sri Lankan civil war, the youngest reported age being nine. The LTTE reportedly only began to recruit large numbers of women and children to its ranks after it declared war against the 100,000-strong Indian Peace Keeping Force in October 1987. UNICEF estimates that the age of children recruited currently is mostly between 14 and 17. The LTTE claims it restricts under-18s to training and support functions and does not recruit children under 17.

An assessment of LTTE fighters killed in combat reveal that 40 per cent of its fighting force are under 18 years of age. Another study done by a Sinhala researcher, Dushy Ranatunge, indicated that at least 60 per cent of the dead LTTE fighters are under 18 and, of these, most are girls and boys aged 10 to 16. A group of LTTE child soldiers who surrendered in October 1998 claimed that 75 per cent of LTTE fighters are children.

Young Tamil girls, often orphans, have been systematically recruited by the LTTE since the mid-1980s. The LTTE has claimed that this is its way of “assisting women’s liberation and counteracting the oppressive traditionalism of the present system.” The Sri Lankan military believes that half of the LTTE troops are women called ‘Birds of Freedom’ by their fellow fighters. Like boys, they receive training and are told stories of glory from Hindu epics about women who battled enemies of the Tamil people. Government sources have claimed women are deliberately chosen as suicide bombers because they may not undergo as close a body search as men at checkpoints. In December 2000, the bodies of 14 girl soldiers were recovered by troops following a confrontation with the LTTE in Jaffna.
The LTTE uses propaganda to encourage every family to give a son or daughter to the cause. Tamil schools are militarised by the LTTE, who have been known to conduct military training inside school grounds. Most teachers reportedly comply with LTTE directives or are forced out of the classroom during recruitment sessions; those who make their opposition known face harassment and attack. Powerful speakers are said to visit schools, and deliver fiery speeches in a bid to inspire the youngsters to join the movement. Children are given accounts of the brutality of the Sinhalese army and incited to become ‘heroes’. Those recruiting are aware of opposition to recruitment, and therefore make a point of promising the children that their education will not be interrupted if they join the movement since classes will be held for them in the camps. One source has claimed that “parents in these areas [areas controlled by the LTTE] are reluctant to send their children to schools, since they fear their children would be recruited to the LTTE military wing”. Another indication of parental concern is the reluctance of some internally displaced Tamil people to register at welfare-centres.

LTTE ‘orphanages’ for children displaced in the fighting are also reported to be centres for indoctrination and recruitment. One report cites the case of a mother who left her child to be brought up in a LTTE-sponsored orphanage called Red Blossomed Garden, only to receive a sealed coffin containing the remains of her 13-year-old child some three years later. The elite Sirasu Puli (Leopard Brigade) is reportedly composed entirely of children drawn from LTTE-orphanages and is one of the LTTE’s most fierce fighting forces.

According to a study presented to the Asia-Pacific Conference on the Use of Children as Soldiers in Kathmandu in May 2000, based on interviews with 19 former LTTE child soldiers, most had in fact “volunteered” for recruitment. Seven said they had joined out of fear of abduction by the "enemy", others had joined for revenge or the thrill of being a freedom fighter, while three had joined for economic reasons. A majority had tried to escape at least once or disobeyed orders, resulting in trivial punishment such as kitchen duty or severe punishments such as detention in hot and dark rooms, blackmail and threats to family members, or death threats. Another report, however, estimates that only 5% of recruits are truly voluntary.

In 1998, Amnesty International reported on the case of an unaccompanied teenager who sought asylum in the United Kingdom. The child explained how the LTTE tried to recruit him and his sisters on many occasions. The first time, in 1993, he was 14, and living with his family in a camp for internally displaced persons at Urumpirai, Jaffna. An LTTE member, in civilian clothes, tried to convince them to join the armed group while other LTTE members, who were armed and in uniform, waited outside the family’s hut. The LTTE came back with a similar request while they were in another camp.

A typical unit of children is trained for four months in the jungle. All links between the children and their families are broken and discipline is strict. The training became tougher after 1990, from which time children have been used in combat against the Sri Lankan forces on a larger scale. The young fighters are prepared for battle by attacking unprotected or weakly defended border villages. In early 2000, the University Teachers’ Human Rights- Jaffna (UTHR-J) claimed that compulsory self defence training was instituted for civilians between the age of 16 and 45 in LTTE controlled areas from April 1999. Trainees are reportedly used in the border force for defensive and ordinance tasks.
DEVELOPMENTS

International Standards
Sri Lanka signed the CRC-OP-CAC on 21 August 2000 and ratified the instrument on 8 September 2000. The government supports the “straight-18” position. In its binding declaration upon ratification, Sri Lanka stated that there is no compulsory, forced or coerced recruitment into the national armed forces; recruitment is solely on a voluntary basis; and the minimum age for recruitment into the armed forces is 18.

Commitments by the LTTE
During a visit to Sri Lanka in May 1998 by the Special Representative of the UN Secretary-General for Children and Armed Conflict, Mr Olara Otunnu, the LTTE leadership made an oral commitment not to recruit children under 17 and not to use children under 18 in hostilities. In October 1998, however, according to Human Rights Watch, hundreds of children were believed to have been recruited from the Batticaloa area, and shortly after 64 children were taken from one school. In November Mr Otunnu appealed to the LTTE to fulfil the commitments made to him earlier that year; UNICEF also raised the issue with the LTTE. But the LTTE subsequently appeared to step up its recruitment drive in the eastern Batticaloa district, with at least 150-200 children being added to its ranks.

In October 1999, 49 children, including 32 girls aged between 11 and 15 years of age were among the 140 LTTE cadres killed in a battle with the security forces at Ampakamam in the north. The bodies were handed over to the Red Cross which declared the use of the children as a war crime. Mr. Otunnu once more renewed his appeal to the LTTE to respect its pledges.

In May 2000, there were reports of a more intensive LTTE propaganda and recruitment campaign, celebrating a key LTTE victory at Elephant Pass. Classes were suspended for
compulsory military training of children above grade 9 (aged 14/15 up). Statistics from one school in Mallavi show the escalating scale of child recruitment from 4 children in April 1999, to 15 by early 2000, to 24 children in June 2000. Nine of these children were believed to have been killed within one year: the bodies of six former students were displayed as ‘martyrs’ to other pupils at the school. At another school, 20 girls were recruited, their uniforms burnt and then taken to a military camp. Five of the girls aged 14 and 15 who wanted to leave were locked up and ill-treated; three finally managed to escape. In July 2000, UNICEF again publicly accused the LTTE of reneging on its previous promises. 31 child soldiers were reportedly killed in one weekend during a government offensive in December 2000.

The LTTE has shown encouraging signs of a shift in policy in recent months. In a meeting with the UN in early 2001, the LTTE repeated that they do not recruit under 17-year-olds claiming that those recruited are “mistakes”. They promised to investigate any such reports and release any child found to be under 17 (which has reportedly already been done in a few cases). They have also promised to publicly announce 17 as the minimum recruitment age and have put up a sign accordingly near the UN compound near Vanni. Implementation of these commitments will need to be carefully monitored.

1764 Sambandan, V.S. “Debate over Army recruitment in Sri Lanka”, The Hindu, 29/1/00.
1766 Summary records of the 226th meeting, UN Doc. CRC/C/SR 228, 13/6/95, para. 16.
1767 Horeman and Stolwijk, op. cit.
1768 Section 52(1) of the 1985 Mobilisation and Supplementary Forces Act
1771 Information provided by UNICEF to CSC on 17/3/01.
1772 1985 Mobilisation and Supplementary Forces Act, Sections 40(1) and 51(h).
1773 Section 49.
1774 AI. Children in South Asia: op. cit.
1775 Other groups such as the Eelam Revolutionary organisation of Students (EROS), the Tamil Eelam Army/Tamil Ealam Liberation Army (TEA/Tela), the Eelam Revolutionary Communist Party (ERCP), the Tamil Eelam National Army (TENA) and the People’s Revolutionary Red Army (PRRA) have disappeared. Balence and de La Grange.
1776 AI. Children in South Asia: securing their rights, ASA 04/01/98.
1777 “PLOTE’s student wing cadre wounded”, TamilNet, 5/2/99.
1778 Concluding observations of the Committee on the Rights of the Child, UN Doc. CRC/C/15/Add. 40, 21/6/95, para. 44.
1779 Information provided by HRW, 1/99 and 4/00.
1783 Open letter to Sri Lankan President from AI dated 27/10/00.
1784 AI. Children in South Asia op. cit.
1785 UNICEF, 17/3/01 op. cit.
1787 Balachandran, P.K., “Most of the LTTE fighters are kids, say Tiger captives”, The Hindustan Times, 4/10/98.
1789 AP 12/24/00
1790 Gunaratna, R., “LTTE child combatants”, Jane’s Intelligence Review, 7/98.
1791 Goodwin-Gill and Cohn op. cit.
1792 Balachandran, P.K., “‘Join us, be a hero’, new LTTE mantra”, The Hindustan Times, 2/2/00.
1793 Information from University Teachers for Human Rights quoted in “Amnesty mounts battle against use of Tamil Tiger child soldiers”, AFP, 30/5/99.
1794 Horeman and Stolwijk, op. cit.
1795 “Tigers’ refugee children returning home in coffins”; AFP, 17/07/00
1798 CSC Update 4, 8/00 quoting UTHR report op.cit
Commitment by the Liberation Tigers of Tamil Eelam (LTTE) to the SRSOCAC on the participation in combat and recruitment of children, 8/5/98, SRSG-CAC/PR/4; “UN Official on talks with the LTTE”, TamilNet, 8/5/98; Karunakaran, P. and Jeevakadas, M.K., “Otunnu-LTTE talks in Wanni”, The Weekend Express, 9-10/5/98.


Information provided by HRW, 1/99.


“UNICEF concern at Tigers recruiting children”, BBC News, 8/10/98.


“Sri Lanka army says rebels using child combatants”, Associated Press, 21/10/99; “LTTE continue to use child conscripts”, The Times of India, 21/10/99.

University Teachers for Human Rights – Jaffna; Bulletin No 23, 11/7/00. See also Balachandran, P.K., “‘Join us, be a hero’, new LTTE mantra”, The Hindustan Times, 2/2/00.

UN Wire 13/7/00

Daily News, 28/12/00

UNICEF 17/3/01, op. cit.
SUDAN

REPUBLIC OF SUDAN

- Population:
  - total: 28,883,000
  - under-18 population: 13,618,000
- Government armed forces:
  - active: 104,900
  - paramilitary: 15,000
- Compulsory recruitment age: 17
- Voluntary recruitment age: unknown
- Voting age (government elections): 17
- Child soldiers: indicated in government and opposition forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC

There has been extensive use of child soldiers, including some as young as ten, by both government and opposition armed forces. The government has also provided military support to the Lords Resistance Army in Uganda – a group notorious for its abduction, forced recruitment and brutal treatment of children. Armed opposition groups, including the SPLA are known to have children in their ranks. In February 2001, the SPLA cooperated with UNICEF in the demobilisation of 3,200 child soldiers.

CONTEXT

Sudan has experienced civil war in the south of the country for 18 years; the conflict spread in 1986 to the central Nuba mountains and in 1995 to the east of Sudan, becoming a war of marginalised groups against the centre. The war is estimated to have resulted in 2 million deaths, directly or indirectly (ie by famine and illness caused by civilian displacement). The principal insurgent group is the Sudan People’s Liberation Army (SPLA), led by John Garang. In 1995, the National Democratic Alliance (NDA) was formed as a broad political alliance that includes the SPLA and insurgent forces operating out of Ethiopia and Eritrea carrying out offensives along the Sudanese border. In 2000 the government and SPLA met on four occasions with mediators from the Intergovernmental Authority for Development (IGAD), but there was no significant progress towards peace.

There are also several smaller factions, the largest of which broke from the SPLA on ethnic lines in 1991, became the South Sudan Independence Movement/Army (SSIM/A), entered into a peace agreement with the government and was recognised as the South Sudan Defence Forces (SSDF) in 1997. Another group formed by the same leader, the Sudan People's Democratic Front/Defence Forces (SPDF), was declared a rebel movement, but appeared to have accepted government support in 2000.

GOVERNMENT

National Recruitment Legislation and Practice
Article 35 (1)(b) of the new Constitution adopted in June 1998 provides, “Every citizen shall defend the country and respond to the call for national defence and national service.” The National Service Law of 1992 provides that all men between 18 and 33 years old are liable for military service. Military service lasts for 24 months, 18 months for high school graduates and 12 months for university and college graduates. In 1997 the government also issued a Decree by which all boys of ages 17 to 19 were obliged to do between 12 and 18 months compulsory military service to be able to receive a certificate on leaving secondary school, which is required for entry into a university.

**Child Recruitment and Deployment**

Paramilitaries and armed groups aligned with the government of Sudan have a long history of forced recruitment, including of children under 18 (the youngest age recorded in the past being a child of 10 years old). The Popular Defence Forces (PDF), a militia with a formal relationship to the authorities, were reported to have recruited, often forcibly, thousands of children, although levels of child recruitment are believed to have fallen since the mid-1990s.

- **Tribal Militias in Western Sudan**

The government has also continued its policy of arming militias of the Baggara tribes (the “murahaleen” of Western Sudan). These tribes then carry out raids into southern Sudan, primarily against the Dinkas in Bahr el Ghazal, while they are accompanying and guarding troop trains to the southern garrison town of Wau. The murahaleen are reported to have captured women and children who are then taken north where they are sold as slaves.

- **Other government-allied groups**

Pro-government militias in southern Sudan are also reported to use children as soldiers. Paulino Matip, in his government-armed militia, is reported to have forcibly conscripted boys as young as 10 to serve as soldiers.  

- **South Sudan Independence Movement/Army (SSIM/A)**

The SSIM/A, which formed from a breakaway faction of the SPLA, entered into a peace agreement with the government and was recognised as the South Sudan Defence Forces (SSDF) in 1997. The SSDF agreed in 1998 with UNICEF and Rädda Barnen on a program of demobilisation of child soldiers. That program was underway with 280 child soldiers between the age of 10 and 18 registered and demobilised and living in a transit centre in Thonyor, near Ler, Western Upper Nile, southern Sudan, when in May 1999 fighting broke out between the SSDF and another government-controlled militia. As a result, the child soldiers scattered. Many were remobilised by the factions. In 2000, some 200 were re-demobilised and an additional 88 demobilised for the first time. They were in a transit centre in Nyal, Western Upper Nile, a stronghold of the Sudan People’s Democratic Front/Defence Forces (SPDF), formed in January 2000 by the same leader, Riek Machar. The SPDF was declared a rebel movement, but appeared to have accepted government support in 2000.
OPPOSITION

Child Recruitment and Deployment

- **SPLA**

Representatives of the SPLA have repeatedly provided assurances to the Special Representative of the UN Secretary-General for Children and Armed Conflict and the UN Special Rapporteur on the situation of human rights in the Sudan that they would discontinue the use of child soldiers.

In early 2001, the SPLA cooperated with UNICEF and other organisations in the demobilisation of 3,200 child soldiers. The children were transported from areas in SPLA-held Bahr El Ghazal to the SPLA controlled town of Rumbek from 23 – 28 February, 2001. The evacuation followed a pledge given by SPLA Chief of Staff Salva Kiir to UNICEF to demobilise all child soldiers in the SPLA forces. The SPLA have stated that there are 7,000 more child soldiers still to be demobilised. The government of Sudan formally protested the evacuation, claiming that the airlift was conducted secretly in violation of agreements between the UN and government. The government also criticised the fact that the children were evacuated to Rumbek rather than being repatriated with their families. The SPLA rationale for the airlift was that they were expecting a government dry-season offensive in the area in which child soldiers were deployed and for safety reasons would not place a demobilisation transit centre in that area. Questions have been raised by NGOs about how many of the children released were actually child soldiers.

- **SPLM/A**

In his report to the fifty-sixth session of the Commission on Human Rights, the Special Rapporteur reported that the SPLM/A was responsible for forcibly recruiting children in December 1999 from the villages of Narus and Nimule in Eastern Equatoria. Other sources also continue to report the continued use of children under the age of 18.

OPPOSITION GROUPS FROM NEIGHBOURING COUNTRIES

- **Lord’s Resistance Army in Uganda**

The government of Sudan has provided military and logistical support to the Ugandan armed group Lord’s Resistance Army (LRA), which is estimated to hold 6000 Ugandan children captive on government controlled territory. The LRA is infamous for forcing both boys and girls to become soldiers and to participate in acts of brutality against other children and adults. Many of the girls have been raped and become concubines of LRA fighters. Sudan and Uganda agreed in October 2000 that the LRA would be disarmed and its camps moved 1000 km from the Ugandan border, and that the abducted Ugandan children would be returned. In return, Uganda agreed to halt support for the SPLA. While the government of Sudan claims to have stopped supporting the LRA, it has not complied with this agreement. Uganda’s support for the SPLA does not appear to have altered either. The government of Sudan has assisted in repatriating a small number of individuals who had escaped from the LRA: the authorities assisted child protection agencies in repatriating 105 children and adults to Uganda between November 2000 and March
2001. In March and April 2001, following a request of the UN Commission on Human Rights in 2000, a mission from the Office of the High Commissioner for Human Rights, with participation from UNICEF and the Office of the Special Representative of the UN Secretary-General for Children and Armed Conflict, visited Khartoum, Nairobi, Kampala and northern Uganda to examine the issue of abducted children.

1811 US State Department Report 2000
1812 Information provided by HRW, 3/01.
1813 Sudan Protests UNICEF Child Soldier Airlift, CNN.com, 7/3/01
SURINAME

REPUBLIC OF SURINAME

- Population:
  - total: 415,000
  - under-18s: 160,000
- Government armed forces:
  - active: 2,040
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Child soldiers: unknown
- Voting age (government elections): 18
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- It is not known if there are any under-18s in government armed forces due to lack of information on minimum voluntary recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice

The armed forces are responsible for national security and border and immigration control. Since 1991 they have been under the control of the civilian government, after over a decade of military rule. Military recruitment in Suriname is on a voluntary basis only.1816 No information is available regarding minimum age of recruitment.

1816 http://www.rb.se
SWAZILAND

THE KINGDOM OF SWAZILAND

- Population:
  - total: 980,000
  - under-18s: 488,000
- Government armed forces:
  - active: 2,700
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
The government has stated that there is no conscription in Swaziland and that military service is on a voluntary basis. According to information received by UNICEF from the Ministry of Defence, the minimum age for recruitment and conscription is 18 years. Recruitment is regulated by the Umbutfo Swaziland Defence Order of 1977.

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SWEDEN

KINGDOM OF SWEDEN

- Population:
  - total: 8,892,000
  - under-18s: 1,934,000
- Government armed forces:
  - active: 52,700
  - paramilitary: 600
- Compulsory recruitment age: 19
- Voluntary recruitment age: not applicable
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 8 June 2000
- Other treaties ratified: CRC, GC/API+II

There are no under-18s in the government armed forces, although children are known to participate in military training programmes from 15. There are reports of child recruitment in Sweden by armed groups from other countries.

GOVERNMENT

National Recruitment Legislation and Practice
Article 16 of the 1975 Constitution states: “No Act of law or other statutory instrument may entail the discrimination of any citizen on grounds of sex, unless the relevant provision forms part of efforts to bring about equality between men and women or relates to compulsory military service or any corresponding compulsory national service.” The legal basis of conscription is the 1994 Total Defence Act.

Swedish defence is based on the concept of ‘total defence’ which is defined by the Act on Increased Emergency Preparedness (1992:1403) as the range of activities required to ensure that Sweden is prepared for war. ‘Total defence’ consists of military operations (military defence) and civilian operations (civilian defence).

Everyone in Sweden between the ages of 16 and 70 is liable for total defence service. This service can be performed in the form of military service, civilian service or general service duty. All Swedish men between the ages of 18 and 24 are required to enrol for total defence service. Conscription takes place only for military service and civil defence service. Military service is performed in the Armed Forces. All men between the ages of 19 and 47 are liable for military service. In 1999, 18,411 men and 360 women joined up for full-length basic training in the Armed Forces. Civil defence service consists of training conscripts to be assigned to civil sections of the total defence organisation during wartime. It is compulsory for all men between the ages of 16 and 70.

Since 1980 females can voluntarily sign up for military training and service like regular conscripts, taking an entrance test in lieu of enrolment; at first they were only able to sign up with some units. After signing up, there is no clause for opting out. In 1999, 250 female
volunteers were processed and evaluated for duty. About 100 females started officer training. At present, there are no plans for female conscription.\textsuperscript{1826}

Military service lasts from 7 to 15 months in the army and navy and 8 to 12 months in the air force.\textsuperscript{1827} Exemptions and postponements are possible on various grounds, such as medical reasons.\textsuperscript{1828}

During the consideration of its report before the Committee on the Rights of the Child in 1998, the representative of the Swedish government stated that Sweden is firm in its view that all children under 18 shall be protected from service with the armed forces during war.\textsuperscript{1829} As far as the Home Guards are concerned, a person enrolled as a home guardsman must be at least 18 years old.\textsuperscript{1830}

**Military Training and Military Schools**

The Swedish armed forces facilitate and provide assistance for voluntary basic military training through voluntary defence organisations for boys and girls who have attained the age of 15 until the end of the calendar year during which they attain the age of 20. Participants in the youth training programme are not members of the total defence nor the armed forces until they have completed compulsory combat training and have been war posted — i.e. until they have reached 18 years of age. The purpose of this voluntary military education is to raise awareness among the population of total defence duties and the armed forces. This training is not made available for people who are still within compulsory basic education. Children below the age of 18 need parental consent to participate. The training is conducted at weekends, usually in a military location. The internal regulations of the armed forces state that shooting practices with a rifle can be performed by persons who have attained the age of 15; 17 years is the minimum age for practice with automatic shotguns and only at a rifle/shooting-range. Only those who will turn 18 in the same year can do combat training. During this training youth wear military protective suits or overalls. They can also use military transportation, accommodation and feeding facilities. Other military equipment may also be borrowed, in case of need.\textsuperscript{1831}

Voluntary defence organizations are an important element of public involvement in Sweden’s defence. These organizations are independent associations committed to supporting the total defence. They provide personnel for the wartime organisation on a voluntary basis and they maintain and enhance the skills of those who already have a wartime assignment.\textsuperscript{1832} The Swedish armed forces have signed commission agreements with 20 out of 24 voluntary military organisations, which provide military training to youth based on yearly demands from the armed forces. These programmes are financed by private means, state grants, remuneration, and financial allowances from the military authorities. The Home Guard does not receive any financial support for its youth training programmes.

**CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES**

- **PKK**

During the summer of 1998, Rädda Barnen learnt of PKK recruitment drives in Swedish schools. Seventeen minors were invited to attend a ‘summer camp’ in July in northern Sweden before
being recruited to serve the PKK in southeast Turkey. By mid-August 1998, only three of them had returned. Many families have reported their children missing to the police. Media reports suggest that over 50 children have been recruited to the PKK from Sweden over the past 10 years. Further research by Rädda Barnen suggests that other foreign armed groups have also recruited children in Sweden.1833

DEVELOPMENTS

International Standards
Sweden signed the CRC-OP-CAC on 8 June 2000. Sweden chaired the UN Working Group that negotiated the draft Optional Protocol. During negotiations in January 2000, Sweden indicated that it "would have liked to see a stronger protocol with a standard of 18."

A declaration made by Nordic Foreign Ministers in August 1999 strongly supported the adoption of an Optional Protocol prohibiting all recruitment and deployment of under-18s.

1833 http://www.uni-wuerzburg.de/law/sw00000.html
SWITZERLAND

SWISS CONFEDERATION

- Population:
  - total: 7,344,000
  - under-18s: 1,539,000
- Government armed forces:
  - active: 3,470
  - reserves: 351,200
  - paramilitary: 280,000
- Compulsory recruitment age: 19-20
- Voluntary recruitment age: 17-18
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: signed on 7 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO
- There are indications of under-18s in government armed forces as voluntary recruitment is possible from 17. The Swiss Government has strongly supported the "straight-18" position in international fora. There have been reports of child recruitment in Switzerland by armed opposition groups from other countries, namely, the KLA for the conflict in Kosovo.

GOVERNMENT

National Recruitment Legislation and Practice

The Swiss Army has almost no full-time active combat units but is capable of full mobilisation within 72 hours. There is virtually no standing army apart from training cadres and a few essential headquarters staff. A proposal to abolish the army will be put to referendum in 2002 or 2003; the Swiss previously rejected abolition in a 1989 vote.

A new Constitution was formally adopted by referendum on 14 April 1999 and has been in force since 1 January 2000. Article 59 (Military and Alternative Service) states that:

“(1) Every Swiss man must render military service. The statute shall provide for an alternative service; (2) For Swiss women, military service is voluntary.”

The Swiss Army is based on universal conscription. Conscription is regulated by the 1995 Federal Law on the Armed Forces and Military Administration (LAAM) and by the 1995 Ordinance on Recruitment of Conscripts (OREC). According to Article 2(1) of the LAAM every Swiss is liable for military service. All men have to register from the beginning of the year during which they turn 19. Obligatory recruitment occurs during a man’s 19th year. Each person who has been recruited is obliged to perform military service, an obligation which starts at the beginning of the year during which the conscript reaches 20 years of age. Only male citizens are ordered to report for conscription. They may perform military service (and afterwards civil defence service), alternative national service or pay military tax. Women can elect to perform military service on voluntary basis between the age of 18 and 28. In principle, all functions are open to them with only combat duties excluded. Both men and
women are medically examined during conscription; only those assessed as “fit for service” are conscripted and assigned to a unit. Members of the armed forces who are equipped with automatic rifles fulfil their target practice obligations off-duty.

According to the 2000 Report on Swiss Security Policy, universal conscription is to be maintained, though its flexibility may be increased and the length of compulsory service reduced. The proposed reforms to the armed forces will lead to reductions in personnel.\textsuperscript{1845}

According to Article 12 (1) of LAAM, once recruited, a person becomes a member of the armed forces even if he does not take up military training in an ‘école de recrues’ until later. Men can volunteer for recruitment during the year in which they turn 17 or 18.\textsuperscript{1846} The Swiss Federal Department of Foreign Affairs, confirmed that recruits must be at least 17 years old.\textsuperscript{1847}

Between 1997 and 1999, 360 to 400 recruits took the opportunity to attend basic military training at the age of 17 or 18 for personal reasons (1.5% of all recruits).\textsuperscript{1848}

Switzerland sent military personnel to Kosovo in 1999, none of whom were under 18.\textsuperscript{1849}

**Military Training and Military Schools**

Military service takes place in the “école de recrues”. It is composed of a basic training which lasts for 15 weeks and reservist training (ten times every two years) until the age of 42, 52 or 62 depending on rank.\textsuperscript{1850} However, depending on the type of assignment or function, the training of female recruits may be shorter and last only 8 weeks.\textsuperscript{1851}

Basic training in recruits’ school begins under the command of the platoon leader. Later, groups are formed with an emphasis on specialist training, weapon handling and endurance exercises. Combat training is carried out in the unit. Recruits’ school is followed by refresher courses, in the majority of the cases 10 of them at two-year intervals. The number of days to be served depends on the rank: a private serves 300 days, a General Staff colonel 1300.\textsuperscript{1852} The Army Training Centre is located in Lucerne. Some 200,000 attended training in 1999.\textsuperscript{1853}

**CHILD RECRUITMENT BY ARMED GROUPS FROM OTHER COUNTRIES**

- **Kosovo Liberation Army**

It was reported that the Kosovo Liberation Army (KLA) recruited in Switzerland during April 1999. A Swiss NGO, Comité pour la Paix en Yougoslavie, lodged a complaint to the Swiss Attorney General about recruitment in Switzerland by the KLA, but the authorities replied that there had been no violation of Swiss law.\textsuperscript{1854} The Swiss authorities have indicated they are examining the means by which such recruitment can effectively be criminalised, but emphasise that there are no armed opposition groups active in Switzerland.\textsuperscript{1855} (See the section on the KLA in the Federal Republic of Yugoslavia country entry).

**DEVELOPMENTS**
International Standards
Switzerland signed the CRC-OP-CAC on 7 September 2000 and supports a “straight-18” position. At the Winnipeg International Conference on War-Affected Children in September 2000 the Federal Counsellor said “Switzerland is committed to promoting respect for the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict... Switzerland is convinced that to ensure the best possible protection of children, it is essential that the age of 18 be recognised as the minimum age for recruitment into the armed forces - both voluntary and obligatory - and for active service” Switzerland was one of the very few European countries to support a clear prohibition on the use of children as soldiers in the ILO Convention on the Worst Forms of Child Labour.

1834 Information provided to CSC by Swiss Ministry of Foreign Affairs, April 2001
1836 OREC – Ordonnance concernant le recrutement des conscrits of 17/8/94
1837 Article 7(2) LAAM.
1838 Article 8(3) LAAM.
1839 Article 12 LAAM.
1840 Article 13 LAAM.
1841 www.vbs.admin.ch/internet/FDA/e/Index.htm, Federal Department of Defence, Civil Protection and Sports
1842 Article 5(1)(d) OREC.
1844 Article 5(1)(c), OREC.
1845 Statement of the Swiss delegation to the European Conference on the Use of Children as Soldiers, Berlin, 18/10/99. Therefore the words "au cours de leur 17ème année" must be interpreted as "when they reached 17 years of age".
1846 Information provided by Daniel Derzic to CSC on 27/4/01.
1848 Article 13 LAAM.
1849 Federal Department of Defence, Civil Protection and Sports, op. cit.
1850 http://www.vbs.admin.ch/internet/e/armee/auftr/dauftr06.htm, Swiss Armed Forces Training
1851 IISS, Military Balance, op. cit.
1852 Letter from the Ministère public de la Confédération, Bern, to the Comité pour la paix en Yougoslavie, 10/5/99.
1853 Reply from the Federal Department of Foreign Affairs, Bern, to CSC, 2/8/99; Communication of the Swiss Federal Department of Foreign Affairs, Bern, to QUNO, 14/10/99.
1854 Speech by Federal Councillor Joseph Deiss to the International Conference on War-Affected Children, Winnipeg, Canada, 16/9/00.
SYRIA

SYRIAN ARAB REPUBLIC

- Population:
  - total: 15,725,000
  - under-18s: 7,739,000
- Government armed forces:
  - active: 316,000
  - reserves: 396,000
  - paramilitary: 108,000
- Compulsory recruitment age: 19
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API

- It is not known if there are any under-18s in government armed forces due to lack of information on the minimum age for voluntary recruitment.

CONTEXT

Syria is not engaged in any armed conflict, though Syrian armed forces are deployed in relation to Israel’s military occupation of the Golan Heights. Syrian armed forces also intervened in the Lebanese civil war in 1976 and still maintain 30,000 troops inside Lebanon.

GOVERNMENT

National Recruitment Legislation and Practice

Article 40 of the Constitution states, “All citizens have an obligation to carry out their sacred duty to defend the security of the homeland and to respect its Constitution and the socialist union system. Military service is compulsory and is regulated by the law.” Article 100 states "The President of the Republic can declare war and general mobilization and conclude peace following the approval by the People's Assembly.”

The vast majority of the armed forces are raised through conscription, which has been compulsory and universal for males (only the small Jewish community is exempted) since 1946 and was officially reaffirmed by the Service of the Flag Law in 1953. The legal basis for conscription is the 1953 National Service Act. The minimum age for conscription is 19 years.

The length of military service is 30 months. Reserve duty is obligatory up to the age of 45. Women are not required to serve, although some volunteer, playing more a public relations than military role. Males must register for the draft at 18. Each year around 125,000 reach the age of 19 which is when the 30-month conscription period begins. Students are not called up until they have finished their studies and those going abroad can reportedly pay a financial
contribution instead of serving the term. Some exemptions are possible for only sons or for health reasons.

It is not clear whether Syria’s armed forces accept volunteers below 18 years. After completion of his period of conscription (i.e. over 18), a man could volunteer for an additional five years in the regular service or, if he chose not to enlist, he would serve as a reservist for eighteen years. Further voluntary re-enlistment is then possible until a compulsory retirement age.2164

Military Training and Military Schools
In 1987 there were three military schools training commissioned officers for the services: the Military Academy, the Naval Academy, and the Air Force Academy. Men from 18 to 23 could apply for admission to the school of their choice.2165

1857 Brett and McCallin op. cit.
1858 www.uni-wuerzburg.de/law.
1860 Horeman and Stolwijk op. cit.
1861 Goodwin-Gill and Cohn, op. cit.
1862 IISS, p.154.
1863 Collelo.
1864 Ibid.
1865 Ibid.
TAIWAN

- Population: No separate statistics for Taiwan available.
- Armed forces
  - active: 370,000
  - reserves: 1,657,500
  - paramilitary: 26,650
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): unknown
- Child soldiers: unknown
- Other treaties ratified: not signatory as not a UN member state

- It is not known if there are any under-18s in government armed forces due to a lack of information on the minimum voluntary recruitment age. Reports from the early and mid-90s indicated the recruitment of children as young as 15 and raised concerns for their physical safety. It is unclear whether child recruitment is an ongoing problem and human rights observers say they are not aware of such reports.

CONTEXT

Cross-strait tensions with Beijing have stabilised in the past year but continue to remain tense. The government is in the process of introducing military reforms and liberalising policies on conscription.

GOVERNMENT

National Recruitment Legislation and Practice
According to article 20 of the 1946 Constitution, “people shall have the duty of performing military service in accordance with the law”. The legal basis for conscription is contained in a Chinese text published in 1933 with subsequent modifications. All men between the ages of 18 and 45 are liable for military service lasting two years.

Since the late 1990s military reforms have been taking place concerning conscription. In July 1998, policy changes enabled some Taiwanese with “Overseas Chinese” status to claim exemption from military service providing they had left Taiwan before the age of 15 and had not visited for more than certain prescribed periods.

Following considerable debate, the trend towards greater flexibility in conscription has continued with options for alternatives to traditional military service. Alternatives were to be offered to 5,000 men from July 2000 followed by 10,000 the subsequent year after an evaluation of the programme. The service was to cover college graduates with those selected serving, for example, in social welfare programmes for two years. The issue of exemption from compulsory national service on religious grounds has not yet been settled according to Amnesty International.

Military Training and Military Schools
Information on military schools and their age requirements is not available. However, according to a new policy ruling which came into effect on 3 August 1999, part of the time spent in military school can count towards an individual’s military service obligation.  

**Child Recruitment**

Reports from the early 1990s indicated that children as young as 15 have in the past been recruited into the armed forces despite a minimum age of 18 for compulsory recruitment.  

It is unclear to what extent underage recruitment continues to be a problem in Taiwan. Human rights observers say they are not aware of such reports.  

The authorities have admitted that no less than 2,355 young conscripts died in the course of their military service between 1990 and 1995. Although not specified, it is likely that many of these were under 18.  

In June 1999, following the murder and rape of a school girl by a conscript, parents of conscripts who had died during military service asked for greater transparency in the investigation process. In response, the Ministry of National Defence (MND) established a military human rights protection commission as well as a special military accident investigation committee to ensure impartiality and transparency in investigating the true causes of accidents occurring within the armed forces. Figures released shortly afterwards estimated that about 14 per cent of all conscripts have a criminal record.

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1865 Blaustein and Flanz, op. cit.
1866 Horeman and Stolwijk op. cit.
1867 American Institute in Taiwan, Compulsory military service in Taiwan, 11/12/98.
1870 “Time spent in military school can count toward military service term”, Central News Agency (Taiwan), 24/8/99.
1872 Communication from Brian Kennedy, Taiwan Association of Human Rights to CSC, 2/3/01.
1875 Wu, S., “14 out of every 100 conscripts have criminal record”, Central News Agency (Taiwan), 30/6/99; “Nearly 10 per cent of conscripts have criminal record” China News, 1/7/99.
TAJIKISTAN

REPUBLIC OF TAJIKISTAN

- Population:
  - total: 6,104,000
  - under-18s: 2,899,000
- Government armed forces:
  - active: some 6,000
  - paramilitary: 1,200
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC GC/API+II; ICC; ILO 138

Tajikistan’s civil war which ended in 1997 reportedly involved the use of child soldiers under 18 by both sides. It is not known if there are any under-18s in government armed forces due to a lack of information on minimum voluntary recruitment age. Islamist opposition groups, known to use child soldiers in the past, are still active in the country.

CONTEXT

The five-year civil war in Tajikistan ended in June 1997, with an agreement envisaging a transition period leading to parliamentary elections in 2000. A UN Observer mission (UNMOT) and CIS Collective Peacekeeping Forces were deployed to the country. Despite the presence of these peacekeeping missions, the situation in Tajikistan is still unstable and a number of armed opposition groups are active in the north-western mountainous areas. There have been continuing delays in the implementation of the peace accords. UNMOT’s mandate ended in May 2000 and it was replaced by a very small UN presence. The OSCE continues to operate in the country. The governments of Tajikistan, Kyrgyzstan, Kazakhstan and Uzbekistan agreed in January 2001 to take joint action against Islamist opposition movements in the region.

GOVERNMENT

National Recruitment Legislation and Practice

Article 43 of the 1994 Constitution states that: “the protection of the homeland, safeguarding the interests of the state, and strengthening the independence, security and defence capabilities of the homeland are the sacred duties of citizens. The procedure for military service is specified by law.” The current legal basis for conscription is the 1994 Law on Military Service and the 1997 Law on Amendments and additions to the Laws of the Republic of Tajikistan on general military responsibilities and military service.

All men above the age of 18 are liable for military service, which lasts for two years. Military service can be performed either in the Tajik armed forces or in the Russian Border Guards stationed on the Tajik-Afghan border. An NGO report presented to the Committee of the Rights of the Child in 2000 raised questions as to whether Tajikistan’s legislation clearly stipulates non-recruitment below 18.
In the past, recruitment has proved to be a substantial problem, with local recruitment commissions badly organised and sometimes even refusing to abide by national recruitment regulations. Draft evasion has also been prevalent. The conscription period may be extended in order to maintain force levels to deal with continuing instability.

Child Recruitment and Deployment
During the civil war (from 1992 possibly up to 1997 or 1998), there were reports of forced conscription of boys as young as 16 into government armed forces. The situation appears to have been particularly serious in 1995 and 1996, with credible reports of young men being rounded up in public places and being sent directly to the front line, often with little or only minimal short-term training. However this situation has improved significantly since the signing of the peace accords and conscription has been far more orderly since.

An NGO submission to the Committee on the Rights of the Child estimated that that some 3 per cent of children had been involved in the armed conflict (although did not specify with which side). In October 2000, the Committee noted the negative impact on children of recent armed civil unrest and recommended that Tajikistan take measures concerning the care and protection of these children. It further recommended that Tajikistan ratify and implement the CRC-OP-CAC. The behaviour of the militia also came under criticism by the Committee as ill-treatment of persons under 18 has been reported, including psychological intimidation, corporal punishment and torture. Victims were said to be largely from vulnerable groups e.g. children living and/or working on the streets. Tajikistan was urged to take preventive and remedial action regarding this issue.

Military Training and Military Schools
In May 1998, the Minister of Defence expressed concerns about the lack of discipline and the violation of the rules of law in military camps. He claimed that this was largely due to the lack of pre-conscription training at secondary schools and the insufficient preparation of the youth for military service. He suggested that there was a need for his ministry to establish links between military units, parents and administrators. It is not known if this proposal was followed up although the question of discipline was still being discussed in November 1999.

OPPOSITION
Following peace accords in 1997, many of the former Islamist opposition fighters were integrated into the new national army and the UN was seeking to create jobs for others. As of July 1999, 5,377 opposition fighters had been registered for integration into the national army. Islamist groups continue to operate from the Jirgatol region of north central Tajikistan. The United Tajikistan Opposition (UTO) was reportedly dissolved on 3 August 1999. However, as these forces are highly fragmented, they may not have disbanded completely. There are also reports that Afghanistan’s Northern Alliance is supplied from Tajik bases. The forces of Ahmad Shah Masood are largely Tajik and based in the Panjshir Valley adjacent to Tajikistan.

Child Recruitment and Deployment
During the civil war, armed opposition groups recruited young boys into their armed formations – according to some local traditions, majority is reached at the age of 12 and boys are considered able to fight from that age. Given that Islamist armed groups remain active in the region there is a continuing risk that children will be used as soldiers (see Uzbekistan country entry).

1887 Economist, 27/1/01.
1888 Blaustein and Flanz, op. cit.
1889 Horeman and Stolwijk, op. cit.
1890 Alternative NGO report on the implementation of the CRC in Tajikistan, 21/4/00. Presented to Committee in 9-10/00 and available on www.crin.org
1891 Horeman and Stolwijk, op. cit.
1893 Information from reliable source that requests confidentiality, 3/00.
1894 RB database quoting personal correspondence of HRW, see http://www.rb.se.
1896 Alternate NGO report on the implementation of the CRC in Tajikistan, 21/4/00. Presented to 9-10/00 session of the Committee on the Rights of the Child, on www.crin.org
1898 “Tajikistan to strengthen discipline in army”, BBC Monitoring Service, 30/5/98.
1900 “UN starts peace project in Tajikistan”, BBC World Service, 20/7/99.
1903 OSCE Newsletter, Vol. 6, No. 8/89.
1905 Confidential source that requests confidentiality, 3/00
TANZANIA

UNITED REPUBLIC OF TANZANIA

- Population:
  - total: 32,793,000
  - under-18s: 17,204,000
- Government armed forces:
  - active: 34,000
  - paramilitary: 1,400
- Compulsory recruitment age: upon graduation from secondary school, typically at 18 or over
- Voluntary recruitment age: 15
- Voting age (government elections): 18
- Child soldiers: indicated in government forces
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- There are indications of under-18s in government armed forces as the minimum voluntary recruitment age is 15.

CONTEXT

Tanzania shelters more than 800,000 refugees from Burundi, the Democratic Republic of the Congo and Rwanda.

GOVERNMENT

National Recruitment Legislation and Practice
According to the 1977 constitution, citizens’ duties include defending and protecting the independence, sovereignty and territorial integrity of the nation.\(^{1896}\) Conscription is enforced\(^{1897}\) in recruitment legislation which makes military service, in the form of the National Service Scheme, compulsory for all graduates of secondary school. Graduates are typically over 18 due to the relatively late age at which children begin their education. This National Service Scheme was introduced in the 1960’s, but in the 1980’s was suspended due to economic reasons and the overly large size of the Tanzania People’s Defence Forces. In 1999 the government of Tanzania decided to reactivate the National Service Scheme, known as Jeshi la Kujenga Taifa (JKT) or “army for nation building”, but with a greater emphasis on vocational training.\(^{1898}\)

According to the Initial report of the United Republic of Tanzania to the Committee on the Rights of the Child in September 2000, the minimum age for voluntary enlistment in the armed forces of Tanzania is only 15. This policy is apparently enforced by Defence Force Regulations.\(^{1899}\)

Child Recruitment
The risk of underage recruitment is exacerbated by low levels of birth registration, although parents may later be forced to register their children when enrolling them in primary school. Awareness of the importance of registering births has reportedly been increasing due to public education efforts by the government and NGOs.\(^{1900}\)
Government Treatment of Suspected Child Soldiers
On several occasions police arrested Burundian refugees, including children, who were recruited into Burundian armed opposition groups. The children were given reduced sentences of three months prison and caning.¹⁹⁰¹

¹⁹⁰⁶ Southern African Research and Documentation Centre, Insight: Tanzania, at: http://www.sardc.net/sd/sd_insight_tanzania.htm
¹⁹¹⁰ Ibid. para. 171.
¹⁹¹¹ HRW Report 2000
THAILAND

KINGDOM OF THAILAND

- Population:
  - total: 60,856,000
  - under-18s: 19,039,000
- Government armed forces:
  - active: 301,000
  - reserves: 200,000
  - paramilitary (active): 115,600
- Compulsory recruitment age: register at 18; enlist at 21
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated in government armed forces; indicated in armed opposition groups
- CRC-OP-CAC: not signed
- Other treaties ratified: GC; CRC

Opposition armed groups in the country are reported to recruit teenagers. There are no indications of under-18s in government armed forces.

CONTEXT

Malay Muslim separatist armed groups have been active in Pattani province in the south of Thailand since the 1940s but since 1994 the conflict has been low level. Thailand also faces security problems arising from conflict and displacement in neighbouring states, especially Myanmar and Cambodia. (See relevant country entries for more information). More than 1,500 Thai soldiers were deployed with peacekeeping forces in East Timor from October 1999.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is enshrined in Section 69 of the new 1997 Constitution, according to which: “Every person shall have a duty to defend the country, serve in Armed Forces…” The 1954 Military Service Act article 16 states that Thai male citizens who have reached the age of 18 years are required to register their names for the purpose of enlistment. Under Article 25 of the 1954 Military Service Act, the actual recruitment into the armed forces of those enlisted takes place only when they are 21 years of age. The length of military service is two years. After completing their service, they are enrolled into the reserve forces. The Military Service Act does not provide for young women to be conscripted but they may enter the armed forces voluntarily.

Voluntary recruitment of Thai males is set at 18 by the 1954 Military Service Act. Volunteer soldiers serve a shorter period in the military than those who are conscripted. Volunteer soldiers with a bachelor’s degree are in service for only six months and those who have diplomas or have completed the second year of the army’s territorial defence training serve only one year, while conscripts have to serve two years.
There are also a number of paramilitary forces in Thailand, which make up part of the defence forces and may be considered as reserve forces. The minimum age for enlistment into the paramilitary forces is also 18. According to Thai officials, the actual recruitment procedure takes place only when those registered or enlisted are 21 years of age.\textsuperscript{1909}

Draft evasion is reported to be widespread, mostly among rich and influential families. There is some possibility of alternative service by opting for a three-year territorial defence programme, which is “normally extended to upper high school students”. The Defence Ministry reportedly intends to reduce all the armed forces by 72,000 personnel, about 17 per cent of the current 423,000 in uniform by 2007.\textsuperscript{1910} Conscription is planned to be phased out and to be replaced by volunteer forces.

**Military Training and Military Schools**

According to information provided by the government, it is possible for male cadets to enter military academies from the age of 17.\textsuperscript{1911} Youths can also attend the armed forces’ pre-cadet school, which provides them with free education as well as a monthly salary and subsistence allowance. Students of the Armed Forces Academies Preparatory School, the army’s Chulachomklao Royal Military Academy, the Naval Academy and the Air Force Academy are considered members of the military service.\textsuperscript{1912} According to article 10 of the 1954 Military Service Act, students of the cadet school are registered into the armed forces only when they are 18 years old.\textsuperscript{1913} As part of its plan to attract volunteers and reduce conscription, a quota of admissions to the training school for non-commissioned officers are to be allocated to twelfth grade high school graduates.

**OPPOSITION**

The following armed opposition groups have been active at various times but are now significantly diminished: the Barisan Nasional Pembebasan Pattani (BNPP) and its armed wing, the National Liberation Army of the Pattani People; the Barisan Bersatu Mujahideen Pattani (BBMP);\textsuperscript{1914} the Barisan Revolusi Nasional (BRN) (c.100 active fighters);\textsuperscript{1915} the Pattani United Liberation Organisation (PULO)\textsuperscript{1916} and its armed wing is the Pattani United Liberation Army (c. 50 armed fighters); and finally the New PULO, which is regarded by the army as currently the strongest armed group. The existence of another 40 or so armed groups was reported in 1998.

According to officials in 1999, “the separatist movement in the South now has only 60 to 80 active members and the threat of insurgent violence has largely subsided.” Allegedly, only two armed groups, the PULO and BRN, are still active.\textsuperscript{1917} Yet, in January 2000 it was reported that separatist movements have renewed their campaigns and that the PULO now maintains a web site which, according to Army sources, “advertises its activities and attempts to attract recruits.”\textsuperscript{1918}

**Child Recruitment and Deployment**

Little information is available about the recruitment practices of these groups but some are believed to attract teenagers. The Interior Minister reported to the Bangkok Post that as each group had no more than 100 armed guerrillas left, “they hired teenagers to stir up trouble at
5,000-10,000 Bhat a time. This made intelligence work more difficult since villagers tended to withhold information to protect their children.”

There is widespread recruitment of children into ethnic insurgent groups on the Thailand/Myanmar border (see Myanmar country entry).

**DEVELOPMENTS**

**International Standards**

During the 27th International Conference of the Red Cross and Red Crescent in November 1999, Thailand pledged “to prevent the recruitment of children below the age of 18 years into the situation of armed conflict” and supported the adoption of a strong CRC-OP-CAC. At the Winnipeg International Conference on War-affected Children in September 2000, the Thai government also undertook to accelerate the process of signing both the CRC-OP-CAC, but it has not signed the CRC-OP-CAC to date.

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1902 Constitution of the Kingdom of Thailand, enacted on 11 October 2540 (1997)
1903 Military Service Act, B. E. 2497, 1954.
1904 Initial Report of Thailand submitted to the Committee on the Rights of the Child, UN Doc. CRC/C/11/Add.13, 30/9/96, para. 107; see also “It’s time to end military draft”, Bangkok Post, 7/3/99. Information also provided by Thai Ministry of Foreign Affairs for the Asia-Pacific Conference on the Use of Children as Soldiers, May 2000
1906 It’s time to end military draft”, op. cit.
1907 Report of Thailand to Committee on the Rights of the Child, op. cit., para. 120.
1909 Horeman and Stolwijk, op. cit.
1910 “Thailand”, Asia week, 16/9/99.
1911 Report of Thailand to Committee on the Rights of the Child, op. cit., para. 107., para. 120.
1912 “Pre-cadet students to get free study”, Bangkok Post, 19/3/99.
1913 Statement at Asia-Pacific Conference op. cit.; information provided by Thai Ministry of Defence.
1914 Balencie and de La Grange op. cit. p. 865.
1918 Nanuam, W., “Army wages internet war against PULO”, Bangkok Post, 15/1/00.
1919 Hutasingh, O., “Separatist movement has few supporters”, Bangkok Post, 19/1/99.
1920 Statement of Minister of Foreign Affairs at the International Conference on War-affected Children, 16/9/00.
TOGO

TOGOLESE REPUBLIC

- Population:
  - total: 4,512,000
  - under-18s: 2,373,000
- Government armed forces:
  - active: 6,950-10,000
  - paramilitary: 750
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 138; ILO 182
- There are no indications of under-18s in government armed forces.

CONTEXT

There is no internal armed conflict in Togo, although the Government has alleged that the opposition has an armed wing at its disposal, possibly operating from Ghana. In 1998 Togo contributed 80 soldiers to peacekeeping forces in Guinea-Bissau.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription in Togo is selective. Approximately 90 per cent of army officers and 70 per cent of soldiers are from the Kabye ethnic minority, the President’s ethnic group. The minimum age for conscription and voluntary recruitment is 18. According to the Togolese government, however, service is performed primarily on a voluntary basis by recruits between 20 and 25 years of age.

Recruitment is carried out by a commission which travels across all prefectures of the country. Military training lasts 6 months in a national ‘centre interarmées’, after which enlisted men sign for a two year period that may be renewed. Service may last 20 years for private soldiers, 25 years for non-commissioned officers, and 30 years for ‘majors’. Officers can retire according to their age.

Military Training and Military Schools
Suggestions that a small number of 17-year-olds were recruited into armed forces in 1998 were denied by the Chief of the Military Cabinet of the Togolese Ministry of Defence in April 1999. There is no information available to suggest that minors are currently recruited into the armed forces of Togo.
Many children, however, are employed as domestics in Togo and the armed forces are no exception. Children between 6 and 18 years of age are present in military barracks doing menial work.

There are two military schools in Togo: *Ecole de sous-officiers* of Temedja and *Ecole d’officiers* of Pya. All students are over age 18. There is also the *Prytanée militaire* of Tchitchao for children of military officers and other privileged children. These children enter the school at age 6 and at age 18 they can choose to join the army or go to university.

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1922 "Guinea-Bissau: Peacekeepers", Voice of America, 26/12/98.
1923 Horeman and Stolwijk op. cit.
1925 Information supplied by DCI Togo
1927 Declaration by the Togolese delegation and W.A.O. Afrique, op. cit.
1929 UNICEF; supported by the Togolese delegation and W.A.O. Afrique, op. cit...
TRINIDAD AND TOBAGO

REPUBLIC OF TRINIDAD AND TOBAGO

- Population:
  - total: 1,289,000
  - under-18s: 424,000
- Government armed forces:
  - active: 2,700
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: GC, CRC

- There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
The national security forces of Trinidad and Tobago include the Trinidad and Tobago Defence Force and the Trinidad and Tobago Police Service, both of which are under the control of the Ministry of National Security. Recruitment in the above forces is on voluntary basis only and the minimum age for military service is 18. Trinidad and Tobago has a Cadet Force, which is also under the control of the Ministry of Security and is open to youths from the ages of 12 to 19. The school principal and parents must give consent for students to become cadets. Cadet activities include, weapons training and shooting, field crafts, map reading and drills.

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1930 US State Department op. cit. - Trinidad and Tobago.
1931 Radda Barnen (Swedish Save the Children) Website.
TUNISIA

REPUBLIC OF TUNISIA

- Population:
  - total: 9,460,000
  - under-18s: 3,563,000
- Government armed forces:
  - active: 35,000
  - paramilitary: 12,000
- Compulsory recruitment age: 20
- Voluntary recruitment age: 18
- Voting age (government elections): 20
- Child soldiers: none indicated
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182
- There are no indications of under-18s in government armed forces.

GOVERNMENT FORCES

National Recruitment Legislation and Practice
Article 15 of the Constitution says that “the defence of the country and the integrity of its territory is a sacred duty of every citizen.” According to Law No. 89-51 of 14 March 1989, recruitment into the armed forces is compulsory for all citizens once they have attained the age of 20. Nevertheless, voluntary recruitment is possible for every citizen who is over 18, with the consent of the legal guardian, and the approval of the Ministry of Defence.

National service lasts for 12 months, including a period of training which is determined by specific rules. The recruits subsequently belong to the reserve forces for a period of 24 years. After training, it is possible for conscripted youths to be transferred to the armed forces or the 'Development Units', or to do their national service in the civil service administration, in a business or within technical co-operation (Article 3 of the Law).

Military Training and Military Schools
The age requirement for entering military schools is between 18 and 23.

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1933 Brett and McCallin op. cit.
1934 Article 1 and Article 27 of the Law No. 89-51 of 14/3/89.
1935 Letter from the Tunisian Ambassador to the UN in Geneva addressed to CSC, 11/1/99
TURKEY

REPUBLIC OF TURKEY

- Population:
  - total: 65,546,000
  - under-18s: 22,918,000
- Government armed forces:
  - active: 609,700
  - reserves: 220,200
  - paramilitary: 182,200
- Compulsory recruitment age: 19
- Voluntary recruitment age: 19
- Voting age (government elections): 18
- Child soldiers: none indicated in government armed forces; indicated in armed groups – some 3,000 in the PKK in 1998
- CRC-OP-CAC: signed on 8 September 2000; supports “straight-18” position
- Other treaties ratified: CRC; GC; ILO 138

There are no indications of under-18s in government armed forces. The opposition PKK is known to recruit and deploy children under 18 years of age. In 1998, 3,000 children were said to be part of the PKK forces. There are reports of forced recruitment in Western Europe and Armenia.

CONTEXT

There has been armed conflict in the south-east of Turkey between regular forces and armed groups operating under the Kurdistan Workers Party (PKK) since 1984. The conflict increased in intensity after 1989 but began to taper off after the June 1999 arrest and trial of PKK leader Abdullah Öcalan, and his order for PKK forces to cease fighting and withdraw from Turkey.

GOVERNMENT

National Recruitment Legislation and Practice

Article 72 of the 1982 Constitution states that "[N]ational service is the right and duty of every Turk. The manner in which this service shall be performed, or considered as performed, either in the Armed Forces or in the public service shall be regulated by law". The Law on Military Service (Law No. 1111) and the Law for Reserve Officers and Reserve Military Servants (Law No. 1076) regulate this service. Article 1 of the Law on Military Service specifies that all males who are citizens of the Turkish Republic must receive armed military training, irrespective of their age. According to Article 2 of the Law on Military Service, recruitment starts on the first day of January of the year in which a male reaches the age of 20 (i.e. when the candidate is 19); the same minimum age is applied for voluntary recruitment.

In June 1999, the Office of the Chief of the General Staff declared that the mixed compulsory-professional military system must continue with emphasis on compulsory recruitment. Postponements of and exemptions from military service are possible under the
law for Turks residing in Turkey and those living abroad on payment of a fixed amount of money and performance of a two-month service in Turkey.1940

**Military Training and Military Schools**
There are several military schools in Turkey which include military high schools, colleges or military war academies. Students can apply for admission to a military school after completing their 8th year of compulsory education, i.e. once they are 15. However, they are not members of the armed forces but only prospective candidates.1941

There are three military colleges: the Turkish Army College, the Turkish Air Force College and the Turkish Naval College. Applicants can enter the Army College in Ankara after an orientation training for two weeks in Ankara and then for six weeks in a military training camp area located in Mentes, Izmir. Those who then want to leave can do so.1942 The application of a person under the age of 18 must be supported by a petition from his legal guardian. This will allow the cadet to be admitted to the military academy, and legally attain title of being ‘honourable member of the Turkish Armed Forces’. However military law does not apply until he turns eighteen.1943 The Air Force College is located in Istanbul.1944 Applicants must be below the age of 19 years (20 years if they graduated from a 7 or 8 years school). Those who are legally minor need to have one of their parents declaring themselves as the person responsible to the school administration. No minimum age is indicated. It is not clear from publicly available information if these cadets are members of the armed forces. The Naval Academy is located in Tuzla, 40 km from downtown Istanbul.1945 The upper age for entering this academy is 19 years (20 years for those who have a language preparatory education). No minimum age is indicated. Cadets seem to be members of the armed forces since they are subject to the existing Turkish military laws and related regulations.

According to the authorities, however, students who join these military schools before reaching the age of 18 are only prospective candidates and have academic training in these schools: “This should not be interpreted as recruitment of underage children,” according to a communication from the government.1946

**OPPOSITION 1947**

**Child Recruitment and Deployment**

- Kurdistan Workers Party (PKK): 5,000 – 10,000 plus 50,000 militia1948

The PKK is based in Turkey but has camps in the Bekaa Valley of Lebanon and in the district of Makhmur in the Kurdish area of Iraq. Smaller camps are still operational in very mountainous terrain close to the Turkish and Iranian borders.1949

The PKK issued a military service law in 1990, by which every Kurdish youth aged 18 to 25 without exception was obliged to join the PKK army. But it seems that the organisation managed to recruit enough volunteers to stop compulsory recruitment. However, from 1994, it appears that the PKK started to systematically recruit more and more children and even created children’s regiments. It was claimed, for example, that a children’s battalion named *Tabura Zaroken Sehit*
Agit was composed of three divisions and was, in theory at least, run by a committee of five children aged between 8 and 12 years. Both boys and girls are recruited by the PKK. In 1998, it was reported that the PKK had 3,000 children within its ranks, more than 10 per cent of whom were girls. The youngest child witnessed with the PKK was 7 years old.

The PKK was reported to have lost as many as 1,000 guerrillas during a battle with the Kurdish Democratic Party in 1995. Many boys and girls were among the victims, according to KDP sources. In 1997, a 14-year-old girl was one of several female guerrillas taken prisoner by the Turkish army during an offensive in Turkey's Cudi mountains. She had joined the PKK the previous year and had received political and military training at a PKK camp in northern Iraq. She was a Syrian national.

Some disturbing reports have been released on recruitment practices of the PKK in Western Europe. During the summer of 1998, Rädda Barnen learnt of PKK recruitment drives in Swedish schools. Seventeen minors were invited to attend a 'summer camp' in July in northern Sweden before being recruited to serve the PKK in south-east Turkey. By mid-August 1998, only three of them had returned. Many families have reported their children missing to the police.

A French magazine reported recently on the activities of the PKK in Kurdish communities living in France (about 100,000 people). The French police estimate the number of active PKK members at 300. In addition to taxes imposed on their incomes, some Kurdish families have to support the struggle by giving up their own children. Up to now, no family has formally complained to the police, instead preferring to claim that their child has run away. The PKK uses ‘cultural associations’ in order to indoctrinate these children, most during 15 days in a camp in the Larzac (South of France). The oldest have to follow the ‘big training period’ which takes place outside the child's country. There, youths receive paramilitary training and the toughest go to the frontline after a final training at the Iranian border.

In Germany, the Police of Bielefeld have inquired into the activities of the PKK in Ostwestfalen-Lippe. In addition to other activities such as racketeering and drug smuggling, the PKK has also forced children, teenagers and youths to join ‘political courses’ for a few days. Sometimes these course have taken place abroad, notably in Belgium and in the Netherlands. It seems that this usually happened with the consent of parents. One girl who had been kidnapped was returned by the police after enquiries among members of the PKK. Two other children are still missing and one other child is believed to be missing. All these children are below the age of 14 years.

Reports have been received from other cities in Germany. On a number of occasions, the German NGO, the Gesellschaft für bedrohte Völker (GfbV), has denounced the abduction of children by the PKK in Germany. In Celle, for example, it was reported that Kurdish parents of children who have died in hostilities or who are still fighting have been honoured during a PKK celebration in March 1998. On 22 November 1998, the criminal police of Hanover reported that three more children had been trained for guerrilla in camps in the Netherlands and Belgium.

The GfbV also reported that thousands of parents in many Western countries are mourning their children who have died in combat or whose children have been abducted. It said that messages encouraging the recruitment of children have been released on MED-TV, the PKK's satellite television. In Cologne, the German Coalition has been informed of a case of a 16-year-old
Kurdish girl who is still missing since March 1999 after having joined a cultural meeting in a Kurdish centre.

According to the Turkish authorities, similar abductions have also occurred in Armenia, including three children who were abducted in Yerevan.²⁶⁰

- **Turkish Hizbullah**

Turkish Hizbullah is an Islamist armed group (not related to Lebanese Hizbullah), which operates in southeast Turkey. Hizbullah was founded in the 1980s at the height of an armed separatist Kurdish rebellion waged by the PKK. There is no evidence of the use of child soldiers by the Turkish Hizbullah.

**DEVELOPMENTS**

**International Standards**

Turkey signed the CRC-OP-CAC on 8 September 2000 and supports a “straight-18” position.

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²⁹⁸ Brett and McCallin, op. cit.
²⁹⁹ Blaustein and Flanz, op. cit.
³⁰⁰ Communication of the Permanent Mission of Turkey to the United Nations in Geneva, to CSC, 25/11/99; information provided by UNICEF.
³⁰¹ "Turkey: General staff explains need for conscription”, BBC Monitoring Service, 13/6/99.
³⁰³ Information supplied by UNICEF.
³⁰⁴ http://www.kho.edu.tr/kho/index.shtml
³⁰⁵ Ibid.
³⁰⁶ Ibid.
³⁰⁸ The Turkish authorities declared, on a number of occasions during the European Conference on the Use of Children as Soldiers, and afterwards in a communication sent to CSC on 25/11/99 (op. cit.), that it would have been better to call the PKK a terrorist organisation instead of an armed opposition group, since it has been so qualified by different Western countries. Furthermore, they consider that there is no armed conflict in Turkey but rather “acts of terror” carried out by the PKK.
³⁰⁹ Waxman, D., op. cit.
³¹⁰ van Bruinessen, M., Turkey, Europe and the Kurds after the capture of Abdullah, Utrecht, 4/99.
³¹¹ Ismet, I. G., op. cit.
³¹³ RB, Children of War, No. 2, Stockholm, 1996.
³¹⁴ Couturier, C., "Kurdish rebels send teenagers to war: Turkish soldiers say they are gaining the initiative in the war on the south", Financial Times, 28/6/97.
³¹⁵ Ibid.
³¹⁸ "GbV appelliert an Bundesregierung: Sorgen Sie für die Rückkehr der von der PKK in Deutschland entführten kurdischen Minderjährigen in ihren Familien!", GbV, 23/11/98.
³¹⁹ Ibid.
³²⁰ Statement of the Turkish delegation to the European Conference on the Use of Children as Soldiers, Berlin, 18/10/99.
TURKMENISTAN

- Population:
  - total: 4,384,000
  - under-18: 1,953,000
- Government armed forces:
  - active: 17,500
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18 (unclear)
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- It is not known if there are under-18s in government armed forces due to lack of information on voluntary recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is enshrined in Article 38 of the constitution which states that “the defence of Turkmenistan shall be a sacred duty of each person. Male citizens of Turkmenistan shall be subjected to universal army service.” The minimum age for recruitment into the armed forces is reportedly 18 years of age, but it is not clear if this applies to voluntary recruitment also. The length of military service is variously claimed to be two years or 18 months.

In 1998, the government announced plans to strengthen the armed forces by increasing numbers to around 100,000 and improving training. There have been reports of corruption, draft evasion and desertion in the armed forces. Conscientious objectors to military service are sentenced to prison terms.

One source has reported that there has been no recruitment of children under 18 in Turkmenistan.

There are several military schools in the country, including a recently-established Air Force faculty and a Military Institute of the Defence Ministry which trains officers. No information has been obtained on the minimum age for entry into these institutions.

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1961 Blaustein and Flanz, op. cit.
1962 CIA World Factbook 1997; information provided by confidential source that requests confidentiality.
1963 ISS, op. cit.
1965 “Turkmen head on low order and discipline in armed forces”, BBC Monitoring Service, 22/9/98.
1967 AI Report 2000
1968 Information provided by a confidential source that requests confidentiality, 3/00.

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UGANDA

REPUBLIC OF UGANDA

- Population:
  - total: 21,143,000
  - under-18s: 12,026,000
- Government armed forces:
  - active 50,000-60,000
  - paramilitary: 1,800
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18 with consent
- Voting age (government elections): 18
- Child soldiers: indicated in government and opposition forces, some 10,000 – 15,000 since 1986
- CRC-OP-CAC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II

- There are continuing reports of government recruitment of child soldiers despite legislation to the contrary. Several opposition forces, especially the Lord’s Resistance Army, forcibly abduct children as young as nine who are compelled to fight and to serve as domestics and sex slaves. In April 2001 the UN High Commissioner for Human Rights reported that about one third of the more than 26,000 cases of abduction recorded to date in Uganda involved children under the age of 18. In February 2001, child soldiers recruited from the Democratic Republic of Congo were handed over to UNICEF by the Government of Uganda for reunification with their families. However, an agreement between the governments of Sudan, Uganda, Egypt and Canada has seen little progress in freeing children held by the LRA in camps located in Sudan.

CONTEXT

Despite relative political stability, Uganda has suffered from internal conflict in the north and southwest regions of the country. The Lord’s Resistance Army (LRA), an armed group active in the north and supported by the government of Sudan, has committed egregious atrocities against the civilian population, particularly children. As a result approximately 400,000 people, around 50% of the population, have been displaced in the Districts of Gulu and Kitgum. Similarly, the Allied Democratic Forces (ADF), an armed group active in the Southwest of the country, killed, tortured, maimed and abducted many persons, including children. The government forces, Ugandan People’s Defence Forces, (UPDF) have been actively involved in conflicts of the Great Lakes region, particularly in the Democratic Republic of the Congo (DRC) where Congolese children have been trained and deployed.

GOVERNMENT

National Recruitment Legislation
Article 17(1)(e) of the 1995 Constitution states that it is the duty of every citizen of Uganda “[t]o defend Uganda and to render national service when necessary.” Article 34(3) and (4) of the 1995 Constitution states that children (persons under the age of 16 for this specific provision) “[s]hall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.”
The National Resistance Army (NRA) Statute #3/92, the Conditions of Service Men Regulations 1993, and the Conditions of Services (Officers) Regulations 1993 all require that any recruit must be over 18 and under 30 and must produce a transcript and recommendation from a guardian.

However, in its initial report to the Committee on the Rights of the Child the Government reported: “The substantive law regarding recruitment into armed forces is spelled out in the Armed Forces (Conditions of Service) Regulations 1969. It is provided that the age of recruitment into the army is 18 years. Any recruitment below that age should only be with the consent of the person’s parents or guardians or the district administrator of the district in which the person resides. No person under the apparent age of 13 shall be enrolled in the armed forces.” (emphasis added)

Child Recruitment and Deployment

Although the legal recruitment age is 18, the Government of Uganda has readily admitted that child soldiers were used extensively in the 1980s in the struggle by the Museveni-led National Resistance Army. In its initial report to the Committee on the Rights of the Child, government representatives justified the use of these child soldiers as being dictated by the circumstances of the day. The government also contended that measures had been taken to enable recovery and social integration of these child victims.1973 The government denied that in late 1998 a recruitment drive of youths, many under 18 and often including street children, had been conducted.1974 However in 2000 reports continued to be received of boys under the age of 18 being recruited by the Ugandan People’s Defence Forces (UPDF).1975

The Ugandan People’s Defense Force (UPDF) has also provided direct assistance to opposition groups in northeastern region of the Democratic Republic of the Congo by training and equipping thousands of young recruits, including many children.1976 In particular the UPDF trained hundreds of recruits from the Hema and Lendu ethnic groups at camps of the Congolese Rally for Democracy (RCD-ML) in Beni and Bunia. Lendu children provided easy targets because many have been orphaned by interethnic killing. In 2000, recruiters for the RCD-ML routinely toured villages in recruitment drives, returning with truckloads of 100 to 200 children and youth aged 13 to 18. UPDF instructors would then provide three to six months of infantry and weapons training at Nyaluke camp. Many children reportedly died before completing the training due to abuse, lack of health assistance and deplorable conditions at Nyaluke.1977 Some 700 RCD-ML members, including many under the age of 18, who attempted a coup against the RCD-ML leadership in July 2000 later surrendered to the UPDF and were airlifted to Kampala for military training. However in mid-February 2001 the Government of Uganda granted UNICEF full access to the political and military training camp housing Congolese child soldiers and agreed to release those under the age of 18.1978 The 163 children identified, including three girls, are to be rehabilitated and reunified with their families.1979

In February 2001 the UN Security Council passed Resolution 1341 (2001) calling for all armed forces and groups involved in the DRC conflict to bring an effective end to the recruitment and use of children as soldiers and to ensure the speedy demobilisation, return and rehabilitation of such children.1980
OPPOSITION

Child Recruitment and Deployment
It is estimated that between 8,000-10,000 children have been recruited by various armed groups since 1986, many of whom have been compelled against their will to fight as soldiers. In April 2001 the UN High Commissioner for Human Rights reported that about one third of the more than 26,000 cases of abduction recorded to date in Uganda involved children under the age of 18.

Lord’s Resistance Army (LRA)
The Lord’s Resistance Army (LRA), led by Joseph Kony, operates from Sudan and has received protection and support from the Sudanese government. The gross abuses committed by the Lord’s Resistance Army in Northern Uganda are well documented, including the abduction of children and their use as soldiers and servants. UNICEF estimates that 5,106 of at least 10,000 children abducted by the LRA since 1987 remain unaccounted for. In 2000 the LRA abducted some 700 children, an estimated 100-200 of whom remain missing. Abducted children are subjected to beatings, rape, being forced to march until the point of exhaustion and being forced to participate in the killing of other children who attempt to escape. They are held in virtual slavery at clandestine camps, serving as guards, concubines and soldiers. The UN Secretary General reported that at least 85% of girls who arrive at the Gulu trauma centre for former LRA abductees had contracted sexual diseases during their captivity.

Resolution 2000/60 of the UN Commission on Human Rights condemned in the strongest terms the Lord’s Resistance Army for the abductions, torture, killing, rape, enslavement and forcible recruitment of children in northern Uganda.

In Sudan we were distributed to men and I was given a man who had just killed his woman… I was not given a gun, but I helped in the abductions and grabbing of food from villagers. Girls who refused to become LRA wives were killed in front of us as a warning to the rest of us.
– Concy Abanya, a 14-year-old girl abducted in Kitgum by the LRA and taken to Sudan.

At the camp we were trained to use guns. Those who disobeyed had their ears and fingers cut off. I didn’t want to participate in the killing, but they threatened to shoot me if I refused to do it.
– Odur Leko, a 14-year-old boy abducted in Kitgum by the LRA at the age of 8.

I killed another child. I did this three times. I felt bad but I knew what would happen if I disobeyed. Now I see dead people and blood in my dreams and I know the spirits of the children are coming to haunt me.
– Bosco was abducted by the LRA from Gulu district at the age of 12.

Allied Democratic Front (ADF)
Human rights abuses by the Allied Democratic Front (ADF), based in the DRC and active in the southwestern districts of Uganda, escalated in 1999 and 2000. According to Amnesty International more than 100,000 people have been displaced in Bundibugyo and Kasese districts since ADF attacks began in 1997. It is estimated that the ADF abducted over 441 persons in 2000, and approximately 30 children remained missing at the year’s end. As with the LRA, there are credible reports that the ADF use children as guards, labourers and soldiers.
Other Armed Groups
In the north-west of the country the Western Nile Bank Front (WNBF), which is also reported to use children as soldiers, is allied with the LRA and supported by the Sudanese government. The WNBF has also launched incursions from bases in the DRC.

Armed members of the Karamojong, a marginalised minority group in the Northeast of Uganda, have also reportedly abducted children for similar reasons. Armed gangs of Karamojong rustle cattle and ambush and raid vehicles, at times extending across the borders into Kenya and Sudan and on numerous occasions provoking serious incidents with neighbouring countries. Other armed opposition groups include the Ugandan National Rescue Front, in the Northwest, and the Tabliqs, a Muslim group with an estimated strength of about 400 men. It is not known whether these groups recruit or use youths under the age of 18 as soldiers.

DEVELOPMENTS

Criminalisation of child soldiers
In late 1998 the Ugandan First Deputy Prime Minister Eriya Kategaya announced that an amnesty law would be adopted for members of the LRA who surrender. In January 1999 the Ugandan army executed five teenage boys between the ages of 14 and 17 suspected of being ADF fighters, although such actions are not believed to be characteristic of the UPDF. The Government of Uganda has repeatedly committed itself to freeing children abducted by opposition forces and handing them over into rehabilitation centres.

Demobilisation
According to statistics provided by the two rehabilitation centres in Gulu, up until the first quarter of 1999 a total of 5,837 children had been reintegrated into their communities after receiving medical treatment, counselling and education.

At the International Conference on War-Affected Children in September 2000 the government of Uganda signed a joint statement with representatives of Canada, Sudan and Egypt pledging to take immediate action to free abducted children.

While the Government of Sudan claims to have stopped supporting the LRA, it has repeatedly reneged on commitments to secure the release of child soldiers being held by the LRA in camps located in Southern Sudan and reportedly stalled two separate meetings scheduled to monitor progress on the Winnipeg agreement. The government of Sudan has assisted child protection agencies in repatriating 105 children and adults who had escaped from the LRA between November 2000 and March 2001.

In March and April 2001, following a request of the UN Commission on Human Rights in 2000, a mission from the Office of the High Commissioner for Human Rights, with participation from UNICEF and the Office of the Special Representative of the UN Secretary-General for Children and Armed Conflict, visited Khartoum, Nairobi, Kampala and northern Uganda to examine the issue of abducted children.
1978 UNICEF applauds agreement with Uganda on child soldiers, 13/2/01.
1979 IRIN, “Uganda: Congolese child soldiers identified in Kyankwanzi”, 20/2/01.
1983 See e.g., Uganda: “Breaking God’s commands”: the destruction of childhood by the Lord’s Resistance Army, AI. AFR 59/01/97, 18/9/97; The Scars of Death: Children Abducted by the Lord’s Resistance Army in Uganda, HRW, 9/97.
1987 The Independent, “Uganda, child soldiers: all they know is how to kill”, 28/7/98.
1993 Report of Secretary General on Abducted Children of Northern Uganda, op. cit., para.11.
1994 Joint Communiqué on Immediate Action on Abducted Children, the International Conference on War-Affected Children, Winnipeg, Canada, 9/00.
UKRAINE

- Population:
  - total: 50,658,000
  - under-18s: 11,533,000
- Government armed forces:
  - active: 303,800
  - reserves: 1,000,000
  - paramilitary: 102,600
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000; supports the “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Article 65 of the 1996 Constitution states: “Defence of the motherland, of the independence and territorial indivisibility of Ukraine, and respect for its state symbols, are the duties of citizens of Ukraine. Citizens perform military service in accordance with the law.”

The former law on military service was the 1992 Universal Liability for Military Service Act of 25 March 1992. According to Article 15 of this law, all citizens who reached 18 years of age might be called up for compulsory military service in time of peace. However, a new Law on Military Duty and Military Service was adopted in June 1999, under which the maximum age of conscripts is to be 25 instead of 27 and the Ukrainian armed forces will be staffed by a mix of conscripts and contract servicemen.

Violent ‘hazing’ of military conscripts is said to be routine. According to information provided by the US State Department, in 1998 10 to 12 military personnel were beaten to death, and a total of 20 to 30 died as an indirect result of injuries sustained from hazing.

Child Involvement in Military Activities
According to Ukraine’s initial report to the Committee on the Rights of the Child, all children in Ukraine receive additional education in different fields, including military-patriotic duty. No further information on this was included in the report.

DEVELOPMENTS

International Standards
Ukraine signed the CRC-OP-CAC on 7 September 2000 and supports the “straight-18” position.

1996 Blaustein and Flanz op. cit.
1997 Initial Report of Ukraine to the Committee on the Rights of the Child, UN Doc. CRC/C/8/Add.10, 18/1/95, para.21.
UNITED ARAB EMIRATES

- Population:
  - total: 2,398,000
  - under-18s: 811,000
- Governmental armed forces:
  - active: 65,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: unknown
- Voting age (government elections): unknown
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138

- It is not known if there are under-18s in government armed forces due to lack of information on minimum voluntary recruitment age.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription has never existed in the United Arab Emirates (UAE). As a reaction to the invasion of Kuwait in 1990, there were proposals to introduce reservist training, but this has yet to materialise. The minimum age for voluntary recruitment is not known. Foreign volunteers form at least 30 per cent of the armed forces of the UAE.

2001 Brett and McCallin, op. cit.
2003 ibid.
UNITED KINGDOM

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Population:
  - Total: 58,744,000
  - Under-18s: 13,337,000
- Government armed forces:
  - Active: 212,450
  - Reserves: 302,850
- Minimum age for compulsory recruitment: No conscription
- Minimum age for voluntary recruitment: 16
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces - estimated between 6,000-7,000; indicated in armed groups and paramilitaries
- CRC-OP-AC: Signed 7 September 2000, does not uphold straight-18
- Other treaties ratified: CRC, GC API&II, ILO 138&182

The United Kingdom has persistently objected to raising the international minimum age for voluntary recruitment and participation in hostilities to 18. Within Europe the UK has the (equal) lowest minimum age for recruitment, the highest recruitment of under-18s into the regular armed forces and the lowest deployment age. The UK is also the only European country to send minors routinely into battle. There are currently 6,000-7,000 under-18s in the armed forces. While the UK has signed the Optional Protocol, an ‘interpretative declaration’ on deployment runs counter to its spirit and purpose. There has been recent reports of under-18s being recruited by armed groups and paramilitaries.

CONTEXT

The United Kingdom has sizeable contingents of armed forces in overseas operations and on duty in Northern Ireland.

GOVERNMENT

National recruitment legislation
There is no conscription into the armed forces of the UK. With parental consent both girls and boys may enlist at the age of 16, however all recruitment procedures (i.e. medical examination and parental consent process) may be completed earlier. The minimum age for direct entry to training for commissioned officer rank is 17 years 6 months. The minimum age for entry into the volunteer reserves (part-time Armed Forces) is 17, recently reduced from 17 years 6 months.

Recruits enter into a 22-year ‘open engagement’ with a right to give 12 months’ notice after a minimum period of service. The Army Terms of Service Regulations (Amendment, No 2) of 1 November 1999 raised the minimum period of service from three to four years. As previously, the period minors serve before their eighteenth birthday does not count toward either the 22-year engagement or the four year minimum. Therefore a 16-year-old recruit is obliged to serve until age 22 – a situation critics refer to as ‘the six-year trap’. Minimum terms of service for the navy is four years, and three years for the air force.
Under Queens Regulation 9.086b service persons who undertake any education or training course paid for by the Armed Forces and lasting more than two weeks (including for example music practise for bandsmen) waive the right to give twelve months’ notice outside the four year minimum engagement, and instead must serve a minimum of eight years. Only the Ministry of Defence has discretion to override the waiver. This rule may particularly affect young recruits who join the armed forces as a means of improving their qualifications. However, according to the Army Terms of Service Regulations as amended on 1 July 1999, under-18s – with the exception of those enlisted in the Brigade of Ghurkas – benefit from a special absolute right to discharge, provided that 14 days’ notice is given not earlier than 28 days after first reporting for duty, and not later than the end of the sixth month of enlistment.

Any service person who simply walks out (‘absent without leave’) outside these special regulations or without discretionary discharge (on compassionate, health or conscientious grounds) is liable to arrest by civil police and trial by court-martial for breach of contract. Persons who assist recruits to take absence without leave may also be prosecuted (Manual of Military Law, 304, s38).

**Child Recruitment**

Thousands of minors currently serve in the different branches of the armed forces. In its report to the UN Committee on the Rights of the Child, the Government justified its position on military recruitment age by saying that "young people between the ages of 16 and 18 who enlisted in the armed forces could not be considered as children within the meaning of the Convention because they were taking charge of their own future. They made that choice of their own free will, believing it to be a positive experience, and with the consent of their parents. Military authorities ensured that they did not engage directly in combat".

The UK’s low recruitment age is related to its shortage of recruits. The Government continues to target under-18 recruits rather than address the low level of adult volunteers or problems with retention rates. In fact the number of under-18s recruited annually has been rising. In 1998 the Government reported that under-18s represent nearly a third of the annual intake. Between March 1998 and March 1999, under-18s constituted 36.38 per cent (or 9,466 recruits) of the annual recruitment. In total, by January 1999 about 40 per cent of all military personnel had joined at the age of 16 or 17.

<table>
<thead>
<tr>
<th>Number of under-18s recruited into the UK armed forces</th>
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<tr>
<td>1997</td>
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<td>4529</td>
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The number of under-18s serving in the armed forces at any one time is slightly lower than those recruited annually (table above). As of 1 June 1999 there were 6,421 under-18s serving in the British navy, army and air forces. The greatest proportion of minors (4,032) fall into the group of 17-year-olds serving in the army, which unlike naval and air forces tends to accept recruits with few or no qualifications.

<table>
<thead>
<tr>
<th>Number of under-18s serving in the UK armed forces, 1 June 1999</th>
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<tr>
<td><strong>Force</strong></td>
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<td>Navy</td>
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Girls and women are encouraged to join the armed forces and may compete for about 70 per cent of jobs; exceptions remain the infantry and armoured corps which are male-only. In January 1999 females comprised 10 per cent of all 16-year-olds and 12 per cent of all 17-year-olds. In July 1999 they comprised 12.5 per cent of the armed forces in total. The army initiated a series of trials in May 2000 to test women’s ability to serve in combat roles alongside men and to determine the best means of training (all female or mixed gender units), possibly to open up the types of positions women may serve in.

In June 2000 it was reported that desertion and absence without leave from the Army, often prompted by bullying and mistreatment by superiors or colleagues, had reached levels higher than at any other time since the end of National Service. In 1999 the Army recorded 1,998 cases of desertion and being Awol (absent without leave) - one for every 48 soldiers. Absence periods range from 36 hours to several months or even years. Almost all cases of desertion and offences occur among the junior ranks. In June 2000 the Special Investigation Branch of the military police was investigating 30 allegations of brutality, and at least 30 servicemen were separately suing the Ministry of Defence after suffering assaults from fellow-soldiers. Absenteeism exacerbates the shortage of recruits, thus soldiers are often retained in the army after lengthy periods of absence because their units cannot afford to lose more manpower.

Serious offences have included, for example, the rape of a 17-year-old recruit by her Sergeant (jailed for seven years in November 1998), the mistreatment of three recent teenage recruits who were beaten, shaven, stripped, ‘touched up’ and forced to dance before their unit by two senior riflemen (discharged and sentenced to 140 days’ detention for disgraceful conduct of an indecent kind in February 1999), the bullying and humiliation of 10 recruits age 18 and under (including a mock execution, forced simulation of sexual acts and forced ingestion of mud) by a sergeant and four corporals who denied 17 charges of ill-treatment to soldiers and were subjected to only minor discipline in July 1999. Other offences handled by solicitors over the last three years have included women soldiers paraded in T-shirts soaked in water by male superiors; a recruit allegedly tied to a cannon, stripped and then whipped with belts by NCOs; recruits being tied to beds or trees and urinated on; recruits being forced to undergo the ‘regimental bath’ - dunking in a tub filled with urine, vomit and sometimes faeces; recruits being beaten so badly they need hospital treatment; a recruit beaten and threatened with being drowned in the sea.

Between 1 January 1982 and 1999 a total of 92 recruits aged 16 and 17 died during service, including four deaths as result of battle wounds or injuries. The remaining deaths were the result of intentional non-battle casualties (assault or self-inflicted), accidental non-battle casualties (off duty, in training, and on duty), and deaths by natural causes (diseases). Training deaths included, for example, that of a 16-old boy Royal Marine recruit who in 1998 drowned wearing full kit during a river-crossing exercise during a 30-week commando training course. He was the fourth to die during training in two and a half years.

**Military Training and Military Schools**
In 1998 the Army Foundation College (AFC) opened with a capacity of 650 students to address the shortage of recruits by attracting minors between the ages of 16 and 18. Students at the AFC are enlisted before they join the College, and within weeks they are trained to fire weapons. Just over half of the 42-week course is devoted to military training; one-third to vocational training and about 10 per cent to leadership training. The success of the AFC led to the doubling of its student capacity by September 2000.

There is also the Army Apprentices college, specifically oriented toward trade training, but likewise accepting recruits at 16 after formal enlistment into the army.

Certain charities provide children of service personnel with public school education at minimal expense, for example the Duke of York’s School. Pupils join these schools at various ages. The Welbeck College, for example, provides potential Army officers with a sixth form education prior to going to Royal Military Academy Sandhurst or to university. Students enter the college at about 16. Students in these schools are not obliged to join the armed forces but are clearly encouraged to do so.

The Sea Cadet Corps, Army Cadet Force, Air Training Corps and Combined Cadet Force are not part of the Armed Forces and are not subject to military law. All units of the first three are linked with a unit of the relevant regular or reserve branch of the Armed Forces. Combined Cadet Force units are based in schools, mainly independent schools and some grammar schools. Boys and girls from age 13 to 17 or 18 can join any of the cadet forces. Within the Sea Cadet Corps minimum entry age is 12 but some units also have Junior Sea Cadet sections for 10 to 12-year-olds.

On 31 March 1999, there were 128,300 cadets (19,900 Sea Cadets; 65,700 Army Cadets; and 42,700 Air Cadets). Cadets are encouraged to later join the armed forces; accordingly the Ministry Defence has a large budget for Cadet expenses such as uniforms, travel and subsistence at special events. During the financial year 1998-99, £58 million was spent on the Cadet Forces, with a promised increase of £3 million over the next four years. In July 1999 it was reported that 5,076 former Cadet members had joined the armed forces (3,324 in the Army, 1,059 in the Navy and 693 in Royal Air Force). In 2000 the Commons Defence Committee reported that Cadets supply 45 per cent of aircrew recruits.

There have been fatalities within the Cadets, including 15-year-old Clare S. who was crushed by a Land Rover during a night exercise at Longmoor training camp in July 1998. The inquest verdict was accidental death. A Board of Inquiry was held by the Secretary of State for Defence to prevent similar incidents from occurring in the future.

Recruitment Campaigns Targeting Under-18s
Recruitment of under-18s is heavily promoted through various forms of advertising. Between 1994 and July 1999 the armed forces spent around £6 million on advertising campaigns to attract 16 to 24-year-olds. Since 1998 the British Army has launched CD-Roms, including ‘Wargames’ and ‘First Contact’, to promote the Army. In First Contact, digital graphics allow the user to assemble an SA80 assault rifle. Armed Forces Minister John Reid claimed the CD, distributed in schools and at public events, was not intended to recruit young people, but to
educate and inform them about the Army and its work.\textsuperscript{2034} The Army has also launched a range of merchandise intended to appeal to youths.

An Army Schools Presentation Team regularly visits schools and youth organisations to talk to 14 to 18-year-olds. On some occasions a military helicopter is landed on school grounds. Military displays are provided at local events and children are encouraged to handle unloaded weapons. In May 2000 the four Irish regiments of the army held a campaign targeting children by opening barracks and allowing them to play in tanks and with deactivated weaponry, to engage in target practise, abseiling and camouflage.\textsuperscript{2035}

Recruitment campaigns tend to target the most vulnerable youths, concentrating on areas with low educational levels, high unemployment and advancing poverty where pay and training is particularly attractive.\textsuperscript{2036} After some controversy the Ministry of Defence launched a project to recruit ex-offenders sentenced before the age of 18 to a maximum of 2 years’ youth custody for offences not involving race, sex or drugs. A pilot scheme opened in January 2000 at Wetherby Young Offenders’ Institution, West Yorkshire. These young offenders undergo 12 weeks of military training involving physical fitness, drill, military history and map reading before being enlisted. The Ministry of Defence spokesman argued that "Some excellent young recruits may have made a mistake but have paid for it and deserve a chance to serve their country. We admit there is a shortfall in Army numbers and we are looking at ways of addressing this". The Director General of Army Training and Recruiting explained that "The aim would be to give them a chance to make something of themselves in the Army. Of course, like any young offender who at present can apply to join the Army under the Rehabilitation of Offenders Act, they will have to meet our rigorous recruitment standards."\textsuperscript{2037}

Most recently a scheme was introduced which offers female soldiers breast enlargements, at a cost of about £3,500 per operation. While an Ministry of Defence spokesman claimed the practise was based on ‘strict clinical need’, justifications have included making women ‘happier soldiers’.\textsuperscript{2038}

The armed forces also recruit through sponsored education. The Ministry of Defence, in conjunction with the Prince’s Trust, sponsors three-month full-time courses in Further Education colleges aimed at school leavers, with visits to Armed Forces establishments, a general orientation towards a military career, and a certificate for successful completion.\textsuperscript{2039}

**Child Participation in Armed Conflict**  
The UK deploys a large proportion of its armed forces in overseas operations or on duty in Northern Ireland. In 2000 these included: Northern Ireland: 12,800; Germany: 20,610; Gibraltar: 330; Bosnia: 2,700; Cyprus: 3,512; Belize: 180; Brunei: 1,050; and Yugoslavia 3,500.\textsuperscript{2040}

UK reported in 1995 that minors were used in the armed forces in both the Falklands and the Gulf conflicts, but had not been sent onto the streets in Northern Ireland because recruits were over 18 before training could be completed.\textsuperscript{2041} (The alleged need for training has not prevented under-18s from being sent into other armed conflicts and may more likely be due to the deaths of three under-18s, one deployed in Belfast 1971 and two killed by the IRA in Britain 1974.)\textsuperscript{2042}
Apart from the special provision for street patrols in Northern Ireland, guidelines on minimum age for active service specify 17 in the navy, 17 years three months in the army, and 17 years six months for the air force. However the Ministry of Defence reserves the right to deploy people below these ages in major international conflict or to avoid destabilising units whose members are mostly over the minimum age. There is an absolute bar to posting under-17’s on submarines and under-18s as aircrew in any Armed Forces. The Government has also claimed that under-18s are assigned duties according to their age and are less likely to take part in hostilities than are over-18’s. Two 17-year-olds were killed in the Falklands War, and another young man was killed there on his 18th birthday. Over 200 British soldiers under 18 participated in the Gulf War, two of whom died during the war. Some of those who returned are reportedly suffering from Gulf War Syndrome.

The Government has agreed to abide by the directive of the UN Secretary General that all UN Peacekeepers be at least age 18, preferably age 21. In practise the 21 year recommendation is disregarded and the rule is applied only to ‘blue beret’ UN troops, not British troops in NATO contingents operating under UN resolutions (i.e. in the Balkans). The UK deployed under-18s as peacekeepers in the conflict areas of the Former Yugoslavia (10 in 1993, 5 in 1994 and 14 in 1995), and in 1999 deployed 51 under-18s in the Balkans.

ARMED GROUPS AND PARAMILITARIES

While children have participated in political violence in Northern Ireland, there has been little evidence of any systematic recruitment by armed groups or paramilitaries. In October 1999, two teenage boys from Dublin aged 14 and 16 were arrested during a police raid on a ‘Real IRA’ training camp, although the degree to which they were participating in armed activities was unclear. Observers speculated that the ‘Real IRA’ might seek to recruit ‘clean skins’ who are not known to the police and intelligence services for their operations.

In April 2001, however, The Guardian newspaper reported that loyalist paramilitaries were signing up hundreds of new teenage recruits. The leader of the Ulster Defence Association (UDA) south Belfast brigade argued the recruitment drive was to keep young people away from dissident groups and drugs: “In the past, it was the done thing in many loyalist areas to join the paramilitaries and a lot of kids still want to get involved. Now they are growing up in a void and we’ve got to keep control and give them a sense of identity... The Ulster Young Militants (UDA Youth Wing) used not to take them until they were 17 or 18, but now it’s 14 or 15 because they are at an age where they are bowing to peer pressure. We’ve taken on hundreds in south Belfast alone and around the country... We’re not teaching them to shoot or bomb, but we’re trying to educate them about history, computers and job skills...”. A senior Ulster Volunteer Force (UVF) spokesman admitted his group was recruiting young members from 17 upwards and that recruits received a level of weapons training “to maintain their interest”. A source close to the smaller Orange Volunteers said, “there was a steady stream of people of all ages interested in joining”.

DEVELOPMENTS

International treaties
The UK signed the Optional Protocol to the Convention on the Rights of the Child on 7
September 2000. It does not support the ‘straight-18’ principle, and upon signing the Government
made the followed interpretative declaration:

“The UK will take all feasible measure to ensure that members of its armed forces who have not
attained the age of 18 years do not take a direct part in hostilities. The UK understands that
Article 1 of the Optional Protocol would not exclude the deployment of embers of its armed
forces under the age of 18 to take a direct part in hostilities where: (a) there is genuine military
need to deploy their unit or ship to an area in while hostilities are taking place; and (b) by reason
of the nature and urgency of the situation: (i) it s not practicable to withdraw such persons before
deployment; or (ii) to do so would under mine the operational effectiveness of their ship or unit,
and thereby put at risk the successful completion of the military mission and/or the safety of other
personnel.” The Coalition has criticised this Declaration as contrary to the spirit and purpose
of the Optional Protocol, and campaigned for its withdrawal.

The UK also obstructed negotiation on the ILO Convention on the Worst Forms of Child Labour,
insisting upon a compromise whereby forced or compulsory military service by under-18s is
prohibited, but their voluntary military service is not.2054

Parliamentary Review
A Select Committee of the House of Commons’ statutory review of the Armed Forces
Legislation in early 2001 failed to address the Optional Protocol or the deployment of under-18s.
Rather, the Committee stated: “We believe it continues to be important to recruit young people
straight from school, including at the age of 16; if they are not caught at this point, they are likely
to take up other careers and be permanently lost to the Armed Forces. We agree... that publicising
the education and training opportunities available in the Armed Forces is a key recruitment tool
which the Services must exploit if they are to continue to attract sufficient numbers of young
people from a shrinking pool in a competitive employment market.”2055

International Co-operation
Britain has promoted a ban on the use of children as soldiers in other parts of the world. In March
1999 the International Development Minister explained that a proportion of the British
international aid budget would be used for the first time to back military reform in the developing
world, and that reducing the number of child soldiers would be among the main aims of this
initiative.2056 The UK also made financial/military assistance to Sierra Leone conditional on the
non-use of child soldiers by government forces, however the minimum recruitment age was set
only at 16, in line with Britain’s domestic position.

2004 There is no statutory minimum age of recruitment in the UK. The age of 16 is merely a ‘house rule’ of the Ministry of Defence. There is a long history of under-18 recruitment, which certainly applied throughout most of the 19th century (see, for example, the Mutiny Acts 1831-66). Until c1991 recruits were accepted at 15 in those cases where youths can legally leave school a few months before the 16th birthday.
2006 Montgomery, T., UK Coalition to Stop the Use of Child Soldiers, 23 September 1999.
2007 The Brigade of Ghurkas are excluded from this rule (Regulation 7A) due to the public expense of flying Nepalese recruits to the UK at public expense, making their sudden discharge impractical. The question of overseas recruitment may itself be a humanitarian concern.
Report of Select Committee on Armed Forces Bill 2001, Introduction, para. 63. In reply to a Parliamentary question, John Spellar, Minister of State for the Armed Forces, stated that the current army was 4000 persons short of the desired strength, and 8000 short of the strength intended by 2005 (Hansard, 23 April 2001).


Communication of the Permanent Mission of the United Kingdom to the UN in Geneva, to the Coalition to Stop the Use of Child Soldiers, 19 October 1999.

Hansard, 26 January 1999.

Hansard 29 July 1999.

Evans, M., "Women-only training hits army target", The Times, 8 February 1999. According to the Court of Justice of the European Communities (Case C-273/97) women may be excluded from service in special combat units by reason of the nature of the activities in question and the context in which they are carried out.

Communication of the Permanent Mission of the United Kingdom to the UN in Geneva, to the Coalition to Stop the Use of Child Soldiers, 19 October 1999.

"Recruitment: showing the real face of military practice", The Guardian, 10 July 1999.


"Army boots out barracks bullies: new recruits were forced to dance naked conga", The Herald, 4 February 1999.


Hansard, 26 July 1999.


Communication of the Permanent Mission of the United Kingdom to the UN in Geneva, to the CSUCS, 19 October 1999.

DATA Tri-Service. The figure for each service covers the appropriate single service and an element of the Combined Cadet Force.

Hansard, 26 July 1999. Naval figures based on 85 per cent of entrants in the year.


At Ease, Interviewed on German Radio, April 1999.


Information provided by the Peace Pledge Union.


Initial report of the United Kingdom of Great Britain and Northern Ireland to the Committee on the Rights of the Child, UN Doc. CRC/C/11/Add.1, 23 March 1994, paras. 543-544.

UK Agenda for Children, Children’s Rights Development Unit, London.

Hansard , 1 July 1999.

Abrams, F., "Ban on soldiers under 18 resisted by Britain and US”, The Independent, 18 January 1999. The Ministry of Defence has no record of the extent of PTSD among ex-service men and women since, once soldiers leave the forces, it has no further duty towards them. See McVeigh, T. "Screening to weed out the soldiers who will crack", The Guardian, 17 October 1999.

Bernard Miyet, UN Under- Secretary General for Peacekeeping, address to Fourth Committee of UNGA, 29 October 1998.


Guardian Weekly, 29/11/00

"Loyalists Recruit the Next Generation”; The Guardian, 3 April 2001


UNITED STATES OF AMERICA

- Population:
  - total: 276,218,000
  - under-18s: 71,442,000
- Government armed forces:2057
  - active: 1,384,400
  - National Guard and Select Reserve: 864,600
  - paramilitary: 53,000
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 17
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces - 23% of new recruits are 17; 0.24% have completed training and are assigned to units
- CRC-OP-CAC: signed on 5 July 2000; does not support “straight-18” position.
- Other treaties ratified: GC; ILO 182

- National recruitment legislation permits the entry of 17-year-olds into the armed forces. Only an extremely small per centage are ready for deployment under the age of 18. Nevertheless, 17-year-olds have served in US operations in the Gulf War, Somalia and Bosnia. Harassment and intimidation of young people in the military have been reported. The involvement of children from a very young age in military school programmes is a matter of concern.

CONTEXT

The United States of America maintains one of the largest militaries in the world, and as of 30 September 2000, had more than 250,000 military personnel stationed outside the United States in more than 140 countries. The largest US military presences are in Germany (69,000), Japan (40,000) and South Korea (37,000).2058 There have been 39 US military deployments or engagements between 1990 and 1998,2059 including the deployment of 665,476 troops in the 1991 Iraq war; 25,800 troops to Somalia in 1992-93; over 21,000 to Haiti in 1993-95; 58,000 to Bosnia in 1995-96; and 31,788 troops engaged in the 1998 “Operation Desert Fox” bombing of Iraq.2060

GOVERNMENT

National Recruitment Legislation and Practice
The United States currently maintains an all-volunteer military force, and accepts both male and female recruits from the age of seventeen.2061 Permission from a parent or legal guardian is required for any enlistee who has not yet reached the age of eighteen. The present draft law (50 USC App. 454.455) allows for conscription at age eighteen, although the draft has not been activated since 1973, at the end of the Vietnam war.

Child Recruitment
According to the Defense Department’s most recent statistics, 23% of new recruits into the US armed services are seventeen at the time when they sign their enlistment contracts.2062 The majority of new recruits enter the armed services through the Delayed Entry Programme (DEP), which allows individuals to wait for up to a year before reporting for training. This programme is
particularly targeted to students who enlist while still in school, but select a date after their graduation to report for training.

Six per cent of new active duty recruits are seventeen years old at the point when they report for training. Approximately one-fifth of these are girls. Training periods for new recruits range from four to six months: four months for the Navy and Air Force, five months for the Army, and six months for the Marine Corps. By the completion of their training, the vast majority of service members have turned eighteen. The Defense Department reports that of those enlisted troops who have completed training and been assigned to units, 99.76% are age eighteen or older.

As of 30 September 2000, the number of seventeen-year olds on active duty was 3289: 1343 in the Army, 973 in the Navy, 379 in the Marine Corps, and 594 in the Air Force.

Despite a significant reduction in the size of the US armed forces over the last decade, the military has found it increasingly difficult to both recruit new soldiers and retain junior officers. Fiscal year 2000 was the first year since 1997 that each of the four services — Army, Navy, Air Force and Marines — met their recruitment goals. Shortfalls during previous years briefly renewed public debate over reactivating the draft, and prompted the services to step up recruitment significantly. For example, the Air Force increased its advertising budget ten-fold between 1993 and 1999, from $7.7 million to $76 million, and is increasing the number of its recruiters from 800 in 1999 to 1500 by early 2001. Currently, the Defense Department spends $11,000 per recruit in advertising and recruitment costs.

**Treatment of Young Recruits**

The pressure to meet recruitment quotas has led some military recruiters to harass and intimidate young people who join the Delayed Entry Programme and subsequently decide that they do not want to enter military service. Although individuals enlisting into the DEP sign an enlistment contract, those who change their minds before induction may request separation from the programme without prejudice (i.e. no dishonourable discharge, no punishment, no reserve duty). The Office of the Assistant Secretary of Defense for Force Management Policy states, “the Services consider enlistment in the DEP a serious commitment, but they do not require youth to enter military service against their will during peacetime.”

A 1999 investigation into the DEP by an Atlanta television station found that “when young men and women changed their minds, they say military recruiters intimidated, threatened, and even outright lied to them in an effort to bully them into enlisting.” The investigation found that recruiters threatened young people with arrest, bad discharge and blacklisting when they asked to be released from their agreements. Non-governmental organizations have reported similar cases of harassment, including one seventeen-year old who was reportedly repeatedly threatened with jail and told he would be denied any government loans for college if he refused to report for training.

Girls, who account for approximately 18% of new recruits and 24% of reserve recruits, are vulnerable to sexual harassment by military recruiters. In 1999, one school district in Washington state banned recruiters from schools after several Army recruiters from a local recruiting station were investigated for sexual harassment of high school girls. An investigation by a national
magazine into sexual harassment by military recruiters cited similar incidents and quoted one veteran Army recruiter who estimated that up to 15% of male recruiters sexually harass females considering recruitment. 2076

Child Deployment
Recent US military practice has been to assign soldiers to units, including combat units, after completion of their basic and technical training. Any soldier who is still seventeen after completion of his or her training may therefore be assigned to a combat unit and deployed into combat operations. Although as noted above, the number of such seventeen-year old troops is extremely small (less than one-quarter of one per cent), the United States has acknowledged that seventeen-year old soldiers served in US operations in the Gulf War, in Somalia, and in Bosnia. 2077

In June 1999, the Defense Department reported that less than 100 seventeen-year-olds served in combat units at that time, and that these soldiers were stationed primarily in the Balkan region. 2078 The Defense Department was unable to give more recent figures in response to a March 2001 request.

The Defense Department is also unable to provide information on casualties among seventeen-year old troops. However, of the 148 US soldiers killed during the Gulf war, none are believed to have been under the age of eighteen. 2079

Military Training and Military Schools
Military-run programmes exist for children as young as eight. In the Young Marines, boys and girls from age 8-18 wear uniforms, are assigned military ranks, and participate in “boot camp” and rifle drills. The programme has over 200 units nation-wide, and has grown from approximately 8,000 participants in 1998 to 14,865 in early 2001. 2080

A far larger number of children – over 380,000 in 1999 - participate in the Junior Reserve Officer Training Corps (JROTC). JROTC, established in the United States in 1916, is an elective high school course taught by retired military personnel at approximately 2700 secondary schools in the United States. The military provides each unit with uniforms, instructional and other materials, and shares the cost of the military instructors with local schools. Students can enrol in JROTC as cadets beginning at age fourteen. Over 40% of cadets are girls. 2081

The programme’s stated goal is “to motivate and develop young people.” 2082 Its curriculum includes communication skills, leadership, physical fitness, history and citizenship and drug abuse prevention. JROTC cadets also participate in military drills with both real and dummy firearms. Some JROTC programmes also have a marksmanship component and are taught how to use guns in firing ranges. 2083

About 40% of JROTC cadets go on to pursue careers or reserve duty in the military 2084 and JROTC cadets who finish high school are much more likely - by five times - to sign up for the military right straight from school than non-cadets. 2085 Although the armed forces officially state that JROTC is not a recruiting programme (and cadets are not members of the armed forces), a March 1999 policy memorandum ordered Army JROTC instructors to make Army recruiting efforts a part of their official duties. 2086 In testimony before the House Armed Services
Committee on 9 February 2000, then Defense Secretary William Cohen referred to JROTC as “one of the best recruiting devices that we could have.”

The Defense Department has proposed expanding JROTC to an additional 700 schools by the year 2005. In 1999, Congress approved a plan to expand Army JROTC to 250 new schools over the next five years. During the same period, the Navy plans to increase its JROTC units from 435 to 700 schools, and the Air Force from 609 to 945.

JROTC programmes are most often found in schools with a high proportion of non-white students, and 59% of JROTC cadets are minority youth (compared with approximately 25% of the general population). JROTC is also disproportionately found in the South and in poor communities. Sixty-five per cent of JROTC units are in southern states.

Both students and non-governmental organisations have criticised the programme for introducing guns into schools and promoting violence. In February 2000, high school students in Kansas charged that Navy JROTC in local schools violated school weapons policies, and petitioned their school board to reconsider whether JROTC merited academic credit. In November 1999, the Chicago Public Schools abolished rifle classes taught as part of JROTC programmes in 33 city high schools after widely publicised school shootings in Colorado and other parts of the country. The schools chief said, “We don't want to send a contradictory message in the school by on the one hand discouraging the use of firearms and being tough on violence and then on the other having a marksmanship curriculum.”

DEVELOPMENTS

International Standards
The United States of America signed the CRC-OP-CAC on 5 July 2000 but does not support a “straight-18” position. Prior to January 2000, the United States strongly opposed efforts to raise the international minimum age for recruitment or participation in armed conflict to eighteen. The US agreed that the 15-year limit established by the Convention on the Rights of the Child and the Additional Protocols to the Geneva Conventions was “unacceptably low,” but argued in favour of a seventeen-year age limit for both voluntary recruitment and participation, in accordance with domestic US law and practice.

Ultimately, however, the US agreed to join in a consensus adoption of the draft text which became the Optional Protocol. After its adoption, President Clinton hailed the protocol as “a historic achievement to protect the world’s children.”
Ibid.
466 American Forces Press Service, 3/10/00.
468 Abrams, Arnold, Newsday, 19/2/00.
469 Army Ads Open New Campaign, Washington Post, 21/9/00.
470 Population Representation in the Military Forces, FY98.
471 Ibid.
473 “Gerard Gratiot: Rescued from the DEP,” The Objector, Central Committee for Conscientious Objectors, Fall 1999.
475 United States demarche on involvement of children in armed conflict, 3/98.
478 Young Marines of the Marine Corps League Headquarters, telephone conversation, 5/3/01.
479 Milner, Glen, “Patterns of Behaviour: Army Recruiters and the Sexual Harassment of Female Recruits,” unpublished article, 12/2/00.
481 United States demarche on involvement of children in armed conflict, 3/98.
484 Young Marines of the Marine Corps League Headquarters, telephone conversation, 5/3/01.
485 Milner, Glen, “Patterns of Behaviour: Army Recruiters and the Sexual Harassment of Female Recruits,” unpublished article, 12/2/00.
487 United States demarche on involvement of children in armed conflict, 3/98.
490 Young Marines of the Marine Corps League Headquarters, telephone conversation, 5/3/01.
491 Milner, Glen, “Patterns of Behaviour: Army Recruiters and the Sexual Harassment of Female Recruits,” unpublished article, 12/2/00.
493 United States demarche on involvement of children in armed conflict, 3/98.
496 Young Marines of the Marine Corps League Headquarters, telephone conversation, 5/3/01.
497 Milner, Glen, “Patterns of Behaviour: Army Recruiters and the Sexual Harassment of Female Recruits,” unpublished article, 12/2/00.
499 United States demarche on involvement of children in armed conflict, 3/98.
502 Young Marines of the Marine Corps League Headquarters, telephone conversation, 5/3/01.
503 Milner, Glen, “Patterns of Behaviour: Army Recruiters and the Sexual Harassment of Female Recruits,” unpublished article, 12/2/00.
505 United States demarche on involvement of children in armed conflict, 3/98.
508 Young Marines of the Marine Corps League Headquarters, telephone conversation, 5/3/01.
509 Milner, Glen, “Patterns of Behaviour: Army Recruiters and the Sexual Harassment of Female Recruits,” unpublished article, 12/2/00.
511 United States demarche on involvement of children in armed conflict, 3/98.
514 Young Marines of the Marine Corps League Headquarters, telephone conversation, 5/3/01.
515 Milner, Glen, “Patterns of Behaviour: Army Recruiters and the Sexual Harassment of Female Recruits,” unpublished article, 12/2/00.
517 United States demarche on involvement of children in armed conflict, 3/98.
URUGUAY

EASTERN REPUBLIC OF URUGUAY

- Population:
  - total: 3,313,000
  - under-18s: 976,000
- Government armed forces:
  - active: 23,700
  - paramilitary: 920
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-CAC: signed on 7 September 2000 and supports “straight-18” position
- Other treaties ratified: CRC; GC/API+II; ILO 138

There are no indications of under-18s in government armed forces.

GOVERNMENT

National Recruitment Legislation and Practice
Uruguay does not have compulsory military service. All recruitment into the armed forces is voluntary and the recruitment of persons below 18 years of age is prohibited, without exception, even in war time. There is no distinction between the age of recruitment and the age of deployment or participation in hostilities.

DEVELOPMENTS

International Standards
Uruguay signed CRC-OP-CAC on 7 September 2000, and supports a “straight-18” position. Upon ratification of the Convention on the Rights of the Child, Uruguay made a declaration that: “The Government of the Eastern Republic of Uruguay affirms, in regard to the provisions of article 38, paragraphs 2 and 3, that in accordance with Uruguayan law it would have been desirable for the lower age limit for taking part in hostilities in the event of an armed conflict to be set at 18 years instead of 15 years as provided in the Convention.” Furthermore, the Government of Uruguay declared that “in the exercise of its sovereign will, it will not authorise any persons under its jurisdiction who have not attained the age of 18 years to take a direct part in hostilities and will not under any circumstances recruit persons who have not attained the age of 18 years.”

Uruguay hosted the Latin American Conference on the Use of Children as Soldiers in July 1999.

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UZBEKISTAN

REPUBLIC OF UZBEKISTAN

- Population:
  - total: 23,942,000
  - under-18s: 10,674,000
- Government armed forces:
  - active: 59,100
  - paramilitary: 18,000-20,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Child soldiers: unknown in government forces; indicated in armed opposition groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- It is not known if there are under-18s in government armed forces due to lack of information on voluntary recruitment age. Recruitment of boys under 18 by armed opposition groups has been reported.

CONTEXT

Uzbekistan faces armed opposition groups seeking to establish an Islamic state, allegedly with links to neighbouring conflicts in Chechnya, Afghanistan, Tajikistan and Xinjiang. Opposition activities have affected other countries in the region with incursions into Kyrgyzstan and operations from bases in Kazakhstan and Tajikistan. In January 2001, the governments of Tajikistan, Kyrgyzstan, Kazakhstan and Uzbekistan agreed to cooperate against these movements.

GOVERNMENT

National Recruitment Legislation and Practice
Article 52 of the 1992 Constitution states that: “Defence of the Republic of Uzbekistan is the duty of every citizen of the Republic of Uzbekistan. Citizens will be obliged to perform military service or alternative service in accordance with the procedure prescribed by law.” The legal basis of conscription is the 1992 Law on Defence. All men between 18 and 27 years of age are liable for military service, the length of which is 18 months, or 12 months in the case of university and college graduates. Uzbekistan is said to have launched a restructuring of its armed forces in a bid to create a professional army. The proposed reforms include cuts in personnel and improved training of reservists.

Child Recruitment
According to UNICEF, there is a very large standing army of regular soldiers and conscripts in Uzbekistan but no children are serving as soldiers in the armed forces. It has been reported that a large number of youths study annually at the Samarkand Higher Military School, but their ages or the conditions under which they join are not known.
OPPOSITION

The Islamic Revival Party of Uzbekistan, otherwise known as the Islamic Movement of Uzbekistan (IMU), was established in 1996 with the aim of creating an Islamic state in the country. It is reported to include mercenaries from Egypt, Jordan, Sudan and Pakistan, some of them allegedly trained in Pakistan, Afghanistan and Kazakhstan. Its forces are reported to be concentrated in areas of neighbouring Tajikistan and Afghanistan close to the Uzbek border. Some reports suggest that the IMU has 3,000 heavily armed fighters based in Afghanistan. Two other Islamist movements are said to be operating including the Hizb-ut-Tahir (Party of Liberation) and the Hizbollah (Party of God) funded by Saudi groups and established in the Ferghana Valley.

Child Recruitment and Deployment

There are allegedly more than 1,000 fighters in the Islamic Movement of Uzbekistan “accompanied by several hundred family members – women and children.” There are reportedly boys under 18 in their ranks. The recruitment of boys is not considered as a problem by those who participate or their families and on the contrary, it can be seen as an “honour” to give a son to the cause. It is generally difficult to investigate recruitment by opposition groups as the government discourages foreign monitoring in the Ferghana Valley area where opposition is strong.

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2098 www.rb.se quoting Far Eastern Economic Review, 9/11/00 (?).
2100 The Economist, 7/1/01.
2101 Blaustein and Flanz op. cit.
2102 Horeman and Stolwijk op. cit.
2104 Information provided by UNICEF, 25/6/99.
2107 www.rb.se quoting Far Eastern Economic Review, 9/11/00 (?)
2108 Ibid.
2109 Ibid.
2111 Information supplied by a reliable source that requests confidentiality, 3/00.
VENEZUELA

REPUBLIC OF VENEZUELA

- Population:
  - total: 23,706,000
  - under-18s: 9,660,000
- Government armed forces:
  - active: 79,000
  - reserves: 8,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: signed on 7 September 2000
- Other treaties ratified: CRC; GC/API+II; ICC; ILO 138
- There are indications of under-18s in government armed forces but numbers are believed to be very small.

CONTEXT

Although there is no armed conflict in Venezuela, Venezuelan armed forces are engaged in containing guerrilla movements along the border with Colombia. It has also been reported that Venezuelan children have been abducted by the Colombian armed group FARC and used as child soldiers.

GOVERNMENT

National Recruitment Legislation and Practice
A new Constitution was approved by voters in a 15 December 1999 referendum. According to Article 4 of the Law on Conscription and Military Enlistment (Ley de Conscripción y Alistamiento Militar), Venezuelans over 18 years of age are liable for military service, which lasts for two years. The minimum age for voluntary recruitment is 18.

Child Recruitment
According to Amnesty International (AI) Venezuela, the requirement of 18 years of age for compulsory military service is respected. AI Venezuela reports, however, that in a very small number of cases, 17-year-olds present themselves for recruitment but they have to pass more demanding tests in order to be admitted.

Child Involvement in Military Related Activities
Article 71 of the Law on Conscription and Military Enlistment provides for a pre-military instruction which is obligatory for all students of the two ultimate years of Secondary Education or its equivalent, but this pre-military instruction does not exempt them from performing military service (Article 73). However, Venezuelans who receive military instruction in official or private institutions whose programmes are approved by the Ministry of Defence are considered to have performed military service (Article 63).
DEVELOPMENTS

International Standards
Venezuela signed the CRC-OP-CAC on 7 September 2000.

2112 US State Department Human Rights Report, 1999
2113 Horeman and Stolwijk op. cit.
2114 Marin, C., AI, Youth Section, 14/4/99.
VIET NAM

SOCIALIST REPUBLIC OF VIET NAM

- Population:
  - total: 78,705,000
  - under-18s: 31,926,000
- Government armed forces:
  - active: 484,000
  - reserves: 3,000-4,000,000
  - paramilitary: 40,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces
- CRC-OP-CAC: signed on 8 September 2000
- Other treaties ratified: CRC; GC/API+II

There are indications of under-18s in government armed forces as seventeen-year-old trainees in military schools are considered to be part of the armed forces. The minimum age for voluntary recruitment is not known.

GOVERNMENT

National Recruitment Legislation and Practice
The 1992 Constitution (article 44) upholds that: “It is a duty of the entire people to defend the socialist Vietnamese fatherland and firmly maintain national security.” Article 77 of the Constitution further provides that: “Defending the fatherland is the citizens’ sacred duty and noble right. Citizens are duty-bound to perform their military service and participate in building the all-people national defence.” The legal basis of conscription is the 1981 Law on Military Service and revisions to this law in 1990 and 1994.

According to information provided by Vietnam to the UN Committee on the Rights of the Child, “all citizens of 18 years of age or more shall be required to serve in the military.” The length of military service is reported to be two years. According to one source, women can register for military service only if they belong to the Ho Chi Minh Youth League. Military service is performed in the Vietnamese People’s Liberation Army (PLA). There are exemptions from service on grounds such as health, education and certain types of employment but not conscientious objection. There are reportedly civilian alternatives to military service. Penalties for evasion are contained in the Criminal Code (articles 259, 260, 261, 262).

The Vietnamese armed forces have been reduced significantly since their withdrawal from Cambodia in 1989. Desertion and draft evasion are said to be widespread, primarily because of poor conditions in the armed forces. According to one source, there are no plans to abolish conscription, although in 1997 it was claimed that the professionalisation of the armed forces was already underway. The length of military service has reportedly been cut from three years to two.
There are also several local paramilitary forces, such as the People’s Self Defence Force (urban units) and the People’s Militia (rural units). These forces are believed to be a reserve force for the PLA and conscripts may perform their military service in them. Recruitment policies for these paramilitary forces are not known but they reportedly do not recruit children. Women with special qualifications and skills, while not liable for conscription, must register with the reserve forces and may be called up for training. It is believed that reserve paramilitary forces have become a more important element in Vietnam’s defence strategy in recent years.

**Military Training and Military Schools**
Entry into military schools is possible at the age of 17 and students at these schools are considered to be part of the armed forces. The number of such students is not available. Military training also takes place in regular schools for 10 days per year and is conducted by senior secondary school students. In order to better meet conscription targets, the need for better military recruitment programmes was announced in February 2000 by the official Giai Phong newspaper in Saigon. This would reportedly involve the expansion of defence education programs for schoolchildren and students and the launching of junior cadet programmes in military academies.

**DEVELOPMENTS**

**International Standards**
Viet Nam signed the CRC-OP-CAC on 8 September 2000.
YEMEN

REPUBLIC OF YEMEN

- Population:
  - total: 17,488,000
  - under-18s: 9,540,000
- Government armed forces:
  - active: 66,300
  - reserves: 40,000
  - paramilitary: 70,000
- Compulsory recruitment age: 18
- Voluntary recruitment age: unknown
- Voting age (government elections): 18
- Child soldiers: indicated in government armed forces; indicated in armed groups
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II; ILO 138; ILO 182

There are indications of under-18s in government armed forces. Children reportedly participate in ongoing conflicts among tribal groups. Forced recruitment was also reported during the civil war in 1994.

CONTEXT

North and South Yemen were unified in 1980 but the unification was threatened four years later when calls by southern leaders for secession led to a brief civil war. While the government maintained unity, it still has to deal with ongoing intra-tribal warfare, as well as kidnappings and other sabotage committed by local Islamist movements. Yemen has had border disputes with Eritrea over the Hanish islands in the Red Sea as well as with Saudi Arabia over islands to the north of Yemen.

GOVERNMENT

National Recruitment Legislation and Practice
Conscription is not referred to directly in the Yemeni Constitution, but Article 23 states, "The law shall regulate general mobilization which shall be announced by the chairman of the Presidential Council following the approval of the House of Representatives." Conscription has existed in Yemen since unification in 1990. All men between 18 and 30 are liable for military service which lasts from one to two years.

Since the conscription system is quite disorganised and birth registration is irregular, draft evasion and underage recruitment is quite common. Joining the army is perceived by many as a privilege and is highly sought after since other employment opportunities are extremely limited.

Military Training and Military Schools
Military schools are for the training of officers only. There are four Military Schools: Air Force; Defense Air Force; Military College; and Navy College.
Past Child Recruitment
During the 1994 civil war, there were many reports of the forced recruitment of children, many of whom were recruited because of their tribal affiliation.\footnote{2133} In 1994 a UNICEF representative in Sana’a, Amwali said children less than 15 years old were recruited by the warring parties in Yemen.\footnote{2134}

OPPOSITION

- **The Aden-Abyan Islamic Army**
This Islamist group has been implicated in acts of violence including kidnapping 16 western tourists in December 1998 in the Abyan province. It is not known whether children serve as soldiers in the Aden-Abyan Islamic Army.

CHILD INVOLVEMENT IN TRIBAL CONFLICTS

According to the US State Department, "Tribal violence resulted in a number of killings and other abuses, and the government's ability to control tribal elements remained limited. In addition tensions between the government and various tribes periodically escalate into violent confrontations."\footnote{2135} The tribes are responsible for kidnappings, shootings, revenge killings and other acts of violence. In one incident, 10 persons were killed and 3 injured when a fight at school between 2 children from different tribes escalated into violence. The feud between the Nehm and Al-Haymah tribes resulted in several deaths.\footnote{2136}

Tribal children are taught to use weapons from an early age. Firearms are widely available and students in some rural areas take their guns to school.\footnote{2137} Children are believed to be widely involved in tribal conflicts and feuds. Children in the Yemeni countryside can be seen carrying weapons and guarding Qat (a mild narcotic found in Yemen and East Africa) fields. Since most tribal conflicts start over access to Qat fields, one can assume that children are indirectly if not directly participating in tribal conflict.

\begin{footnotes}
\item[2132] Brett and McCallin, op. cit.
\item[2133] www.uni-wuerzburg.de.law/
\item[2135] Horeman and Stolwijk op. cit.
\item[2136] Ibid.
\item[2137] Xinhua News Agency “UNICEF official calls for protecting Yemen’s children”, 5/7/94.
\item[2138] US State Department.
\item[2137] Donna Abu Nasr “Weapons Abound In Yemen” AP. 22/3/00
\end{footnotes}
FEDERAL REPUBLIC OF YUGOSLAVIA

Population:
- total: 10,637,000
- under-18s: 2,659,000

Government armed forces:
- active: Some 97,700
- reserves: Some 400,000
- paramilitary: 80,000

Compulsory recruitment age: registration at 17; service at 18
Voluntary recruitment age: 17

There was considerable evidence of the use of child soldiers by armed opposition groups, especially the KLA, UCPMB and Free Montenegro group, during the past conflict. In renewed violence in Macedonia, some under-18-year-old members of ethnic Albanian separatist groups were already apprehended. Government-allied paramilitaries have also recruited and deployed children under 18 in past conflict situations. Information on minimum recruitment age indicates that there may currently be under-18s in the government armed forces.

CONTEXT

Fighting in Kosovo began in February 1998 following a number of skirmishes between the Kosovo Liberation Army (KLA) and the Yugoslav armed forces. The crisis came to an end in June 1999 following NATO airstrikes; peacekeeping forces entered the area and Serb military and militia withdrew. The United Nations Mission in Kosovo (UNMIK) has all executive and legislative authority in Kosovo supported by the military contingent KFOR. Renewed threats emerged in spring 2000 from the UCPMB, an ethnic Albanian armed group operating east of Kosovo on the Serbian side of the border. Fighting has also flared between ethnic Albanian separatists and government armed forces in the Former Yugoslav Republic of Macedonia – FYROM (see FYROM entry also). There are reported links between the ethnic Albanian armed groups in FYROM and the former, supposedly disbanded, Kosovo Liberation Army. The uneasy relationship between Serbia and Montenegro continued in 1999 as Montenegro took a series of steps to split from Serbia raising fears of a possible military response. In its northern territory too, the Federal Republic of Yugoslavia faces claims for autonomy for Vojvodina by a Hungarian National Council established in August 1999.

GOVERNMENT

National Recruitment Legislation and Practice
Article 63 of the 1992 Constitution upholds that "[D]efence of the Federal Republic of Yugoslavia shall be the right and the duty of every citizen" and Article 137 specifies that "[C]ompulsory military service shall be universal and performed in the manner established by
Military service is regulated by the provisions of Articles 279 to 336 of the Law on the Yugoslav Army. According to Article 288(2) of this law, the draft obligation starts with the registration at the beginning of the calendar year in which a Yugoslav citizen reaches 17 years, but call-up itself, as one element of that obligation, pursuant to Article 291(1) of the same law, occurs in the calendar year in which the draftee turns 18.

Voluntary recruitment is possible from the beginning of the calendar year in which a potential conscript turns 17 years of age. This minimum age limit is also valid in wartime at the order of the President of the Republic. However, Articles 301 and 302 of the law state that a recruit is sent to perform his military service when he turns 21 (or, if he himself so demands, at the earliest in the year he turns 18). Military service lasts for 12 months. Women cannot perform any kind of military service.

There have been reports of draft evasion and desertion throughout the various crises in Bosnia, Croatia and most recently Kosovo. Press-gang-style round-ups by police of military-age males for conscription in Montenegro were also reported. In March 1999, Human Rights Watch denounced forced recruitment into the Yugoslav army and was concerned by the proposal to reinstate the death penalty "in an effort to threaten and intimidate Serbs opposed to the conflict in Kosovo or unwilling to perform military service". Many cases of desertion were also reported, with rebellions by soldiers and their parents.

Military Training and Military Schools
It is not known whether Yugoslav armed forces included minors during the Kosovo conflict. However, the freedom of movement of children was restricted with an eye to future recruitment. All children of 14 years of age and over had to have an identity card and no boys were allowed to leave the country. Another source claimed that the prohibition on leaving the country applied to boys from 15 years of age and up. As far as military schools are concerned, the minimum age of entry is 16 years. But students are not members of the armed forces. In case of a state of war, students who are below the age of 18 are reportedly dismissed.

Child Recruitment by Paramilitary Groups
It has been reported that the late paramilitary leader Zejko Raznjatovic, better known as Arkan, restarted recruitment to help Serb armed forces during the Kosovo conflict in March 1999. Serb paramilitaries had a reputation for using children as young as 10 during the wars in Bosnia and Croatia in 1992-95. There is evidence that Serb paramilitaries used minors in the recent Kosovo crisis. One report suggests 100 ethnic Serb children were recruited from FYROM.

“My name is Stevica, and I’m 15 years old. I live in one village near Skopje, but for the last five months I’ve been in Nis (Serbs) and I work there, I prepare the weapons, I write reports from the field and I cook. I work for the Serb Tigers. There are 100 of us from Macedonia but we are all Serbs”.
15 year old ethnic Serb from Former Yugoslav Republic of Macedonia.
OPPOSITION

Child Recruitment and Deployment

- **KOSOVO LIBERATION ARMY – KLA**

The KLA (otherwise known as the *Ushtria Clirimtare e Kosoves* – UÇK) was officially dissolved in spring 2000 in accordance with agreements made following Serbian withdrawal from Kosovo in 1999. Demilitarised KLA soldiers now form part of a civilian protection service called TMK. Juveniles cannot be recruited into the TMK. Although, supposedly disbanded, the KLA is said to have formed offshoots in neighbouring Macedonia and Southern Serbia which are responsible for the recent upturn in fighting in those areas.

At the height of the conflict in April 1999, the self-styled ‘Government of Kosovo’ ordered a general mobilisation for all Kosovar men within and outside Kosovo between 18 and 50 years of age. The KLA organised recruitment in many parts of Western Europe. Not all recruitment by the KLA was voluntary and there were some reports of press-ganging, notably among the refugee population.

The participation of children in the KLA was confirmed in October 2000 when details of the registration of 16,024 KLA soldiers by the International Organisation for Migration in Kosovo became known. Ten per cent of this number were children. The majority of them were 16 and 17 years old. Around 2% were below the age of 16. These were mainly girls recruited to cook for the soldiers rather than to actually fight.

KLA attempts to recruit refugees were said to specifically target high school students. In response to this threat, UNICEF in close collaboration with the Albanian government, UNHCR, WHO, and other partners, developed the Child-Friendly Spaces Initiative within refugee camps. One of the specific aims of this was to lower the risk of sexual exploitation/trafficking, juvenile delinquency and military recruitment.

Some 1,000 children from Macedonia were said to have joined the KLA (see also FYROM country entry). This claim was supported by the FYROM Minister of Interior, Mr Pavle Trajanov, who declared in April 1999 that the KLA wanted to destabilise the FYROM by recruiting people on its territory. He also said that teenagers were among those recruited and he quoted about 20 villages in the country where the KLA operated freely. Some recruits from other countries also were under 18, for instance, a 17-year-old female high school student from the Bronx in New York.

Journalistic sources have provided vivid anecdotal information on children as young as 14, both boys and girls, fighting in the ranks of the KLA. For instance, a journalist from the British newspaper, *The Independent*, met Shote (name from Shote Galica, a famous Kosovar partisan killed in the Second World War), a 14-year-old girl who said: "I’m not afraid. We are prepared to fight. We don’t do the cooking here, we fight with our friends". She was trained in single sex groups, but she worked in mixed units. She claimed to have taken part in all big battles around
the Drenica region and to have already killed which is not difficult "when we know who we are killing". She pretended that her mother was happy that she was a soldier though she was frightened when her daughter went out on the frontline. Other girls were part of the KLA like the 15-year-old daughter of a soldier who said: "I’m a soldier, my son is a soldier, my daughter is a soldier, and all my 11 children are going to be soldiers. We will continue this until we win our freedom".2164

"Why should I look forward to living when my sisters are being raped and when children are dying in their mothers’ arms of starvation?" and who added: "I’ll die happy if the first bullet kills me. I will die for freedom of Kosova".
Elinda Muriqui, 16 year old female KLA recruit from the USA.

(Hajrizi, I., "Volunteers ready to join the battle: some portraits of the fighters", Albanian News and Information Network, April 1999).

"we are mobilised. We did not have choice. Anyway, I wanted to join the army. I started to train. We walk, we run… Next week, I will learn to shoot with a Kalashnikov".
Ardian, 17 year old boy trained to go to the frontline for the KLA.


- **FREE MONTENEGRO**

Free Montenegro are opposition forces who are aiming for an independent Montenegro. They are said to number 15,000 men. They practice child recruitment as they are made up of people "between 15 and 55 who are ready to die for Montenegro" according to Bozidar Bogdanovic.2165

- **UCPMB**

The UCPMB is an Albanian armed group operating in southern Serbia whose operations are reportedly controlled by the Political Council for Presovo. They are calling for the incorporation of the cities of Preshava, Medvegia and Bujanovci into Kosovo. Estimates of numbers vary between 200 and 15,000.

*The Guardian* newspaper reported in January 2001 that some sixty suspected members of the UCPMB guerrilla had been arrested by peacekeepers. UCPMB recruits include children in their mid teens to men in their forties.2166 Further confirmation of the participation of child soldiers came when KFOR detained 16 juveniles (aged 15-17) in the first two months of 2001 for alleged involvement in the conflict (although the degree of “involvement” is not clear). The international media claim that there is forced recruitment of juveniles into this group but this is not verified and numbers are small.2167 A 15-year-old Albanian male was reported shot dead on 23 March 2001 in the Ground Safety Zone near Gnjilane. Although no confirmations have been received, the circumstances suggest he may have been a child soldier.2168
INTERNATIONAL FORCES

Each KFOR contingent is governed by its own member state’s compliance (or non-compliance) with international standards regarding the minimum age for child soldiers. According to UNICEF, there is no indication of under 18-year-olds serving in KFOR at present although the British contingent at least has in the past contained 17-year-olds.

RELATED ISSUES

The militarisation of youth by years of conflict in the region is easily visible. At the end of the recent Kosovo crisis, British soldiers from the KFOR peacekeeping force found that children had been taught about warfare at the Lipljan Agricultural School, a Serb school south of Pristina: "[D]isplay cabinets contained slides showing how to booby-trap books, cigarette packets and hay bales, and posters and teenagers’ exercise books contain detailed instructions on nuclear, chemical and biological warfare. Equipment abandoned after a nearby cruise missile strike included a Geiger counter and chemicals used to make or test explosives". Books and school records found at the school appeared to belong to children between 15 and 18 years of age. Drawings were also found, including diagrams on how to find and attack a tank’s weak spots and how to set a mine beneath the ground or in long grass. According to UNICEF, military schools and defence classes in universities and secondary schools have been abolished by the UNMIK Department of Education and Science. Shortly after the crisis of 1999, UNICEF came across materials about “war science” in schools but it is believed that these practices are no longer continuing.

One legacy of recent conflicts is the disturbing level of juvenile violence seen in the province. A series of OSCE human rights reports in late 1999 reported the involvement of children in physical attacks on minorities and the burning and looting of their properties. The murder of an elderly Kosovo Serb man by a 15-year-old Kosovo Albanian girl in Slovinje on 24 September 1999 and the attack of a Kosovo Serb man by a group of 10 to 12-year-old boys in a busy street in Pristina on 25 October 1999 are but two examples.

Reports have also implicated the Albanian mafia in using ethnic Albanian children in attacks against Kosovo Serbs. Reportedly, two 15-year-old Albanian girls have been detained "in connection with a series of grenade attacks by a gang terrorising the town’s remaining Serbs". Of the 16 people detained by the British military police in connection with more than 20 attacks on Serbs in three weeks, 12 were said to be aged 19 or under. According to this source, "persuaded by figures in the ethnic Albanian mafia that they had been recruited to create an ethnically pure Kosovo, the girls agreed to act as couriers to transport grenades from the Albanian border to the little town just south of the provincial capital, Pristina. They would carry them in handbags — aware that the British soldiers would not search them — or give them to even younger children to transport." It has been pointed out that the children believed that they were working for the KLA, "(but) the truth is they were being manipulated by the mafia." In response to these problems of juvenile crime, international organisations working in Kosovo have set up a juvenile justice task force.
www.rb.se


Blaustein and Flanz op. cit.


Horenman and Stolwijk op. cit.

Jahn, G. "Yugoslav men confront draft issue", AP, 9/4/99 ; "Das UNO-Kriegsverbrechertribunal stockt Expertenteams im Kosovo auf", Der Standard, 8/7/99. Also, during the NATO air campaign in 24/3/99, it was reported that many young men hid themselves in order to avoid draft by the military police. Jamie Shea, NATO spokesman, said that a large number of young men have taken refuge in Belgrade — because they know that there they have got a good chance of escaping the draft if they lie low". Shea, J., NATO Press Conference, Brussels, 20/5/99.


HRW, Kosovo Human Rights Flash #6, New York, 29/3/99.


Information supplied by UNICEF.


Information supplied by Natasa Dokovska, Journalists for the Rights of Women, Children and the Environment, FYROM.

www.rb.se

UNICEF communication to the Coalition dated 9/3/01.


www.rb.se quoting Save the Children Kosovo Programme plan 2000-2002

"Border guards reportedly intercept UCK groups at border", The Herald, 14/4/99.

Natasha Dokovska op. cit.


In June 1999, British soldiers of the KFOR discovered a Serb torture room in Pristina where they found files and photographs of prisoners, among them women and teenagers in KLA uniforms. Williams, B. "Une salle de torture serbe à Pristina", JCP, 17 June 1999.

Daly, E., "Kosovo girls want to kill", The Independent, 25/10/98.

BBC news; news.bbc.co.uk; 24/3/00

Nicholas Wood, 26/1/01, "Albanian gunmen training for war"

UNICEF, 9/3/01 op. cit.

Information provided by confidential source that requests confidentiality, 3/01


ZAMBIA

REPUBLIC OF ZAMBIA

- Population:
  - total: 8,976,000
  - under-18s: 4,938,000
- Government armed forces:
  - active: 21,600
  - paramilitary: 1,400
- Compulsory recruitment age: unknown
- Voluntary recruitment age: “apparent” age of 18; younger with consent
- Voting age (government elections): 18
- Child soldiers: unknown
- CRC-OP-CAC: not signed
- Other treaties ratified: CRC; GC/API+II

- It is not known if there are under-18s in government armed forces, but recruitment legislation is vague and appears to allow such recruitment with the consent of parents or guardians. There have been no reports of underage recruitment.

GOVERNMENT

National Recruitment Legislation and Practice
The Defence Act, Chapter 106 of the Laws of Zambia, Part IV, regulates recruitment into the armed forces. Article 14 of this Chapter provides, “a person offering to enlist in the armed forces shall be given a notice in the prescribed form setting out the questions to be answered on attestation and stating the general conditions of the enlistment.” An officer shall recruit a person into the Regular Force only if this person has been given such a notice, understands it and wishes to enlist.

Under this section of the law, the person to be recruited must have the apparent age of 18 years “unless consent to the enlistment has been given in writing by his parents or guardian or, where his parents or guardian are dead or unknown, by the District Secretary of the District in which such person resides.” There are no reports of underage recruitment in the country.

Military Training and Military Schools
There are five military schools in the country which are run by the Ministry of Defence and the Ministry of Home Affairs through instructors from the defence forces. The students are between 18 and 25 years of age.
ZIMBABWE

REPUBLIC OF ZIMBABWE

- Population:
  - total: 11,529,000
  - under-18s: 5,664,000
- Government armed forces:
  - active: 40,000
  - paramilitary: 21,800
- Compulsory recruitment age: no conscription
- Voluntary recruitment age: 18
- Voting age (government elections): 18
- Child soldiers: none indicated
- CRC-OP-AC: not signed
- Other treaties ratified: ACRWC; CRC; GC/API+II; ILO 138; ILO 182

- There are no indications of under-18s in government armed forces.

CONTEXT

Parliamentary elections in June 2000 were characterised by political violence and intimidation against opposition supporters. Civil unrest also accompanied the occupation of commercial farms by government supporters and war veterans. Zimbabwean armed forces were deployed in the conflict in the Democratic Republic of the Congo in support the Government of President Kabila, although reportedly began to withdraw in March 2001.

GOVERNMENT

National Recruitment Legislation and Practice
The National Service Act (NSA), Chapter 11:08, which entered into force on 1 January 1980, regulates recruitment into the armed forces. The NSA regulates recruitment and participation of residents in national service generally, and not specifically recruitment into the armed forces. Sections 10 and 11 provide that the minimum age is 18 years whether service is done on a voluntary basis or according to a call up. Every resident shall be liable to render emergency national service inside or outside of Zimbabwe in the interest of defence, public safety or public order, whether or not such a resident has undergone any period of National Service. Once again, the minimum age is 18 years even if the resident is volunteering for such a service (Section 18). Moreover, the Legal Age of Majority Act binds all Government agencies to recruit and employ people of the age of 18 or older.

The Defence Act does not stipulate the minimum or maximum age at which a person can join the army.

Child Recruitment
The Government claims that the Army’s recruitment practice has been to admit only those persons above the age of 18 years. Current recruitment into the armed forces in Zimbabwe is
entirely voluntary.\textsuperscript{2174} This is corroborated by non-governmental sources. Further, the Government states that the Zimbabwe National Army deployment in the DRC was made up of regular voluntary recruits above the age of 18.\textsuperscript{2175}

\textsuperscript{2172} US State Department Human Rights Report 2000.
\textsuperscript{2173} Ibid.
\textsuperscript{2174} Letter to the Coalition from the Permanent Mission of the Republic of Zimbabwe to the United Nations Office in Geneva dated 20/2/01.
\textsuperscript{2175} Ibid.
GLOBAL REPORT ON CHILD SOLDIERS

PART III
<table>
<thead>
<tr>
<th>Country</th>
<th>Population:</th>
<th>Gvt. Forces:</th>
<th>Voting Age</th>
<th>Compulsory Recruitment Age</th>
<th>Voluntary Recruitment Age</th>
<th>Child Soldiers:***</th>
<th>Treaties Ratified (see Table of Acronyms)</th>
<th>CRC-OP-CAC/Straight-18</th>
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<td>Country</td>
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<td>Voting Age</td>
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<td>Voluntary Recruitment Age</td>
<td>Child Soldiers:***</td>
<td>Treaties Ratified (see Table of Acronyms)</td>
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<td>18; &lt;18 with consent</td>
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<td>Compulsory Recruitment Age</td>
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<td>Child Soldiers:</td>
<td>Treaties Ratified (see Table of Acronyms)</td>
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Note: CRC = Convention on the Rights of the Child; GC = General Comment; ACRWC = Convention on the Rights of the Child, Optional Protocol on a Declaration of the Rights of the Child; CRC/API = Convention on the Rights of the Child, Optional Protocol on the Involvement of Children in Armed Conflict; GC/PAL = General Comment; GC/API+II = General Comment, Optional Protocol on the Involvement of Children in Armed Conflict; ILO 138 = ILO Convention No. 138 Concerning the Prohibition and Immediate Action for the Total Elimination of the Worst Forms of Child Labour; ILO 182 = ILO Convention No. 182 Concerning the Elimination of the Worst Forms of Child Labour; A: active; P: paramilitary; nil: none; no conscription: conscription not voluntary; no: none indicated; indicated: indicated yes or no; unknown: unknown; ***: indicates child soldiers.
<table>
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<tr>
<th>Country</th>
<th>Population:</th>
<th>Gvt. Forces:</th>
<th>Voting Age</th>
<th>Compulsory Recruitment Age</th>
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<th>Child Soldiers:***</th>
<th>Treaties Ratified (see Table of Acronyms)</th>
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<td>18</td>
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<td>18</td>
<td>G:none indicated P:yes O:yes</td>
<td>GC; ILO 138</td>
<td>21.08.00s 08.09.00r</td>
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<td>17</td>
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<td>CRC; GC</td>
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<td>unknown</td>
<td>CRC; GC/API+II</td>
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<td>18</td>
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<td>none indicated</td>
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<td>19-20</td>
<td>17-18</td>
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<td>O:possibly</td>
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<td>18+</td>
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<td>1,289,000</td>
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<td>GC, CRC</td>
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<td>18</td>
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<td>19</td>
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<td>CRC; GC; ILO 138</td>
<td>08.09.00s</td>
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<tr>
<td>Republic of</td>
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<td>P 220,200</td>
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<td>18*</td>
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<td>18</td>
<td>G:unknown</td>
<td>CRC; GC/API+II; ILO 138+182</td>
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<td>G:yes O:yes</td>
<td>CRC; GC/API+II; ILO 138</td>
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<tr>
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<td>4,938,000</td>
<td>A 21,600</td>
<td>P 1,400</td>
<td>18</td>
<td>unknown</td>
<td>'apparent age' 18; &lt;18 with consent</td>
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<tr>
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<td>P 21,800</td>
<td>18</td>
<td>no conscription</td>
<td>18</td>
<td>none indicated</td>
</tr>
</tbody>
</table>

*unclear or contradictory information provided in more than one source

** Caribbean (other) refers to: Dominica, Grenada, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and Grenadines

*** Under Child Soldiers heading: ‘none indicated’ means recruitment age is at least 18 and no reports of underage recruitment; ‘indicated’ means that recruitment age is below 18 but numbers of under-18 recruits unknown; ‘yes’ means that recruitment age is below 18 and there are confirmed numbers of under-18 recruits; ‘unknown’ means there is insufficient information about recruitment legislation and practice.

All information in this appendix refers to tables and explanatory text in relevant country reports, where sources are also cited. See Methodology for more information on common sources used, as well as explanatory notes on terms used in this Appendix.
METHODOLOGY AND DEFINITIONS

The following concepts, definitions and research guidelines have been used in the preparation of this report and should be used as a guide to the individual country entries and tables of country statistics.

I. Concepts and Definitions

Armed conflict
The term armed conflict is used broadly to refer to both international and non-international conflicts of high and low intensity. The Coalition takes no position on the nature, status or merits of individual conflicts or the various combatants; its prime concern is with the recruitment and participation of children. In general, conflicts are identified in the report where there have been active hostilities during the period 1998-2000.

Armed forces or groups
The section in each country entry on Governmental Forces includes regular national armed forces – army, navy and air force – as well as paramilitary forces. Armed groups aligned with the state are also included under this heading. The section on Opposition Forces includes all other non-state armed groups, either opposed to the state or engaged in armed activities of a political, ethnic or other nature. In no case does the Coalition take any position on the status or legitimacy of any particular armed force or armed group. Terms such as ‘opposition’, ‘rebel’, ‘resistance’ and ‘guerrilla’ are used in the report for adjectival or descriptive purposes only.

“Recruitment”
The term “recruitment” refers to three different means by which persons become members of armed forces or armed groups: compulsory, voluntary, and forcible. Where possible the nature of recruitment or ‘child recruit’ is specified. Compulsory recruitment is defined in national legislation and thus typically applies to regular conscript armed forces. Voluntary recruitment is usually regulated by law or policy and occurs without conscription or force. Forcible recruitment entails the use of force outside the law, for instance in the form of abduction or other duress. It is important to note that the lines between compulsory, voluntary and forced recruitment are often blurred. Children may be subjected to various political and economic pressures that provide them with little alternative than to ‘voluntarily’ join armed forces or armed groups. The Coalition opposes all forms of military recruitment of children under 18.

Who is a “Child Soldier”?
The Coalition to Stop the Use of Child Soldiers defines the ‘child’ as any person under 18 years of age. This is consistent with the 1989 Convention on the Rights of the Child which defines the general age of majority as 18 (Article 1), the African Charter on the Rights of the Child (Article 2), and the International Labour Organisation Convention No. 182 (Article 2). The terms ‘underage’ or ‘minor’ are used in the report to refer to children under 18 years of age.
The Coalition defines a child soldier as *any person under 18 years of age who is a member of or attached to the armed forces or an armed group, whether or not there is an armed conflict*. Child soldiers may perform tasks ranging from direct participation in combat; military activities such as scouting, spying, sabotage, acting as decoys, couriers or guards; training, drill and other preparations; support functions such as portering and domestic tasks; sexual slavery and forced labour.

II. Research guidelines

**Scope:** The country reports seek to gather all available information regarding legislation, recruitment practise, and the use, demobilisation and rehabilitation of child soldiers, taking into account various sources – governmental and non-governmental, national and international. Where governments have publicly stated that persons under the age of 18 are not used in government forces, or where legislation sets 18 as the minimum recruitment age, this information is always presented. Evidence suggesting otherwise, often from numerous sources, are also presented. The Coalition has invited comments from government officials on the reports, and where these have been received, they have been reflected as appropriate.

**Time period:** As the first comprehensive overview of the use of child soldiers worldwide, this volume concentrates on the period between mid 1998 (the time the Coalition was formed) and March 2001. However background information on situations of armed conflict is provided in the context section of each report, and information on child soldiers previous to mid-1998 is sometimes provided in order to explain later developments or where current information is lacking.

**Tables and statistics:** Each country report includes a summary overview in the form of a table providing statistics on population, size of government and paramilitary groups, number of reserves, minimum compulsory and voluntary recruitment age as set out in national legislation, presence or estimated number of child soldiers, treaty ratifications, and a brief description of the current situation. The Table presented in the Appendix One of this report reproduces these country statistics to facilitate cross-country comparison and allow the reader to locate country-specific information quickly. The main sources used for this information are detailed below.

* Estimates of the size of armed forces are taken from the International Institute of Strategic Studies, *The Military Balance 2000/2001* (Oxford University Press, Oxford, 2001), unless otherwise indicated. As in *The Military Balance*, 'Government forces' refers to the active total of persons on full-time duty in regular armed forces. A separate figure is given for the active total of persons serving in 'paramilitary forces', when such forces are present to support or replace regular military forces. Paramilitary forces include groups such as *gendarmeries*, coast guards, militias and civil defence forces. In a few cases the number of Government and paramilitary forces
are combined in one figure, when they are considered part of the active of regular armed forces (according to the IISS, 2001). A third figure is provided for the number of ‘reserves’, referring to the total estimated manpower available, sometimes at varying states of readiness. Figures on armed groups are cited in the text of the country reports when available; as these are often unknown or unreliable, the table of country statistics presents figures on the size of government armed forces only.

* Sources used for minimum compulsory and voluntary recruitment age are documented in the section on National Recruitment Legislation in each report. These typically include the constitution and legislation of a particular country, and often information submitted by governments in their reports to the UN Committee on the Rights of the Child or in correspondence to the Coalition. Legislative requirements are not necessarily implemented in practice and should not be read as such.

* Figures on the number of child soldiers in any one country are estimates typically based on a number of sources, referenced in endnotes to the text. In the table presented in each country report these figures represent the total estimated number of known child soldiers regardless of which force they serve in; where possible a breakdown by different armed forces (governmental or non-state) is presented. In all cases the figures represent the estimated number of child soldiers at any one time, and thus do not account for the total number of child soldiers over the duration of a given conflict, nor do they include soldiers recruited as children who, because of the duration of their service, are currently aged 18 or older. The figures presented therefore are moderate estimates. Whether or not figures are available, the presence or absence of child soldiers in each country is indicated. Where recruitment age in legislation is over 18 and no evidence has surfaced regarding underage recruitment, the term used for number of child soldiers is ‘none indicated’. Where legal recruitment age is under 18, or there is evidence of child soldiers despite legislation with a minimum recruitment age of 18, the term ‘indicated’ is used. Where information on legal recruitment age is lacking and no data on the presence of child soldiers is available, the term ‘unknown’ is used. This format is reproduced in simplified form in the general table presented in Appendix One, using the terms ‘yes’, ‘none indicated’, or ‘unknown’ and the relevant armed force – government (‘G’), opposition (‘O’) or other.


Country reports: In each report the country statistics and summary is followed by a section on political and military context (where appropriate and usually in situations of armed conflict), national recruitment legislation, governmental and opposition recruitment practice and recent developments.

* The main sources used for the Context section of each report generally include annual reports of Amnesty International, Human Rights Watch and US Department of State, as well as United Nations documents and major news services.

* Information on the recruitment and participation of children in armed conflict is from the above sources, and specialist sources such as the Special Representative of the UN Secretary-General for Children and Armed Conflict, the UN Committee on the Rights of the
Child, UN Integrated Regional Information Network (IRIN) and UNICEF. Principle NGO sources include the Child Rights Information Network (CRIN), Radda Barnen/Save the Children and other Coalition partners (see Appendix Six for list of members), other local or regional NGOs, government statements/reports and correspondence with the Coalition, and reports by the BBC, Reuters, IPA and regional news networks. The testimonies of child soldiers themselves are presented for illustrative purposes where appropriate; identities may have been concealed for their own security. Estimated numbers of child soldiers and information on their participation in each of the various armed forces in a specific country is presented wherever available. Conflicting evidence and varying estimates are made clear where possible. Where multiple forces are involved, a complete breakdown of child soldiers among them is sometimes difficult, in particular regarding armed groups whose active status or size may be unknown. In such cases the available evidence is presented with reference to particular factions. Emphasis has been placed on providing information on the most active governmental forces and armed groups.

* Information on developments in each country typically includes ratification or signature of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and information on demobilisation and rehabilitation programmes. Such information was obtained through government publications and correspondence, the Special Representative of the UN Secretary-General for Children and Armed Conflict and UNICEF, as well as from non-governmental sources working with children in the field.
International Legal Protection for Children in Armed Conflict

Although this section focuses on international law relating to the military recruitment of children and their use in hostilities, it is important to note that such involvement is frequently associated with violations of other human rights and child rights, such as summary executions or brutal punishments for resisting recruitment or trying to escape, arbitrary detention, torture or ill-treatment on capture, liability to criminal prosecution, separation from family, malnutrition, deprivation of the right to education, exposure to health risks, including sexually transmitted diseases and HIV/AIDS etc. At the same time, once some children become involved in an armed conflict, other children in that country, area or category are likely to come under suspicion of involvement and thus may also suffer abuses.

Obviously, the general as well as the child-specific provisions of international humanitarian law (the four Geneva Conventions of 1949 and the two Additional Protocols of 1977) and of human rights law (the Convention on the Rights of the Child and the other international human rights treaties) apply to children in these situations. The Convention on the Rights of the Child applies to all children in all circumstances (other than in the United States and Somalia unfortunately which are the only two countries not yet parties to it). The application of the international humanitarian law treaties depends on whether there is an actual armed conflict or not, whether it is an international or non-international one, and whether the State concerned is a party to the particular treaty.

International law is created by treaties between states and may be regional (i.e. limited to a certain group of states) or multilateral (open to any state). In either case, it only binds the states which become parties to it. It is primarily enforced through the national legal system whether criminal, civil or military but with international supervision to back it up.

There are four kinds of international law in relation to child soldiers: international human rights law, international humanitarian law (the specific law applicable to the conduct of armed conflicts), international criminal law and international labour law. In addition, in 1998 the UN Secretary-General announced minimum age requirements for United Nations Peacekeepers of "preferably not younger than 21 years of age, and in no case less than 18".

Definitions: "Recruitment" covers any means (formal or de facto) by which a person becomes a member of the armed forces or of an armed group, so it includes conscription (compulsory/obligatory military service), voluntary enlistment, and forced recruitment. "Participation in hostilities" was explained in relation to the provisions in the Rome Statute of the International Criminal Court:

"The words "using" and "participate" … cover both direct participation in combat and also active participation in military activities linked to combat such as scouting, spying, sabotage and the use of children as decoys, couriers or at military
checkpoints. It would not cover activities clearly unrelated to the hostilities such as food deliveries to an airbase or the use of domestic staff in an officer's married accommodation. However, use of children in a direct support function such as acting as bearers to take supplies to the front line, or activities at the front line itself, would be included within the terminology. "2179

Rome Statute of the International Criminal Court (1998) specifies that it is an international crime for any person to recruit children under 15 years or to use them in hostilities, whether in an international 2180 or a non-international (internal) 2181 armed conflict and whether or not they are acting on behalf of a government. Once in force, when 60 States have become parties to it, this could be one of the most effective measures in curbing the use of younger children including by armed opposition groups since it will make individuals criminally accountable for their actions. Although the Statute uses the terminology of "conscription" or "enlistment" of under-15s, this is accepted as meaning the same as "recruitment" in the other treaties.

ILO Worst Forms of Child Labour Convention 182 was adopted on 16 June 1999 and came into force on 19 November 2000. It commits each state which ratifies it to "take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency". 2182 The term "child" applies to all persons under the age of 18 years 2183 and the worst forms of child labour include:

"all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict". 2184

The Recommendation accompanying Convention 182 encourages states to make such recruitment a criminal offence. This was the first time that an 18-year minimum age limit was set in relation to child soldiering in an international treaty. It was also the first specific, legal recognition of child soldiering as a form of child labour.

The ILO Convention also prohibits "work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children" 2185 but leaves it to the national authorities to determine, after consultation with associations of workers and employers, what should be included under this prohibition. States could include all participation in hostilities and all military recruitment of under-18s in this category. 2186

African Charter on the Rights and Welfare of the Child is the only regional treaty in the world which addresses the issue of child soldiers. It was adopted by the Organisation of African Unity (OAU) in 1990 and came into force in November 1999. It is clear and specific, that a "child" is anyone below 18 years of age without exception. 2187 It goes on to state: "States parties to the present Charter shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child." 2188
**Convention on the Rights of the Child (1989):** The 15-year minimum age for recruitment and participation in hostilities in the ICC Statute comes from Article 38 of the Convention on the Rights of the Child and the two 1977 Additional Protocols to the four Geneva Conventions of 1949. It was a great disappointment to many people that the Convention on the Rights of the Child did not raise these ages to 18 years, in line with the general definition of "childhood" in Article 1 of the Convention. Whereas the Convention increased the protection and rights of children in other respects, it failed to do so in this area. In addition to the prohibition on recruitment of children under 15 years and their participation in hostilities, both Additional Protocol I (Art. 77) and the Convention on the Rights of the Child (Art. 38.3) require States which recruit those in the 15 to 18 year age group to “endeavour to give priority to those who are oldest”.

**Optional Protocol to the Convention on the Rights of the Child** was adopted by the UN General Assembly on 25 May 2000. It was intended to raise the minimum recruitment and participation age from the 15 years in the Convention to 18 years. It took 6 years to complete and even now the result is not entirely satisfactory. Although the minimum age is raised from 15 to 18 for participation in hostilities, for all recruitment into armed groups, and for compulsory recruitment by governments, states may continue to accept volunteers from the age of 16. However, on becoming parties to the Protocol, States have to deposit a binding declaration setting out their minimum voluntary recruitment age and the safeguards they have adopted to ensure that such recruitment is not forced or coerced. They also have to maintain safeguards to ensure, as a minimum, that the recruitment is genuinely voluntary, is done with the informed consent of the recruit’s parents or legal guardians, that the recruit is fully informed of the duties involved in the military service and provides reliable proof of age prior to acceptance into national military service. These declarations may be strengthened at any time, but not weakened. In other words, a declaration can only be withdrawn in favour of a declaration specifying a higher minimum voluntary recruitment age into the government armed forces, and not a lower one.

Although this provision – and the disparity it creates between the standards applicable to governments and to armed groups – is far from ideal, it was the best which some governments could be persuaded to accept at that point. Clearly the real implementation of the safeguards will be problematic in many circumstances. In addition, some Governments argue that they will not use under-18s in hostilities even though they continue to recruit them. International humanitarian law makes a fundamental distinction between civilians and combatants. Members of the armed forces are entitled to be combatants. That means that during an armed conflict they are permitted to kill and to be killed since they are also lawful objects of attack. States who recruit under-18s while claiming to protect them from combat are, therefore, either gambling on not becoming involved in an armed conflict or are proposing a separate category of members of the armed forces who are not entitled to be combatants. This is not only unsound in law but given the existing difficulties in reality of maintaining the distinction between civilians and combatants is completely impractical and may add to the dangers for civilians as well as exposing these young soldiers to the likelihood of attack.

In relation to armed groups, it is important to note that in the Optional Protocol there is no requirement that such groups are involved in an armed conflict. This has the benefit that debates about whether or not a situation amounts to an armed conflict are irrelevant, and
that recruitment prior to the start of a conflict is also covered. Furthermore, there is an obligation on all states parties to the Protocol to take all feasible measures to prevent recruitment and use of under-18s by armed groups – not only the state directly confronting the group – including legal measures to prohibit and to criminalise such practices. This could be very important in addressing recruitment from other states (for example, of members of the ethnic diaspora), as well as addressing cross-border recruitment (such as from refugee camps) or where the group is operating from the territory of another state.

More generally, the Protocol requires states parties to take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of its provisions within their jurisdiction, and to take all feasible measures to demobilise and provide appropriate assistance to those recruited or used contrary to it. In addition, they are to cooperate with each other – technical cooperation and financial assistance – in the implementation of the protocol. The Protocol will enter into force three months after the tenth State has become a party to it, and the Committee on the Rights of the Child will receive and consider States reports under it.

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2176 Although international law can also be created by custom, based on state practice, this is not relevant to this issue.
2177 Daily press briefing of the Office of the Spokesman of the Secretary-General of 29 October 1998
2178 See Junod, in Commentary on the Additional Protocols, Article 4, No. 4557, p 1380
2179 UN Document A/CONF.183/2/Add.1
2180 Article 8(2)(b) (xxvi)
2181 Article 8(2)(c)(vii)
2182 Article 1
2183 Article 2
2184 Article 3(a)
2185 Article 3(d)
2186 For a more detailed exploration of these provisions see: Coalition to Stop the Use of Child Soldiers: “ILO Worst Forms of Child Labour Convention, 1999 – Child Soldiers”
2187 Article 2
2188 Article 22(2)
2189 Article 77 and Article 4(3)(c) respectively
2190 Article 1
2191 Article 4
2192 Article 2
2193 In fact, this age is not specified in the protocol, but states are required to raise in years the minimum age specified in Article 38(3) of the CRC. Since that minimum age is 15, this in practice means a new minimum age of 16. The wording was specifically intended not to endorse recruitment under 18 while at the same time not prohibiting it.
2194 Article 3
2195 It should be noted that enrolment in schools run by or under the control of the armed forces, is treated as voluntary recruitment, but is not subject to the requirement to raise the minimum age from 15.
2196 Article 6
2197 Article 7
Optional Protocol to the Convention on the Rights of the Child
on the involvement of children in armed conflicts

Adopted and opened for signature, ratification and
accession by General Assembly resolution
A/RES/54/263 of 25 May 2000
not yet in force (see article 10)

The States Parties to the present Protocol,

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

Reaffirming that the rights of children require special protection, and calling for continuous improvement of the situation of children without distinction, as well as for their development and education in conditions of peace and security,

Disturbed by the harmful and widespread impact of armed conflict on children and the long-term consequences it has for durable peace, security and development,

Condemning the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places that generally have a significant presence of children, such as schools and hospitals,

Noting the adoption of the Rome Statute of the International Criminal Court, in particular, the inclusion therein as a war crime, of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts,

Considering therefore that to strengthen further the implementation of rights recognised in the Convention on the Rights of the Child there is a need to increase the protection of children from involvement in armed conflict,

Noting that article 1 of the Convention on the Rights of the Child specifies that, for the purposes of that Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier,

Convinced that an optional protocol to the Convention that raises the age of possible recruitment of persons into armed forces and their participation in hostilities will contribute effectively to the implementation of the principle that the best interests of the child are to be a primary consideration in all actions concerning children,

Noting that the twenty-sixth International Conference of the Red Cross and Red Crescent in December 1995 recommended, *inter alia*, that parties to conflict take every feasible step to ensure that children below the age of 18 years do not take part in hostilities,
Welcoming the unanimous adoption, in June 1999, of International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which prohibits, *inter alia*, forced or compulsory recruitment of children for use in armed conflict,

Condemning with the gravest concern the recruitment, training and use within and across national borders of children in hostilities by armed groups distinct from the armed forces of a State, and recognizing the responsibility of those who recruit, train and use children in this regard,

Recalling the obligation of each party to an armed conflict to abide by the provisions of international humanitarian law,

Stressing that the present Protocol is without prejudice to the purposes and principles contained in the Charter of the United Nations, including Article 51, and relevant norms of humanitarian law,

Bearing in mind that conditions of peace and security based on full respect of the purposes and principles contained in the Charter and observance of applicable human rights instruments are indispensable for the full protection of children, in particular during armed conflicts and foreign occupation,

Recognizing the special needs of those children who are particularly vulnerable to recruitment or use in hostilities contrary to the present Protocol owing to their economic or social status or gender,

Mindful of the necessity of taking into consideration the economic, social and political root causes of the involvement of children in armed conflicts,

Convinced of the need to strengthen international cooperation in the implementation of the present Protocol, as well as the physical and psychosocial rehabilitation and social reintegration of children who are victims of armed conflict,

Encouraging the participation of the community and, in particular, children and child victims in the dissemination of informational and educational programmes concerning the implementation of the Protocol,

Have agreed as follows:

**Article 1**
States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

**Article 2**
States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

**Article 3**
1. States Parties shall raise in years the minimum age for the voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention on the Rights of the Child, taking account of the principles contained in that article and recognizing that under the Convention persons under the age of 18 years are entitled to special protection.

2. Each State Party shall deposit a binding declaration upon ratification of or accession to the present Protocol that sets forth the minimum age at which it will permit voluntary recruitment into its national armed forces and a description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced.

3. States Parties that permit voluntary recruitment into their national armed forces under the age of 18 years shall maintain safeguards to ensure, as a minimum, that:
   (a) Such recruitment is genuinely voluntary;
   (b) Such recruitment is carried out with the informed consent of the person's parents or legal guardians;
   (c) Such persons are fully informed of the duties involved in such military service;
   (d) Such persons provide reliable proof of age prior to acceptance into national military service.

4. Each State Party may strengthen its declaration at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall inform all States Parties. Such notification shall take effect on the date on which it is received by the Secretary-General.

5. The requirement to raise the age in paragraph 1 of the present article does not apply to schools operated by or under the control of the armed forces of the States Parties, in keeping with articles 28 and 29 of the Convention on the Rights of the Child.

Article 4
1. Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.

2. States Parties shall take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalise such practices.

3. The application of the present article shall not affect the legal status of any party to an armed conflict.

Article 5
Nothing in the present Protocol shall be construed as precluding provisions in the law of a State Party or in international instruments and international humanitarian law that are more conducive to the realization of the rights of the child.

Article 6
1. Each State Party shall take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of the provisions of the present Protocol within its jurisdiction.

2. States Parties undertake to make the principles and provisions of the present Protocol widely known and promoted by appropriate means, to adults and children alike.

3. States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilised or otherwise released from service. States Parties shall, when necessary,
accord to such persons all appropriate assistance for their physical and psychological recovery and their social reintegration.

**Article 7**

1. States Parties shall cooperate in the implementation of the present Protocol, including in the prevention of any activity contrary thereto and in the rehabilitation and social reintegration of persons who are victims of acts contrary thereto, including through technical cooperation and financial assistance. Such assistance and cooperation will be undertaken in consultation with the States Parties concerned and the relevant international organizations.

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

**Article 8**

1. Each State Party shall, within two years following the entry into force of the present Protocol for that State Party, submit a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol, including the measures taken to implement the provisions on participation and recruitment.

2. Following the submission of the comprehensive report, each State Party shall include in the reports it submits to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of the present Protocol.

**Article 9**

1. The present Protocol is open for signature by any State that is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification and is open to accession by any State. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The Secretary-General, in his capacity as depository of the Convention and the Protocol, shall inform all States Parties to the Convention and all States that have signed the Convention of each instrument of declaration pursuant to article 3.

**Article 10**

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force, the Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

**Article 11**

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States that have signed the Convention. The
Article 12

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties that have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments they have accepted.

Article 13

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States that have signed the Convention.

denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General. If, however, on the expiry of that year the denouncing State Party is engaged in armed conflict, the denunciation shall not take effect before the end of the armed conflict.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any act that occurs prior to the date on which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter that is already under consideration by the Committee on the Rights of the Child prior to the date on which the denunciation becomes effective.
REGIONAL CONFERENCE DECLARATIONS

Maputo Declaration on the Use of Children as Soldiers

22 April 1999

Participants in the African Conference on the Use of Children as Soldiers, held in Maputo, Mozambique, from 19-22 April 1999,

Appalled that more than 300,000 children under 18 years of age are currently participating in armed conflicts worldwide;

Mindful that the African Charter on the Rights and Welfare of the Child prohibits the recruitment and use as soldiers of children under 18 years of age;

Welcoming the fact that the national legislation of the overwhelming majority of African States has set 18 years as the minimum age for military recruitment;

Welcoming Resolution 1650 (LXIV) on the Plight of African Children in Situations of Armed Conflict, adopted by the Council of Ministers of the OAU in July 1996, Yaounde, Cameroon;

Welcoming the adoption of the Statute of the International Criminal Court that makes the recruitment or use of children under 15 years of age as soldiers a war crime, both in international and internal armed conflict and whether by armed forces or armed groups;

Acknowledging with deep regret that despite these standards at least 120,000 African children, including many girls, are currently taking part in armed conflicts across the continent in both governmental armed forces and non-governmental armed groups, and that in many cases this also includes children under 15 years of age;

Determined to put an end to the use of children as soldiers;

1) Solemnly declare that the use of any child under 18 years of age by any armed force or armed group is wholly unacceptable, even where that child claims or is claimed to be a volunteer.

2) Call upon all African States to take all possible measures to ensure that no child under 18 years of age takes part in armed conflict, in particular by:

- ending the recruitment of all children under 18 years of age into their armed forces and ensuring that measures are in place to prevent re-recruitment;
- establishing thorough recruitment procedures in particular for determining age;
- ensuring that birth registration is systematised;
- demobilising into safety all children, including girls, currently serving in their armed forces;
• taking all necessary measures to promote the physical and psycho-social rehabilitation and effective reintegration into society of demobilised soldiers recruited as children;

• prohibiting the recruitment of all children into government-supported militia forces; bringing to justice, and imposing effective sanctions on, those who continue to recruit or use children as soldiers;

• ensuring that children enrolled into military schools are not members of the armed forces and are treated in full accord with international and regional human rights law, in particular the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child;

• ratifying without delay the African Charter on the Rights and Welfare of the Child and the Statute of the International Criminal Court, to ensure their entry into force without delay.

3) Condemn the use of children as soldiers by armed opposition groups and call upon these groups to end the recruitment of children and to demobilise into safety children already being used as soldiers.

4) Call upon African States to use their influence to bring pressure to bear on any government or armed opposition group which uses children as soldiers or where children are likely to be used as soldiers by refraining from providing them, whether directly or indirectly, with security, equipment, arms, training or personnel which may be used for military purposes;

5) Call upon African States to respect fully the provisions of international human rights and humanitarian law, in particular in the case of captured child soldiers, especially by ensuring that neither the death penalty nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age and that child participants in armed groups are not charged with or convicted of treason.

6) Call upon African States actively to support

1. the adoption of an Optional Protocol to the Convention on the Rights of the Child setting 18 years as the minimum age for military recruitment and participation in hostilities; and

2. the inclusion in the ILO Convention on the Worst Forms of Child Labour of a specific provision prohibiting the use of children as soldiers.

7) Call upon the Organization of African Unity to reinforce its action to promote an end to the use of children as soldiers across the continent, in particular by:

intensifying its efforts to ensure the early entry into force of, and universal adherence to, the African Charter on the Rights and Welfare of the Child;

submitting this Declaration to the next meeting of the Council of Ministers;

ensuring that the issue of child soldiers is taken up on a systematic basis at the Council of Ministers and other relevant meetings in Africa;

8) Call upon Governments outside Africa to provide adequate assistance to ensure the implementation of the above aims, in particular by: providing resources for alternatives to
children induced by circumstance to volunteer to join armed forces or armed groups, and for facilitating the demobilisation, rehabilitation and reintegration of child soldiers;

9) Call upon governments outside Africa to use their influence to bring pressure to bear on any government or armed opposition group which uses children as soldiers or where children are likely to be used as soldiers by refraining from providing them, whether directly or indirectly, with security, equipment, arms, training or personnel which may be used for military purposes.

10) Call upon the United Nations system, in particular the ILO, UNESCO, UNICEF, UNHCR, OHCHR and WHO, as well as the Special Representative of the UN Secretary-General for Children and Armed Conflict, to intensify their efforts to ensure an end to the use of children as soldiers.

11) Express their appreciation to the government of Mozambique for hosting this Conference.
Montevideo Declaration on the Use of Children as Soldiers

8 July 1999

Appalled that more than 300,000 children under 18 years of age are currently participating in armed conflicts worldwide;

Recalling the principles of the best interests of the child, non-discrimination and comprehensive protection promoted in the Convention on the Rights of the Child, ratified by 191 states;

Recalling that the UN Commission on Human Rights, in its resolution 1999/80 on the Rights of the Child, has reaffirmed "the urgent need to raise the current minimum age limit set by article 38 of the Convention on the Rights of the Child on the recruitment and participation of any person in armed conflicts" and that the Special Rapporteur on extrajudicial, summary or arbitrary executions, among other recommendations, "strongly supports the adoption of an optional protocol to the Convention on the Rights of the Child aimed at prohibiting the recruitment of children under 18 years of age into the armed forces and armed groups and their participation in armed conflict. She further urges States to take immediate unilateral action to raise the age of enlistment to 18 years." (E/CN.4/1999/39, para 97);

Recalling that the forced or voluntary recruitment of children under 18 years of age and their use for direct or indirect participation in international and non-international armed conflict, as well as in situations of internal violence, whether by the armed forces or any armed group, constitutes a violation of the human rights of boys and girls;

Taking into account the economic, social, political and cultural causes of the phenomenon of child soldiers and considering that the recruitment of children under 18 years of age, whether by national armed forces or by armed groups, can in no circumstances be considered "voluntary";

Welcoming the adoption of the Statute of the International Criminal Court which makes "conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities" a war crime, both in international and internal armed conflict, whether by armed forces or armed groups, and hopeful that in future the minimum age will be raised to 18 years;

Welcoming Convention No. 182 of the International Labour Organisation (ILO) concerning the prohibition and immediate action for the elimination of the worst forms of child labour, adopted unanimously by the International Labour Conference in June 1999, which includes "forced or compulsory recruitment of children for use in armed conflict" as one of the worst forms of child labour;

Welcoming the proclamation by the United Nations General Assembly of the year 2000 as the International Year for a Culture of Peace;

Welcoming and supporting the work of the Special Representative of the UN Secretary-General for Children and Armed Conflict to prohibit the recruitment and use of children in armed conflict;
Welcoming the presence as participants or observers at this Conference of diplomatic delegations and defence ministry representatives from several Latin American and Caribbean countries and from other regions of the world, as well as that of intergovernmental organisations and national and international non-governmental organisations;

Determined to put an end to the use of children under 18 years of age as soldiers;

1) Solemnly declares that the use of any child under 18 years of age by any national armed force or armed group is, without exception, in peacetime as in war, contrary to the spirit of comprehensive protection promoted in the Convention on the Rights of the Child, even where the child under 18 years claims or is claimed to be a volunteer;

2) Considers it a priority aim to achieve the eradication of forced or voluntary recruitment of children under 18 years of age by the armed forces and any armed group, or their use for direct or indirect participation in international and non-international armed conflict, as well as in situations of internal violence;

3) Urges all national armed forces and all armed groups operating at the instigation of the State or with its consent or acquiescence to stop recruiting children under 18 years of age or using them to participate directly or indirectly in armed conflict or in any situation of internal violence;

4) Urges all armed opposition groups and dissident armed forces to stop recruiting children under 18 years of age or using them to participate directly or indirectly in armed conflict or in any situation of internal violence;

5) Urges all Latin American and Caribbean States:

a) in compliance with their obligations under the Convention on the Rights of the Child, to promote an environment that favours the full, safe and healthy development of children and to take all necessary measures to ensure that no child under 18 years of age participates in international or non-international armed conflict, nor in situations of internal violence;

b) actively to support the adoption of an Optional Protocol to the Convention on the Rights of the Child setting 18 years as the minimum age for all military recruitment and participation in international and non-international armed conflict, as well as in situations of internal violence;

c) to ratify the Statute of the International Criminal Court;

d) to ratify ILO Convention No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour and to report to the American Regional Labour Conference, to be held in Lima in August 1999, on the measures taken towards ratification;

e) to make the recruitment of children under 18 years of age into the armed forces or into armed groups, or their use for direct or indirect participation in international and non-international armed conflict, as well as in situations of internal violence, a crime under domestic law and to bring those responsible for ordering or carrying out these crimes before the appropriate judicial authorities;
f) to take necessary measures to ensure that their Constitutions and national legislation adequately incorporate the Convention on the Rights of the Child, as well as the four Geneva Conventions of 1949 and their Additional Protocols I and II of 1977, and that these are implemented effectively;

g) to promote a culture of peace and to take necessary measures to ensure that the teaching received by children under 18 years of age in military schools and academies is in line with the provisions of the Convention on the Rights of the Child and other international human rights and humanitarian law instruments, and not to allow education to be militarised;

h) to carry out information and awareness-raising campaigns aimed at civil society, the armed forces and/or armed groups as appropriate on the negative consequences that recruiting children under 18 years of age and using them to participate directly or indirectly in armed conflict have on the child’s full development, as well as to promote and disseminate educational programmes for a culture of peace through the formal and informal education system;

i) to carry out national analyses of the situation of children under 18 years as soldiers and to adopt and implement national plans to end recruitment of children under the age of 18, as well as their use for direct or indirect participation in armed conflict, and to adopt early-warning mechanisms to enable advanced monitoring of any attempts to recruit or use children from vulnerable sectors of the population. In particular, such plans should include maintaining up-to-date child registration and documentation systems;

j) to create and/or strengthen national human rights institutions with a particular responsibility for the issue of children under 18 years as soldiers, in accordance with the UN Principles Relating to the Status of National Human Rights Institutions;

k) to recognise as refugees those under 18 years of age who are compelled to leave their country of origin because they fear persecution owing to their refusal to be recruited as soldiers or to be used to participate in internal conflict;

l) to take necessary measures for mutual and reciprocal collaboration so as to achieve the above goals;

m) to recognise the right to conscientious objection to military service as a fundamental human right which is exercised from the very moment it is expressed and to ensure that conscientious objection is recognised in accordance with Resolution 1998/77 of the UN Commission on Human Rights. Provision for conscientious objection should always be under civilian regulation and the objector should at no stage be obliged to prove his or her convictions;

n) to include from the start in any peace process the issue of demobilization of children under 18 years who have been soldiers and their complete rehabilitation and reintegration into society;

o) to undertake demobilization and full reintegration programmes for children under 18 years who have been soldiers, taking gender equity into account and systematically integrating prevention programmes at the local and community level, with the fundamental aim of achieving family reunification and full social rehabilitation, particularly into the formal education system;
p) to grant amnesties or other similar measures to children under 18 years of age who have participated directly or indirectly in armed conflict; and

q) to grant full, prompt and effective reparation to children under 18 years who have been soldiers;

6) Calls upon the Organization of American States and its member states to promote an end to the forced or voluntary recruitment of children under 18 years of age and their use for direct or indirect participation in international and non-international armed conflict as well as in situations of internal violence, by the armed forces or any armed group across the continent, and in particular calls upon:
   a) the Permanent Council to take up the issue of children under 18 years as soldiers in its work;
   b) the General Assembly to adopt a resolution on the eradication of the use of children under 18 years as soldiers;
   c) the Inter-American Commission on Human Rights to adopt a recommendation on the eradication of the use of children under 18 years as soldiers;
   d) the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights to incorporate in his annual report the issue of the use of children under 18 years in armed conflict;
   e) the Inter-American Children’s Institute to include in its activities the issue of the use of children under 18 years in armed conflict;
   f) the Inter-American bodies and conferences on defence, security and military affairs to incorporate into their activities the issue of children under 18 years as soldiers; and,
   g) the Inter-American Development Bank to give priority in its assistance policies and programmes to respecting the economic, social and cultural rights of children under the age of 18 and their families, and to support projects aimed at promoting the rehabilitation of children under the age of 18 affected by armed conflict into productive and family life and into the educational system;

7) Calls upon all States around the world:
   a) actively to support the adoption of an Optional Protocol to the Convention on the Rights of the Child setting 18 years as the minimum age for all military recruitment and participation in international and non-international armed conflict, as well as in situations of internal violence;
   b) to provide the fullest possible international cooperation and assistance towards the fulfilment of the aims of this Declaration;
   c) to stop the sale of arms and/or the transfer of military technology to countries where children under 18 years of age are recruited or used for direct or indirect participation in armed conflict;
   d) to ratify the Convention on the Rights of the Child;

8) Calls upon the United Nations system to provide adequate assistance to ensure the implementation of the above aims, in particular by:
a) providing financial, technical and other resources so as to offer alternatives to children under the age of 18 induced by circumstance to join armed forces or armed groups and to facilitate the demobilisation, rehabilitation and reintegration of child soldiers;

b) intensifying efforts to ensure an end to the use of children under 18 years of age as soldiers, in particular the efforts of the Special Representative of the UN Secretary-General for Children and Armed Conflict, the United Nations Children’s Fund, the Office of the High Commissioner for Refugees, the Office of the High Commissioner for Human Rights and the United Nations Organization for Education, Science and Culture (UNESCO) Culture of Peace Programme;

c) carrying out a campaign for the universal ratification of Convention No. 182 through the International Labour Organisation’s programme for the eradication of child labour;

d) giving priority in assistance policies and programmes, particularly those of the World Bank and the International Monetary Fund, to respecting the economic, social and cultural rights of children under the age of 18 and their families, and to support projects aimed at promoting the rehabilitation of children under the age of 18 affected by armed conflict into productive and family life and into the educational system;

9) Calls on civil society and non-governmental organisations, particularly those in Latin America and the Caribbean:

a) to commit themselves to work for the fulfilment and implementation of this Declaration and to disseminate it broadly; and,

b) to set up mechanisms, with the active participation of children under 18 years of age, for social mobilization on the issue, particularly at the local level, strengthening networks of community organisations working against the recruitment of children under 18 years of age or their use for direct or indirect participation in armed conflict;

10) Calls on non-governmental organisations to submit alternative reports to the Committee on the Rights of the Child in order to foster a constructive dialogue with States parties and other international organisations dealing with issues relating to the promotion and protection of the rights of the child and to transmit information to the Special Representative of the UN Secretary-General for Children and Armed Conflict;

11) Calls upon Latin American, Caribbean and international media to support efforts to end the use of children under 18 years of age as soldiers, bearing in mind the imperative need to protect children from stigmatisation and to preserve their dignity, safety and self-respect;

12) Decides to present this Declaration to the Organisation of American States and to request the Secretariat of the Organisation to forward it to the Foreign Ministries of member states;

13) Expresses its warmest appreciation to the people and government of Uruguay for hosting this Conference.
Berlin Declaration on the Use of Children as Soldiers

20 October 1999

The European Conference on the Use of Children as Soldiers, held in Berlin, Germany, from 18 to 20 October 1999:

Appalled that more than 300,000 children under 18 years of age are currently participating in armed conflicts worldwide, including thousands in Europe;

Recalling the principles of the best interests of the child, non-discrimination and comprehensive protection promoted in the Convention on the Rights of the Child, ratified by 191 states, including all the states in Europe;

Welcoming UN Security Council resolution 1261 and the work of the Special Representative of the UN Secretary-General for Children and Armed Conflict to prohibit the recruitment and use of children as soldiers;

Welcoming the UN Secretary-General’s recommendation to the Security Council that the minimum age for recruitment and participation in hostilities should be 18 years, as well as his decision that UN peacekeepers should be at least 21 years and in no case less than 18 years;

Welcoming the adoption of the Statute of the International Criminal Court which makes the conscripting or enlisting of children under the age of 15 years or using them to participate actively in hostilities a war crime, both in international and internal armed conflict and whether by armed forces or armed groups;

Welcoming the inclusion of forced or compulsory recruitment of children under 18 for use in armed conflict as one of the worst forms of child labour in the ILO Worst Forms of Child Labour Convention (182);

Welcoming the Maputo (April 1999) and Montevideo (July 1999) Declarations on the Use of Children as Soldiers;

Welcoming the statement by the UN High Commissioner for Human Rights to the UN Working Group in 1998, that "national legislation should not be presented as an obstacle to the elaboration of more advanced international standards."

Encouraged by the changes in recruitment and deployment practices by some countries;

Welcoming the Declaration by the Nordic Foreign Ministers against the use of child soldiers (Reykjavik, Iceland, August 1999);

Concerned by the difficulties of peacekeeping operations in situations where child soldiers are present;

Recalling that all parties to an armed conflict are bound by their obligations under international humanitarian law, including the prohibition on the recruitment and use in hostilities of children under 15 years;

Determined to put an end to the use of children under 18 in armed conflicts and internal strife:
1. Solemnly declares their commitment to establish international standards that prohibit all participation in armed conflict of persons under 18 years; Respect and implementation of existing international law

2. Call on European States:
   (i) to ratify and implement the 1949 Geneva Conventions on the Protection of Victims of War and their two Additional Protocols, the 1951 Geneva Convention on the Status of Refugees and 1967 Protocol, the Convention on the Rights of the Child, the Statute of the International Criminal Court, and ILO Convention 182, and that the relevant national authorities consider designating all recruitment and use in hostilities of under-18s as "work likely to harm the health, safety or morals of children" under Article 3(d) of that Convention;
   (ii) to provide encouragement and technical assistance to other states to ratify and implement these standards and relevant regional standards;
   (iii) to support the wide dissemination within their own countries and elsewhere of these standards;
   (iv) who currently recruit under-18s to consider raising their recruitment age to at least 18 years and in the meantime to give priority to the oldest in accordance with Article 38(3) of the Convention on the Rights of the Child;
   (v) to take steps to protect child soldiers from extrajudicial, summary or arbitrary execution, arbitrary detention and ill-treatment by any party to the conflict;
   (vi) to ensure that neither capital punishment nor life imprisonment without the possibility of release shall be imposed for offences committed by persons below 18 years of age;
   (vii) to ensure that any emergency legislation restricting civil liberties provides under-18s with adequate protections compatible with international standards on juvenile justice;

3. Encourages all relevant United Nations human rights mechanisms to work, within their mandate, with the issue of children in armed conflict.

Development of and adherence to new standards

4. Agrees that States shall ensure that no person under 18 years, within their armed forces, participates in armed conflict;

5. Calls on all European Governments:
   (i) to take measures to ensure that children under their jurisdiction are protected against recruitment by non-state actors;
   (ii) to train members of all peacekeeping forces in child rights and issues relating to child soldiers such as disarmament, demobilisation and reintegration;
   (iii) to implement the UN Secretary-General's minimum age limits for UN Peacekeepers in all peacekeeping operations;

Programmatic issues

6. Recommends that an international conference be held during the year 2000 to address all programmatic and implementation issues related to war affected children.

7. Calls on European Governments and appropriate regional organisations to provide assistance with:
   (i) adopting early-warning mechanisms to enable advanced monitoring of any attempts to recruit or use children in armed conflict from vulnerable sectors of the population;
   (ii) creating an international monitoring mechanism, which can provide yearly updates and national analysis on the legal standards on recruitment and deployment of children and the actual use of children in armed conflict;
(iii) adopting and implementing national plans to end recruitment of children under the age of 18, as well as their use in armed conflict;
(iv) promoting prevention programmes for children under 18 years who have participated in hostilities, focusing on
   - risk analysis
   - awareness raising
   - advocacy
   - providing alternatives such as education/vocational training/leisure activities
   - birth registration
   - incorporating the local community and the family in prevention work
   - understanding the local cultural, economic, social and political context of the region and taking it into full consideration in the planning and implementation of programmes benefitting children in armed conflict
   - family reunification in cases of separation
   - providing food and security to the children living in refugee camps and in conflict areas
   - relocating refugee camps away from conflict areas;
(v) supporting information and awareness campaigns on the Convention on the Rights of the Child aimed at civil society, the armed forces, armed groups and peacekeeping forces focusing on the negative consequences that recruitment and deployment of children have on their development;
(vi) recognising the link between the availability of small arms and child soldiers, urging governments and the EU to use political and economic influence on trade of small arms to prevent the use of child soldiers;
(vii) carrying out effective international dialogue on the use of children as soldiers and the implementation of international standards;
(viii) using development aid as means of protection of children in armed conflict.
(ix) underlining the need to secure financial assistance to programmes for children in armed conflict, on a long term basis as well as an integral part of emergency responses;
(x) ensuring that peace agreements recognise and make appropriate provision for the demobilisation, rehabilitation and reintegration of child soldiers, in the context of the programmes covering the needs of all war-affected children; in particular, that demobilised child soldiers are exempted from any future requirement to undertake compulsory military service, and that sensitive and gender-specific provision is made for girl soldiers.
8. Calls on European Governments, in their external relations, to bring pressure to bear to prevent the recruitment of children and to bring about the demobilisation into safety of child soldiers, including during on-going conflict.
9. Calls on all participants to disseminate this Declaration widely and to draw it to the attention of the relevant decision-makers, including OSCE, Council of Europe and European Union.
10. Encourages States to support the work of the Special Representative of the UN Secretary-General for Children and Armed Conflict, the OHCHR, UNHCR, UNICEF, the components of the Red Cross and Red Crescent Movement and other humanitarian and human rights organisations and mechanisms with regard to children in armed conflict.
Optional Protocol
11. Urges all States to support and actively participate in the work of the UN working Group drafting the optional protocol on involvement of children in armed conflicts, with the aim of finalizing a strong and effective protocol in accordance with the principles of this declaration and applicable to both international and internal armed conflicts.

12. Thanks all those who have enabled this conference to take place, including ECHO, UNICEF and other donors.

13. Express their warm appreciation to the Government of Germany for hosting this Conference.
Kathmandu Declaration on the Use of Children as Soldiers

18 May 2000

Participants, including representatives of governments and civil society from throughout the Asia-Pacific Region, as well as intergovernmental and international non-governmental organisations (NGOs), at the Asia-Pacific Conference on the Use of Children as Soldiers, held in Kathmandu, in the Kingdom of Nepal, from 15-18 May 2000;

Appalled that more than 300,000 children under 18 years of age are currently participating as soldiers in armed conflicts worldwide, not only impacting directly and immediately on these children but creating problems for them in the future and for the next generation of children;

Acknowledging that poverty, injustice, displacement, lack of access to education and other opportunities, a culture of militarisation, the proliferation of arms, economic disparity and other factors contribute to the involvement of children in armed forces and armed groups;

Recognising the need to address all the causes leading to armed conflict, including availability of arms, poverty, unemployment, economic disparity, issues of identity and self-determination, environmental degradation, intolerance and discrimination, and the need to seek peaceful alternatives, including non-violent resolution of conflicts by traditional or other means, and the urgent need to involve children in building peace and reconciliation;

Welcoming the proclamation of 2001-2010 as the International Decade for the Culture of Peace and Non-Violence for the Children of the World;

Reaffirming the UN Charter commitment "to save succeeding generations from the scourge of war", and rejecting the use of violence as a means of achieving one's ends, acknowledging that force and violence cannot form the basis of human co-existence;

Welcoming the UN Secretary-General's recommendation to the Security Council that the minimum age for recruitment and participation in armed conflict and civil strife should be 18 years, as well as his decision that UN peacekeepers should be at least 21 years and in no case less than 18 years;

Welcoming the adoption of the Statute of the International Criminal Court which makes the conscripting or enlisting of children under the age of 15 years or using them to participate actively in hostilities a war crime, both in international and internal armed conflict and whether by armed forces or armed groups;

Welcoming the inclusion of forced or compulsory recruitment of children under 18 for use in armed conflict as one of the worst forms of child labour in the ILO Worst Forms of Child Labour Convention (182);

Welcoming the adoption by the United Nations Commission on Human Rights of the draft Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict which bans the use of children under the age of 18 years in armed conflicts;
Alarmed that despite these international standards children, girls and boys, are currently taking part in armed conflicts and civil strife across Asia and the Pacific in both governmental armed forces, including militia, and armed groups, and are often subject to exploitation sexually and as labourers, and that in some cases these include children under 15 years of age;

Welcoming the Maputo (April 1999), Montevideo (July 1999) and Berlin (October 1999) Declarations on the Use of Children as Soldiers;

Determined to put an end to the use of children as soldiers:

1) Solemnly declare that the use in hostilities of any child under 18 years of age by any armed force or armed group is wholly unacceptable;

2) Strongly condemn the use of children as soldiers by armed forces and armed groups and call upon them to end the recruitment and use of children and to immediately demobilise or release into safety children already being used as soldiers;

3) Call upon Asia-Pacific States and other parties to armed conflicts to seek peaceful means of resolving disputes;

4) Call upon Asia-Pacific States who have not already done so to ratify the four Geneva Conventions of 1949, the two Additional Protocols of 1977, the 1951 Refugee Convention and its 1967 Protocol, the Statute of the International Criminal Court, the Ottawa Landmines Treaty, the ILO Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour;

5) Urge all Asia-Pacific States to ratify the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts as soon as possible after adoption by the United Nations General Assembly, without reservations and specifying at least 18 years as the minimum age for voluntary government recruitment, and to translate it into local languages and disseminate it widely;

6) Call upon Asia-Pacific States to introduce legislation to give effect to the international standards accepted by them where this has not already been done and to effectively implement it in practice, including bringing perpetrators of human rights violations to justice, and establishing independent national human rights institutions where they do not already exist;

7) Encourage all States to establish Children's Departments or Ministries or other mechanisms of the Government with trained and committed Child Protection Workers, to develop policies and programmes within the child rights framework, with particular attention to the best interests of the child and the development of different approaches for different ages, the development of mechanisms for the involvement of children in policies and governance, and to provide or facilitate training on child rights and international standards, in particular for the armed forces, other law enforcement personnel and peacekeepers;

8) Calls upon Asia-Pacific States to review their national legislation in relation to children to take account of the 18-year age limit to childhood, including in National Security Laws and similar legislation, and working with local communities in developing an understanding of this age limit and its importance;
9) Encourage Asia-Pacific States to enact laws for the protection of refugees and asylum seekers, and to provide access to refugee and displaced, including internally displaced, populations for UN agencies and international and national NGOs;

10) Call upon international agencies and NGOs working with refugee and internally displaced populations to actively work to prevent the recruitment of such children; and to ensure provision of adequate education and other programmes, with special attention to female-headed and child-headed households and separated children;

11) Call upon all Asia-Pacific States to promote an environment that favours the safe and healthy development of children, including quality, accessible and mandatory education that promotes peace, human rights, gender sensitivity, tolerance, dignity and positive self-esteem, and to ensure that schools do not become sites for child recruitment, that compulsory basic military training is not integrated into the curriculum, and that national budgets reflect the priorities of education and development rather than military expenditure;

12) Urge all Asia-Pacific States and other parties to armed conflict to take all necessary measures to ensure that no child under 18 years of age takes part in hostilities;

13) Call upon all Asia-Pacific States to ensure that they have laws requiring compulsory birth registration and provide appropriate and effective methods to facilitate their implementation; and in the meanwhile, in the absence of age documentation, the armed forces require sworn affidavits from parents or community elders;

14) Call upon Asia-Pacific States, and States outside the Region, to adopt measures to reduce the availability of arms, in particular small arms, including sanctioning those who manufacture, supply and traffic in arms to those using children in armed conflicts, and to actively support preparations for the 2001 UN Conference on Small Arms;

15) Call upon Asia-Pacific States and States outside the Region to use their influence to bring pressure to bear on any government or armed group which recruits or uses children as soldiers by refraining from providing them, whether directly or indirectly, with arms, military equipment, training, personnel, safe haven, and other measures including bringing such use to public attention and making leaders accountable for their actions;

16) Call on communities themselves to declare "child soldier free zones" and "weapons free zones" and to take local measures to establish these;

17) Call upon Asia-Pacific States and non-state actors to respect fully the provisions of international law, in particular in the case of captured, surrendered or rescued child soldiers;

18) Encourage all parties to armed conflicts to facilitate access to enable an analysis of the situation of children to be undertaken as the basis for programmes of protection, demobilisation and reintegration to be carried out by non-military organisations, as well as access by and protection of human rights NGOs;

19) Call upon Governments and NGOs to respect and invoke local indigenous cultures and belief systems in assisting child soldiers, their families and communities to overcome the trauma and pain associated with armed conflict, and to facilitate reconciliation and forgiveness, recognising that child soldiers are victims as well as instruments of violence;
20) Call for a holistic approach to reintegration of child soldiers, linking education, vocational training, income-generating activities and trauma counselling, ensuring that the interests of the child – material, physical, psychosocial and spiritual - are considered within the family and community context;

21) Call upon Asia-Pacific States to ensure the special needs of former child soldiers are met through effective and appropriate programmes of rehabilitation, reintegration into society and social rehabilitation;

22) Call upon Asia-Pacific States to ensure that girl soldiers are integrated into the demobilisation process, are not discriminated against at any stage and that programmes are gender sensitive and address their special health, educational and psychosocial needs;

23) Call upon all governments, including those outside the Asia-Pacific Region, the UN system and international institutions to provide adequate assistance to ensure the implementation of the above aims, in particular by providing resources for generating and supporting alternatives to joining armed forces or armed groups, including employment, and for demobilisation, rehabilitation and reintegration for child soldiers;

24) Call upon the Special Representative of the UN Secretary-General for Children and Armed Conflict, the United Nations Children's Fund, the Office of the High Commissioner for Refugees, and the Office of the High Commissioner for Human Rights to intensify their efforts to ensure an end to the use of children as soldiers and on Asia-Pacific States to invite these and relevant mechanisms of the UN Commission on Human Rights to visit their countries, including any areas of conflict, and follow-up on their visits;

25) Call on communities to give priority to fostering the culture of peace and to develop and carry out peace and reconciliation initiatives, community awareness initiatives and programmes on child recruitment, and to create channels for child participation in policy-making and in the design, implementation, monitoring and evaluation of programmes;

26) Call upon international, Asia-Pacific, national and local media to report on situations of armed conflicts without recourse to the sensationalisation of violence and to support efforts to end the use of children as soldiers, bearing in mind the imperative need to protect individual children from stigmatisation and to preserve their dignity, safety and self-respect;

27) Request ASEAN, SAARC, the South Pacific Forum, ECO (Economic Cooperation Organisation) and the forthcoming Summit of the G8 in Japan, to include this Declaration on their agenda and to disseminate it to all Foreign and Defence Ministries, and endorse the Optional Protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts once adopted by the UN General Assembly;

28) Request representatives of national human rights institutions attending this conference to present this Declaration to the Asia Pacific Forum of national human rights institutions and request the forum secretariat to disseminate the declaration to all national human rights commissions and to consider measures to monitor the use of under-18s as soldiers;

29) Call upon NGOs, in particular those of the Asia-Pacific Region, to work for the implementation of this Declaration, to translate it into local languages and to disseminate it widely, including through community groups and indigenous folk media, and to
encourage further consultations, including children's consultations, on these issues at national and local levels;

30) Express their warm appreciation to His Majesty's Government of Nepal for hosting this Conference.
AMMAN DECLARATION ON THE USE OF CHILDREN AS SOLDIERS

10 April 2001

Participants in the Amman Conference on the Use of Children as Soldiers, held in Amman, Jordan from 8-10 April 2001;

Deeply appreciating the call for a world free of child soldiers made by Her Majesty Queen Rania Al-Abdullah in her speech to the Conference;

Affirming that no child under 18 years should be the instrument or object of violence;

Appalled that more than 300,000 children (girls and boys) under 18 years of age are currently participating as soldiers in armed conflicts worldwide;

Recalling that all children are entitled to all the rights and freedoms in the Convention on the Rights of the Child without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;

Welcoming the adoption by the United Nations (UN) General Assembly of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict which prohibits the use of children under the age of 18 years in armed conflicts;

Acknowledging the causes leading to armed conflict and the participation of children, including foreign occupation and forced displacement; poverty, neglect, injustice and economic disparity; lack of access to education and other opportunities; a culture of militarisation and violence, including through toys, computer games, violent films and cartoons, and media images; the proliferation of small arms; intolerance and discrimination;

Stressing the obligation of the States Parties to the four Geneva Conventions of 1949 and their Additional Protocols of 1977 to both respect and ensure respect for the provisions of these Conventions, in particular the situation of civilians in times of occupation according to the 4th Geneva Convention;

Reaffirming the UN Charter commitment “to save succeeding generations from the scourge of war” and the need to seek peaceful alternatives, promote human security and involve children in building peace and reconciliation;

Noting the UN Security Council’s call in Resolutions 1261 (28 August 1999) and 1314 (11 August 2000) for concerted international action to stop the use of children as soldiers, its strong condemnation of the targeting of children and places that have a significant
presence of children, and willingness to take steps to minimise the potential harm to children when imposing sanctions;

Recalling Resolution 16/9-C(IS) on Child Care and Protection in the Islamic World of the Ninth Session of the Islamic Summit Conference in Doha, State of Qatar in November 2000 which called for “the non-involvement of (refugee) children in any armed conflict and not to enlist them in the armed forces or for any other actions which might expose their personal safety and security to danger”;

Welcoming the Resolution for a Framework on the Rights of the Child adopted by the Summit of the League of Arab States in Amman in March 2001;

Welcoming the adoption of the Statute of the International Criminal Court which makes the conscripting or enlisting of children under the age of 15 years or using them to participate actively in hostilities a war crime, both in international and internal armed conflict and whether by armed forces or armed groups;

Welcoming the inclusion of forced or compulsory recruitment for use in armed conflict as one of the worst forms of child labour in ILO Convention 182;

Welcoming the entry into force of the African Charter on the Rights and Welfare of the Child which prohibits all recruitment and direct participation in hostilities of children under 18 years;

Noting the UN Secretary-General’s decision that UN peacekeepers should be at least 21 and in no case less than 18 years of age;

Welcoming the declarations on the use of children as soldiers from previous regional conferences in Maputo (April 1999), Montevideo (July 1999), Berlin (October 1999) and Kathmandu (May 2000);

Mindful of preparations for the UN General Assembly Special Session on Children in September 2001 which will further underscore the international community’s resolve to protect children from all forms of exploitation, violence, discrimination and abuse;

Determined to put an end to the use of children under 18 years of age as soldiers: 1

1. Solemnly declare that the use in hostilities of any child under 18 years of age by any armed force or armed group is unacceptable;

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1 According to the *Commentary on the Additional Protocols*, recruitment covers any means (formal or *de facto*) by which a person becomes a member of the armed forces or an armed group, so it includes conscription (compulsory/obligatory military service), voluntary enlistment, and forced recruitment. According to the UN Conference Document A/CONF.183/2/Add.1, participation in hostilities covers both direct participation in combat and also active participation in military activities linked to combat such as scouting, spying, sabotage and the use of children as decoys, couriers or at military checkpoints and the use of children in a direct support function such as acting as bearers to take supplies to the front line, and all activities at the front line itself.
2. Urge all states to ratify or accede to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, without reservations and declaring at least 18 years as the minimum age for all forms of voluntary recruitment;

3. Encourage states to use the forthcoming United Nations General Assembly Special Session on Children (September 2001) as an opportunity for signature or to announce their ratification or accession to the above Optional Protocol;

4. Call upon all armed forces and armed groups to end the recruitment and use of children under 18 and to immediately demobilise or release into safety children already being used as soldiers;

5. Call upon states who have not already done so to ratify the four Geneva Conventions of 1949, the two Additional Protocols of 1977, the 1951 Refugee Convention and its 1967 Protocol, the Rome Statute of the International Criminal Court, the Ottawa Landmines Treaty, the ILO Worst Forms of Child Labour Convention;

6. Call upon the states parties to the 4th Geneva Convention to take all necessary measures to ensure full respect for its provisions, in particular in relation to the protection of children under occupation;

7. Call upon all states to ensure the effective and universal implementation of these international standards and protection for children, including refugee and displaced girls and boys, in national legislation and practice, including through:
   - Reviewing national legislation to ensure conformity with international standards;
   - Criminalising the use in hostilities and recruitment of children under 18 in their national laws;
   - Strengthening the international human rights mechanisms, in particular the Committee on the Rights of the Child;
   - Establishing or strengthening national mechanisms for the rights of the child;
   - Ensuring compulsory and comprehensive birth registration;

6. Call upon all states to ensure the special protection of all children living under occupation, child detainees and child participants in armed conflict or civil strife, through the strict application of international human rights and humanitarian law, including international standards on juvenile justice and the use of lethal force;

7. Call upon all states and other relevant bodies to ensure the translation, raising of awareness and widespread dissemination of these standards at all levels of society and effective training of military and police personnel, peacekeepers and officials in child rights and protection, and to incorporate these into educational and military curricula;

8. Call upon all states, including those outside the region, not to supply small arms or light weapons to any government or armed group which recruits or uses children as soldiers, and to take steps to prevent individuals and companies from doing so;

9. Urge states to adopt legislation holding companies accountable for activities which directly or indirectly involve children in hostilities or military activity and call on companies to adopt and abide by codes of conduct to this effect;
10. Urge armed groups to make written commitments to abide by the Optional Protocol to the Convention on the Rights of the Child on involvement of children in armed conflict;

11. Call on religious scholars to conduct studies showing the positive role religion can play in combating child soldiering and its negative impact on children;

12. Call on religious and community leaders to promote a culture of peace, tolerance and understanding and raising awareness about the rights of the child;

13. Encourage states to enhance preventive measures for all children, especially those at risk, by addressing the causes of child soldiering, in particular poverty, discrimination, displacement, injustice and lack of education, including by:

- Creating educational and vocational opportunities
- Ensuring education for tolerance, non-discrimination and respect for others
- Empowering children to be actively engaged in community-building without resorting to violence
- Ending military training programmes for children, which encourage the militarisation of society, aggressive attitudes and entrenchment of occupation;
- Strengthening the family as the main protective unit for the child;

6. Call on the national, regional and international media to promote positive images and attitudes instead of focusing on violence;

7. Call upon all states to ensure the special needs of former child soldiers are met through effective and appropriate programmes of rehabilitation and reintegration into society, taking account of the specific needs of particular groups of children, such as girls, refugees and disabled children;

8. Call upon all governments, including those outside the region, the UN system and international institutions to provide adequate assistance to ensure the implementation of the above aims, in particular by providing short-term and long-term resources to support alternative employment and demobilization, rehabilitation and reintegration for child soldiers;

9. Request the League of Arab States, the Organization of Islamic Conference, the Gulf Cooperation Council, the Arab Maghreb Union, the Organization of African Unity, the Euro-Mediterranean Partnership and other regional bodies to endorse and work for the implementation of this Declaration;

10. Call on the Directorate of Childhood of the Arab League to promote this declaration, particularly to all participants of the meetings of the Technical Consultative Committee for the Arab Child;

11. Call upon all states, international organizations, NGOs and civil society, in particular those of the Middle East and North Africa region, to work for the implementation and monitoring of this Declaration, including through the participation of children themselves and the creation of national, regional and international networks;

12. Encourage His Majesty’s Government of the Hashemite Kingdom of Jordan to present this Declaration to the Human Security Network Ministerial Meeting in Petra (May 2001); and
13. Express their warm appreciation to Her Majesty Queen Rania Al-Abdullah for her patronage of and participation in this conference and to His Majesty’s Government of the Royal Hashemite Kingdom of Jordan and the Jordan Institute of Diplomacy for hosting this important event.
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