

Lesson Series 8: Child Soldiers

“We were drugged and ordered to move forward on the battlefield. We did not know what sort of drug or alcohol we were given but we drank it because we were very tired, very thirsty and hungry. We had walked for two whole days under very hot burning sun. The hill (battlefield) had no shade, trees were burnt and artillery shells were exploding everywhere. We were so scared, very thirsty and some of us collapsed due to over-tiredness. But we were beaten from behind (by the officers) and had to move forward. One got killed.”

(Myo Win, Burmese child soldier, BBC, Children of Conflict) [<http://www.bbc.co.uk/worldservice/people/features/childrensrights/childrenofconflict/soldtxt.shtml#03>]

The Issue: Children recruited to fight in armed conflicts in Asia

In recent armed conflict situations, the distinctions between combatants and civilians are disappearing with the increase of indiscriminate attacks against the civilian population in armed conflicts. Consequently, many children are killed, wounded, disabled, or torn apart from their families. According to UNICEF, more than 2 million children have been killed in armed conflicts between 1986 and 1996. Four to five million children have been disabled and 12 million have been left homeless.

One of the most alarming trends in armed conflict is that there is a steady increase in the use of children as soldiers. It is estimated that over 300,000 children below the age of 18, some as young as five, participate in

armed conflicts in more than 30 different countries.

In Asia, military and political dictatorship, religious conflicts, communal violence, widespread poverty, and poor development have led to the militarization of the society. Tens of thousands of child soldiers have been widely deployed in armed conflicts by non-state armed groups as well as state armed forces. The worst affected countries are Afghanistan, Burma, and Sri Lanka.

In Afghanistan, since the invasion of the Soviet Union in 1979, civil war has killed about 1.7 million of people and destroyed the normal life of children. Many Children have been recruited as soldiers by both the Taliban and the opposition forces. On 20 August 1999, the UN called on the Taliban and all opposition forces to stop recruiting children in the civil war.

- It was reported that Burma had the world's highest number of children in its armed forces. Since the repression of the 1988 uprising, the military junta rapidly expanded its armed forces to strengthen its control over the society. Children became the targets of recruitment. Forced recruitment was common. Most child soldiers regularly suffered physical abuse, often being beaten and abused by their senior officers. At the same time, non-state armed groups in Burma also extensively recruited children in their ranks.
- In Sri Lanka, the Tamil Tigers (LTTE) use a large number of child soldiers in fighting with the Sri Lankan armed forces. There have been reports of forced recruitment of children by the LTTE. Some children are attracted by the heroic image of the LTTE or want revenge for the repression of the government. In October 1999, 49 children from the LTTE were killed by the Sri Lankan troops in a battle of Oddusudan, a town north of Colombo. The children were reportedly between 11 and 15 years of age.

(For more details, see the regional report on Asia, May 2000, produced by the Coalition to Stop the Use of Child Soldiers, <http://www.child-soldiers.org>)

Lesson 1 : Who are the child soldiers - their work and lives

Save the Children, an international non-governmental organization for children rights, defines child soldiers as “all people under the age of 18 who directly or indirectly participate in a military or political armed conflict. Also included as child soldiers are persons under the age of 18 who are recruited to a country's armed forces or to a non-government military organization, even if the country in question is in a state of peace.”

Who are the children most likely be recruited as soldiers?

- Children are either forcibly recruited or join armed groups on their own. Most child soldiers are mostly recruited from among children in the areas of armed conflicts. In these areas, many children are removed from their families and have to find their own means of survival.

Research indicates that children who are most likely to be child soldiers are those separated from their families, economically and socially deprived, and members of marginalised groups such as minorities.

What are the tasks of child soldiers?

- Child soldiers are usually assigned to serve as porters, prepare and serve meals for their seniors, serve as lookouts and messengers as well as to fight in front-line encounters.
- Some are used for intelligence work since they are thought to be less noticeable than adults.
- Girls are also recruited though in smaller number than boys. They are usually assigned to prepare food and attend to the wounded, but there are cases when they are forced to provide sexual services and used in combat duties.

What are the effects of their participation in war on children?

- Child soldiers are badly affected by war, both physically and mentally. Many of them are killed, tortured, disabled, raped, and exposed to health risks, such as HIV/AIDS.
- They are deprived of their childhood and education. (see Appendix: Relevant Articles of CRC)
- The traumatic experience of war causes serious psychological damage on children. Some have even been forced to commit atrocities against their own families as a way of severing all ties with their communities. As a result, most child soldiers suffer from severe emotional disorders with symptoms such as anguish, apathy, nightmares, depression, concentration difficulty, hyperactivity and refusal to eat.

Lesson 2: Analysis : What are the rights which have been violated?

What are the causes of the increase in the use of child soldiers?

> After years of war, the lack of manpower has driven the armed groups to compensate the supply of soldier from children.

- Young soldiers are more likely to obey orders and fear their superiors which makes them easier to control
- The development of light automatic hand-weapons has greatly enhanced the participation of children in combat.
- Some particular assignments, such as intelligence work, are considered more suitable to be done by children.
- At the same time, though many children were forced to be child soldiers, many children “voluntarily” joined armed forces or armed groups. However, the word “voluntarily” is not accurate in the sense that these children do not have any real choice at all. Many of these children are from poor families. In many poor and highly militarized countries, the wages of the armed forces are high so that, for example, in Burma, offering their children to join the armed forces provides economic support for those poor families.
- The high-handed repression from the government also forces children in the areas of armed conflicts to join the armed groups. Some of them become soldiers in order to seek protection from the armed groups. Some of them are lured to join the armed groups by their propaganda which glorifies warfare. Children may also identify with and fight for social causes, religious expression, self-determination or national liberation and thus become soldiers.
- To address the issue of child soldiers, we have to deal with the root causes leading to armed conflicts, including poverty, economic disparity, mal-development, intolerance and discrimination, issues of self-determination, environmental degradation, the culture of violence, ethnic conflicts, religious fundamentalism, authoritarian dictatorship, militarization of society, etc.

The Rights violated: Recent international efforts to stop the use of child soldiers

Basically, children who have been recruited - whether forcefully or willingly - into armed combat, are deprived of all the facilities for their personal development. Consequently, we can say that all the basic rights of the child, as formulated in the Convention on the Rights of the Child are violated. (See Appendix).

In recent years, several developments have strengthened the international instruments protecting children from being recruited as soldiers.

- > The Statute of the International Criminal Court, adopted in July 1998, makes it an international crime for any person to recruit children under 15 or to use them in hostilities, whether in an international or an internal armed conflict and whether or not they are acting on behalf of a government.
- > The ILO Convention 182 on the Elimination of the Worst Forms of Child Labour, adopted unanimously by the 174 Member States of the International Labour Organization on 16 June 1999, commits each state which ratifies it to prohibit the forced or compulsory recruitment of children under 18 for use in armed conflict.
- > In 25 August 1999, the Security Council adopted the resolution 1261 on the children and armed conflict. The resolution *“urges States and all relevant parts of the United Nations system to intensify their efforts to ensure an end to the recruitment and use of children in armed conflict.”*
- > Cooperative efforts were made by some countries, UN agencies, and NGOs, especially the Coalition to Stop the Use of Child Soldiers, to advocate for the adoption of the Optional Protocol to the Convention on the Rights of the Child (ICRC) on the involvement of children in armed conflict. The Optional Protocol, adopted by the UN General Assembly on 25 May 2000, sets the minimum age for compulsory recruitment or direct participation in hostilities at 18.
- > The Coalition to Stop the Use of Child Soldiers organized four regional conferences successively in Africa, Latin American and Caribbean region, Europe, and Asia-Pacific region between April 1999 to May 2000, with the participation of representatives of governments and non-governmental organizations. Four declarations were adopted, urging an end to the use of children as soldiers and giving recommendations to deal with this issue:
 - The Maputo Declaration of the African Conference
 - The Montevideo Declaration of the Latin American and Caribbean Conference
 - The Berlin Declaration of the European Conference and
 - The Kathmandu Declaration of the Asia-Pacific Conference

Lesson 3: Suggestions for Action

There are two aspects that should be dealt with:

First is the prevention and protection of children from being recruited as soldiers. Here, “children” are defined as persons below the age of 18 years. In this aspect, we have to tackle the recruitment of children by the governments as well as non-state armed groups.

Second is the demobilization and reintegration of child soldiers.

The four declarations adopted in the regional conferences provide many useful recommendations for dealing with the issues. Some of these recommendations are 1:

First : Prevention and Protection of Children from being recruited as soldiers

In the situation of armed conflicts two problems have to be dealt with.

- how to stop armed forces and non-state armed groups from recruiting children as soldiers :

> ways must be found to stop the armed forces and non-state armed groups to recruit child soldiers.

- how to prevent children from joining the armed forces and non-state armed groups on their own.

> how to protect the rights of children in the areas of armed conflicts and provide alternatives for children to develop themselves.

These two problems are not totally exclusive, but they have different causes that have to be addressed separately.

Ways to stop the armed forces and non-state armed groups to recruit child soldiers:

- Calling upon all states to ratify the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and to introduce domestic legislation to give effect to the international standards.
- Promoting peaceful settlement of armed conflicts leading to the stop the use of child soldiers and demobilization of child soldiers.
- Calling 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. (Kathmandu Declaration)
- Setting up mechanisms to monitor the situation of child soldier and study its causes in different countries.
- 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. (Berlin Declaration)
- Carrying out a campaign for the universal ratification of the ILO Convention No. 182 and the Statute of the International Criminal Court.
- Taking 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 allow education to be militarized. (Montevideo Declaration)
- Ensuring there 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. Maintain up-to-date child registration and documentation systems. (Montevideo Declaration)
- Creating and /or strengthening national human rights institutions with a particular responsibility for the issue of children under 18 years as soldiers. (Montevideo Declaration)
- Stopping 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. (Montevideo Declaration)
- Calling upon all states to adopt measures to reduce the availability of arms, in particular small arms, including sanctioning those who manufacture, supply and traffick in arms to those using children in armed conflicts,

and to actively support preparations for the 2001 UN Conference on Small Arms. (Kathmandu Declaration)

- Calling upon states 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. (Kathmandu Declaration)
- It is difficult to find ways to lobby directly the non-state armed groups on this issue. First, it is hard to get access to them. Second, people who make contacts with non-state armed groups must receive related training. Third is how to ensure the safety of these people. There are some suggestions on how to convince the non-state armed groups to stop the use of child soldiers. For those non-state armed groups seeking international recognition, we can try to convince them that their respect to children rights can help to promote international recognition. Another suggestion is to convince those non-state armed groups fighting for self-determination in terms of their indigenous values that children are the hope of their future and the use of child soldiers will create problems which will affect their next generations.

Protection of the rights of children in the areas of armed conflicts and provision of alternatives for children to develop themselves:

- Setting 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 organizations working against the recruitment of children under 18 years of age or their use for direct or indirect participation in armed conflict. (Montevideo Declaration)
- Carrying 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. (Montevideo Declaration)
- Calling on communities themselves to declare “child soldier free zones” and “weapons free zones” and to take local measures to establish these zones. (Kathmandu Declaration)
- Ensuring that children's rights and needs are placed at the forefront – in the training of security forces, armed forces and peacekeeping missions; in negotiation of peace accords; in any programme for disarmament and demobilisation.

- Calling upon international, 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 stigmatization and to preserve their dignity, safety and self-respect. (Kathmandu Declaration)
- Addressing the political, social and economic factors that facilitate the exploitation of children as soldiers; broadening our scope of concern to embrace all children affected by conflict. In the long run, poverty alleviation programmes targeting poor rural communities and addressing land issues will also contribute to the prevention of recruitment of child soldiers.

Second: Demobilization and reintegration

- Including, from the start in any peace process, the issue of demobilization of child soldiers, their complete rehabilitation and reintegration into society.
- Ensuring that girl soldiers are integrated into the demobilization process, are not discriminated against at any stage and that programmes are gender sensitive and address their health, educational and psychosocial needs. (Kathmandu Declaration)
- Calling on all states to take steps to protect child soldiers from extrajudicial, summary or arbitrary execution, arbitrary detention and ill-treatment by any party to the conflict. (Berlin Declaration)
- Granting amnesties or other similar measures to children under 18 years of age who have participated directly or indirectly in armed conflict. (Montevideo Declaration)
- Granting full, prompt and effective reparation to children under 18 years who have been soldiers. (Montevideo Declaration)
- Calling 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. (Kathmandu Declaration)
- 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. (Montevideo Declaration)

Selected Lessons Learned about Prevention of Recruitment, Demobilization, and Reintegration

From: Unicef Child soldier projects. The case of Sierra Leone

<http://ginie1.sched.pitt.edu/ginie-crisis-links/childsoldiers/sierraleone1.html>

Prevention

- o Need to strengthen preventive measures such as interim care centers for street children, educational opportunities for all children and providing alternative viewpoints to the glorification of war.
- o Hard data is needed on child rights violations in order for actions to be taken.
- o Advocacy with local organizations, media, former child soldiers, teachers, health workers, religious and community leaders is vital.

Demobilization

- o Need to identify channels of contact with non-governmental armed groups.
- o In 1993, assessment of children needs and their participation in programme implementation was inconsistent. As a consequence many children vanished from the programme.

Reintegration

- o It is important to establish trust with children before engaging dialogue on their future.
- o Reunification with relatives other than parents should be considered. Importance of community sensitization programs.

Useful documents and materials

- The Convention on the Rights of the Child and the Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- The ILO Convention 182 on the Elimination of the Worst Forms of Child Labour [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- Security Council resolution 1261 (25 August 1999) on the children and armed conflict, UN Doc.: S/RES/1261 [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- The Article 8 of the Statute of International Criminal Court makes it an international crime for any person to recruit children under 15 or to use them in hostilities, whether in an international or an internal armed conflict and whether or not they are acting on behalf of a government. [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- Maputo Declaration on the use of Children as Soldiers, April 1999 [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- Montevideo Declaration on the Use of Children as Soldiers, July 1999 [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- Berlin Declaration on the Use of Children as Soldiers, October 1999 [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- Kathmandu Declaration on the Use of Children as Soldiers, May 2000 [<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]
- *Impact of Armed Conflict on Children*, Ms. Graca Machel, 26 August 1996, UN Doc.: A/51/306. (gopher://gopher.un.org:70/00/ga/docs/51/plenary/A51-306.EN)
- *Children and armed conflict*. Report of the Secretary-general, 19 July 2000, UN Doc.: A/55/163 (<http://www.un.org/Docs/sc/reports/2000/712e.pdf>)
- “No Childhood at All,” a documentary film about child soldiers in Burma, produced by Images Asia. (Email: sitthi@cm.ksc.co.th)
- “I Killed People,” a documentary film about child soldiers in Liberia, produced by Alice Schmid. (Email: cineas@cyberlink.ch)

Appendix 1. Relevant Articles of UN Documents.

Convention on the Rights of the Child (CRC)

[<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

Article 28

1. States Parties recognize the right of the child to education

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures

to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict**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 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,¹ taking account of the principles contained in that article and recognizing that under the Convention persons under 18 are entitled to special protection.

2. Each State Party shall deposit a binding declaration upon ratification of or accession to this 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 that 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 shall maintain safeguards to ensure, as a minimum, that:

- (a) Such recruitment is genuinely voluntary;
- (b) Such recruitment is done 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.

Rome Statute of the International Criminal Court (Article 8 - War crimes)

[<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]

Article 8 - War crimes

1. The Court shall have jurisdiction in respect of war crimes in particular when committed as a part of a plan or policy or as part of a large-scale commission of such crimes.

2. For the purpose of this Statute, "war crimes" means:

- (a) Grave breaches of the Geneva Conventions of 12 August 1949....
- (b) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts:

..... (xxv) Conscripting or enlisting children under the age of fifteen years into the national armed forces or

using them to participate actively in hostilities.

(e) Other serious violations of the laws and customs applicable in armed conflicts not of an international character, within the established framework of international law, namely, any of the following acts:

.....(vii) Conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities;.....

The ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, June 1999 (Convention 182)

[<http://www.rb.se:8082/www/childwar.nsf/HTML/Forsta?OpenDocument>]

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term “child” shall apply to all persons under the age of 18.

Article 3

For the purposes of this Convention, the term “the worst forms of child labour” comprises:

(a) 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;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) 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.

.....

Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.

2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.

2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

- (a) prevent the engagement of children in the worst forms of child labour;
- (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
- (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
- (d) identify and reach out to children at special risk; and
- (e) take account of the special situation of girls.

3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.