



Child recruitment

The right to be protected and cared for is a right of all children who are affected by armed conflict and is enshrined in the Convention on the Rights of the Child (Article 38); this includes prevention and response to child recruitment. However, despite growing international attention and wide condemnation of the practice, the recruitment and use of children in conflict continues across the world. Children are used in a number of ways, including as direct combatants and in active support roles such as spies, porters, informants, or for sexual purposes. Many children recruited into armed groups die or are permanently disabled as a result of their experiences. For most, the physical, emotional and developmental harm is long lasting.

In some situations, children “voluntarily” take part in conflict when they are vulnerable to the false promises of enlisting and not aware of the dangers and abuses they will be subjected to. In other situations, children are forced into armed groups through threats and violence. In either case, the consequences for the child are detrimental and long-lasting. Children risk being stigmatized and cut off from their communities and families, and lose the opportunity to attend school and develop intellectually.



I believe that the protection of all children from grave violations is within our reach. If we stand firm and united, we can move forward and deliver on what is expected from us, that the international community comes together and demonstrates its determination to protect children from war.”

Special Representative of the Secretary-General for Children and Armed Conflict, September 2012

Key messages

- ➔ States must respect and ensure the **civilian and humanitarian character** of asylum at all times; States have the responsibility to **prevent the infiltration of camps** by armed combatants.
- ➔ Children who have been recruited and used by armed forces and groups should be **immediately released** and **supported to reintegrate** into their communities.
- ➔ Governments should have appropriate **legislation** in place regarding recruitment and use of children in armed forces and armed groups.
- ➔ “Children who are accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups should be considered primarily as victims of offences under international law.” Paris Principles, 2007.
- ➔ In order to avoid stigmatization, **mainstream** child protection interventions rather than creating specific programs and services for certain categories of children such as former child soldiers.
- ➔ **Formal DDR processes** should consider the needs of children associated with armed forces and groups.



This briefing note has been produced by the Child Protection Unit, Division of International Protection, in order to guide field operations on key thematic child protection issues.

Key Concepts

Children Associated with Armed Forces or Armed Groups (“CAAFAG”), refers to “any person below the age of 18 who is, or has been, recruited or used by any armed force or armed group in any capacity, including but not limited to children used as fighters, cooks, porters, spies, messengers or for sexual purposes. It does not only refer to a child who is taking or has taken an active part in hostilities” (Paris Principles, 2007).

Recruitment refers to how people become members of armed forces or armed groups. Recruitment includes: **Enlistment or voluntary recruitment** (persons facing no threat or penalty join on their own free will); **Conscription** (compulsory recruitment); **Forced recruitment** (without the consent of the person, through coercion); and **Unlawful recruitment** (of children under the age stipulated in international treaties).

Armed forces refer to the military institution of the State with a legal basis, and supporting institutional infrastructure (salaries, benefits, basic services, etc.).

Armed groups refer to groups distinct from armed forces as defined by Article 4 of the Optional Protocol to the CRC on the involvement of children in armed conflict.

Disarmament, Demobilisation and Reintegration (“DDR”) refers to three distinct phases of departure from fighting force to return to civilian life. **Disarmament** involves assembly of combatants and the development of arms management programmes. Because many girls and boys used by armed forces or groups do not carry weapons, disarmament should not be a prerequisite for the demobilization and reintegration of children. **Demobilization** broadly refers to the formal discharge of soldiers from an armed force or armed group. For children, the term ‘release’ is usually preferred to ‘demobilisation’ as it recognises that the majority of children leave in other ways than through a DDR process. **Reintegration** is a long-term process that helps a child, and often family members, resume normal life. Where possible the release and demobilization of children should be managed separately from that of adults and should be integrated with other schemes aimed at reintegrating children at risk in order to avoid stigmatization.

What is the role of the UNHCR?

Paramount to UNHCR’s protection work is both the prevention of child recruitment and the establishment of appropriate services for children formerly associated with armed forces or armed groups in order to support their rehabilitation and reintegration. *The Conclusion on children at risk*, adopted by UNHCR’s Executive Committee (ExCom) in October 2007, “*Recommends that States, UNHCR and other relevant agencies and partners... take appropriate measure to prevent the unlawful recruitment or use of children by armed forces or groups, and work towards the unconditional release from armed forces or groups of all children recruited or used unlawfully by armed forces or groups, and their protection and reintegration;*”

Prevention and response to child recruitment is linked to broader refugee protection

- Unlawful recruitment or use of children is a child-specific form of persecution that may justify the granting of refugee status (if acts are related to one of the 1951 Convention grounds).
- Ensure the principle of non-refoulement is respected. Children must not be returned to where there is a real risk of unlawful recruitment.
- Advocate for States to respect and ensure the civilian and humanitarian character of refugee camps and to provide physical protection to refugees, including prevention of infiltration of camps by combatants.
- Advocate for refugee camps to be located as far as possible from the border (generally at least 50 km) to prevent cross-border recruitment.
- Ensure individual registration and documentation of refugee children as it is an important tool against unlawful recruitment and use.
- Cooperate closely with other UNHCR offices on cross-border issues related to child recruitment.

Monitoring and reporting mechanism (MRM)

Security Council Resolutions 1612 (2005), 1882 (2009), 1998 (2011), and 2068 (2012) establish the monitoring and reporting mechanism (MRM) on six grave violations against children in armed conflict:

- Killing and maiming of children
- Recruitment and use of children by armed forces and groups
- Attacks against schools or hospitals
- Sexual violence against children
- Abduction of children
- Denial of humanitarian access for children

Parties which commit violations against the first 4 violations can be listed in the UN Secretary-General’s annual report on Children and Armed Conflict which triggers the establishment of a MRM mechanism in the country. An MRM Action Plan, stipulating concrete actions to end violations, must be developed and signed by listed parties, and is a first step to becoming de-listed. In 2013 the MRM is operating in 15 countries or regions.

Key actions: What UNHCR and partners can do

Legal & Policy Framework

- ➔ Advocate for laws, policies, and national action plans under SCR 1612 to end and prevent the recruitment and use of children.
- ➔ Train members of armed forces and groups on protection of children in situations of armed conflict.

Knowledge & Data

- ➔ Review information on the presence of children in armed groups and the incidents of child recruitment in UNHCR operational areas.
- ➔ Identify the underlying causes of recruitment and use of children by armed forces/groups.
- ➔ Ensure data is collected systematically and includes information on already existing community efforts.

Coordination

- ➔ Participate in the MRM country-level task force, if one has been set up.
- ➔ Where relevant, work closely with UN missions on child recruitment.
- ➔ Ensure close coordination across borders where child recruitment has a cross-border dimension.

Human & Financial Capacity

- ➔ Build capacity of staff on the identification of children associated with armed forces/groups. Ensure protection staff have specialized skills for dealing with children associated with armed forces/groups.
- ➔ If UNHCR is operationally involved in MRM, consider staffing implications.

Prevention & Response

Prevention

- ➔ Identify trends regarding child recruitment, including through school drop-out rates, missing children, presence of armed groups, reports of recruitment, and local/international media reports

- ➔ Strengthen community-based early-warning systems to monitor and report incidents of child recruitment and use.
- ➔ Support and promote birth registration and other documentation so children have a proof of age.
- ➔ Work with local leaders, community groups, schools, and youth organizations to take action to prevent recruitment and use of children.
- ➔ Ensure access to education, in particular secondary education and vocational training and promote livelihood opportunities for adolescents and economically fragile families.

Response

- ➔ Integrate CAAFAG with existing child protection support services, including family tracing, interim care, medical and psychological services, and livelihoods and education.
- ➔ Analyse the risk of intervention for all actors involved including children, partners and agencies throughout the programming cycle.
- ➔ Explore ways to establish a dialogue with armed forces/groups on child recruitment. This should be done in coordination with the CTF.
- ➔ Together with the CTF, negotiate for parties to the conflict who have been listed in the Secretary-General's report to engage in developing Action Plans as provided under the 1612 mechanism.
- ➔ A Best Interests Assessment (BIA) should be conducted at the earliest opportunity to assess the child's short and longer-term reintegration needs, followed potentially by a BID.
- ➔ Ensure appropriate medical care for girls and boys who have been injured or disabled.

Advocacy & Awareness

- ➔ Undertake public sensitization campaigns on the risks for children involved with armed forces or groups. Campaigns should aim to change social norms that favour child participation in armed forces or groups.
- ➔ Raise awareness of key actors such as teachers on reporting mechanisms and their associated risks as well as reintegration and return to school of children formerly associated with armed forces/groups.



Boys and girls are **protected against recruitment** into and use in hostilities by armed forces or armed groups and **are assisted with release and effective reintegration** into their families and the community.”

Inter-Agency Minimum Standards for Child Protection in Humanitarian
Action Standard 11: Children associated with armed forces or armed groups

UNHCR in Action:

Examples from the Field

Liberia

During the civil war in **Liberia** (1999-2003), 168 Liberian children associated with fighting forces, including a handful of girls who had been either active combatants or had served in support roles, were assisted by UNHCR through:

- Identification and separation from adult combatants immediately upon entry to the country of asylum;
- Accommodation in refugee camps in a civilian environment conducive to their rehabilitation and reintegration in their communities and to the prevention of re-recruitment;
- Sensitization of refugee communities through awareness raising programmes;
- Integration within the population of separated children to avoid being stigmatized, with provision of community-based interim care, tracing and family reunification; education and vocational skills training programmes; counselling and psychosocial activities;

Chad

During the civil war in **Chad** in 2009, hundreds of children were recruited as child soldiers both by its national army and the rebel forces. Among those recruited were both Chadian children and Sudanese refugee children. A UN Country Task Force (CTF) was formed to establish a monitoring and reporting mechanism (MRM) on grave violations against children in Chad. UNHCR played an active role in this mechanism by regularly identifying any refugee children who had been recruited by the armed forces and groups, who had survived sexual and gender based violence committed by them, or who had encountered any other grave violations during and after the conflict. The identified cases were closely and regularly followed up through protection and community services interventions to provide the children with psychosocial care, assistance and social integration. In addition, UNHCR actively advocated regarding individual cases of recruitment and asked for the immediate release of these children through letters sent from UNHCR to the government. These actions were reported to and coordinated with the CTF and reported in the bi-monthly Global Horizontal Notes, which is an MRM reporting tool. UNHCR, together with other agencies and government ministerial counterparts worked together in order to develop an action plan (in line with SC Resolution 1612) which spells out concrete steps, which when taken, will result in Chad being removed from the Secretary-General's list of parties who recruit and use children.

Legal Framework

The most important legal instruments speaking to the age of recruitment and participation of children in armed conflict include:

- **1949 Geneva Convention and 1977 Additional Protocols I and II:** prohibit the recruitment and direct participation in hostilities for children under 15 years
- **1989 UN Convention on the Rights of the Child article 38:** states that 'governments shall take all feasible measures to ensure that children under the age of 15 do not take a direct part in hostilities'.
- **Optional Protocol to UNCRC on the Involvement of Children in Armed Conflict** (entered into force 2002):
 - Prohibits all recruitment of children under 18 by armed groups (either voluntary or compulsory)
 - Prohibits compulsory recruitment and direct participation in hostilities for under 18 years
 - Permits voluntary recruitment for 16 and 17 (with safeguards)
- **1999 International Labour Organisation Convention No 182** on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour: defines forced and compulsory recruitment of children in armed conflict as one of the worst forms of child labour (and defines children as under-18 years).
- **Rome Statute of the International Criminal Court** (entered into force 2002): establishes individual criminal responsibility for the war crime of recruiting and using children under 15 years old to actively participate in hostilities.

For More Information:

- *Paris Principles and Guidelines on Children Associated With Armed Forces or Armed Groups*, 2007, available at <http://goo.gl/05TEM1>
- UNHCR 2009, *Child Asylum Claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees*, available at <http://www.refworld.org/pdfid/4b2f4f6d2.pdf>
- *Minimum Standards for Child Protection in Humanitarian Action Standard 11*, available at: <http://cpwg.net/minimum-standards>
- *ARC Training on Children Associate with Armed Conflict*, available at: <http://goo.gl/QjPdse>
- *Special Representative of the Secretary-General for Children and Armed Conflict* (SRSG CAAC), available at: <http://childrenandarmedconflict.un.org>
- *Child Soldiers Coalition*, available at: <http://www.child-soldiers.org>
- *Watchlist on Children and Armed Conflict*, available at: <http://watchlist.org>