

A Fighting Chance

Guidelines and implications for programmes involving children associated with armed groups and armed forces

The International Save the Children Alliance

The International Save the Children Alliance is the world's leading independent children's rights organisation, with members in 27 countries and operational programmes in more than 100.

Vision

Save the Children works for:

- a world which respects and values each child
- a world which listens to children and learns
- a world where all children have hope and opportunity.

Mission

Save the Children fights for children's rights. We deliver immediate and lasting improvements to children's lives worldwide. The United Nations Convention on the Rights of the Child 1989 (UNCRC) is the overall framework for our work, and everything we do is guided by its four basic principles:

- the best interests of the child (Article 3)
- non-discrimination (Article 2)
- survival and development (Article 6)
- children's participation and influence (Article 12).

Save the Children seeks to co-operate wherever possible with others who share these ideals.

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Abbreviations

ASEAN	Association of South-East Asian Nations
CIDA	Canadian International Development Agency
DDR	disarmament, demobilisation and reintegration
ECOWAS	Economic Community of West African States
EU	European Union
ExCom	Executive Committee (of UNHCR)
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
IHL	International Humanitarian Law
ILO	International Labour Organisation
LTTE	Liberation Tigers of Tamil Eelam
NGO	non-governmental organisation
OHCHR	Office of the United Nations High Commissioner for Human Rights
OLS	Operation Lifeline Sudan
RENAMO	Resistencia Nacional de Mocambique (Mozambican National Resistance)

SPLA	Sudan People's Liberation Army
STI	sexually transmitted infection
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNHCR	United Nations High Commissioner for Refugees

I Introduction

Regardless of whether children associated with armed groups and armed forces are in combat roles or so-called support roles, Save the Children believes that children should not be used in war or other forms of armed conflict under any circumstances.

I.1 Purpose of this paper

These guidelines reflect the combined experience and thinking of International Save the Children Alliance members who have worked with children associated with armed groups and armed forces. (For simplicity's sake, this term is sometimes shortened to armed groups and forces, and the children are also referred to as 'child soldiers'.) They have been written in a spirit of co-operation and capacity-building. Those who have been particularly active in developing them include staff working at both programme and policy levels from Save the Children Denmark, Save the Children Norway, Save the Children Sweden, Save the Children UK and Save the Children US, who attended a workshop in Uganda in 2001 to pool their collective experience and generate key points for this paper. It was developed and finalised at subsequent meetings of the Child Soldiers Task Group.

The purpose of this paper is to provide guidance to policy-makers, advocacy initiatives and field-based programmes. It offers a policy framework, drawing out some recommendations based on global lessons learned.

There are various factors that determine recruitment into armed groups and forces, the nature of children's association with them, and the ways in which children leave them. Programmes designed to prevent children's participation in armed forces, promote their release and support reintegration into communities, will therefore depend on a solid understanding of the evolving social, political and economic factors and the priorities for action.

1.2 Children associated with armed groups and armed forces: global overview

According to the *Child Soldiers Global Report*, published by the Coalition to Stop the Use of Child Soldiers in 2001, more than 300,000 girls and boys under the age of 18 are estimated to be participating in armed conflicts around the world. A second report, due to be published in November 2004, will provide up-to-date figures on the current situation.

While most child soldiers are aged between 14 and 18, many are recruited from the age of 10 and sometimes even younger. These children are not only active combatants but also may perform a range of functions including working as porters, cooks, spies or forced 'wives'. Children's labour is exploited in a number of ways, including being used to perform hazardous tasks such as mine clearance. The

widespread availability of modern lightweight weapons also facilitates the use of children in combat.

“I did learn some things when I was with the rebels. I learned how to shoot, how to lay anti-personnel mines and how to live on the run. I especially know how to use an AK-47 12-inch, which I could dismantle in less than one minute. When I turned 12 they gave me an RPG (rocket-propelled grenade) because I had proved myself in battle.”

An abducted 19-year-old soldier in Paloro District, northern Uganda. (taken from *Children Not Soldiers*, p.65)

Despite these severe violations of children’s rights, armed groups and forces sometimes consider that children make more useful recruits than adults. Because they are younger, have less power and limited experience, children are easier to manipulate and control, and more likely to accept without question ideological justifications for fighting. Children are also more likely to accept low or zero wages, and abominable living and working conditions. In interview, children who have been involved with armed groups and forces often express revulsion, guilt and regret at what they were forced to do.

“I continually thought I must escape from this because I am a human being; what we were doing were not things humans do.”

A 17-year-old boy interviewed in Maputo, Mozambique, 1989, in a home for children who had escaped from RENAMO forces.

I.3 Global trends

The problem of child soldiers is most critical in Africa and Asia, though children are recruited and used as soldiers by government forces and armed groups in many countries in the Americas, Europe and the Middle East. However, a recent study by the ICRC, which included countries in all these regions, revealed that the overwhelming majority of a range of interviewees in countries affected by conflict believe that soldiers should be 18 years or older.

Despite a growing recognition of the problem, and substantial progress towards a commitment to protecting children in international law and other measures such as UN Security Council resolutions, evidence suggests that the number of child soldiers in the world is increasing.

This greater use of children in armed groups and forces is partially due to the current proliferation of prolonged conflicts. Children are more likely to be recruited as conflicts drag on and new recruits are needed. Communities become increasingly impoverished, and a 'culture of war' is often generated, where the distinction between combatants and civilians becomes blurred.

Children are also more at risk of joining armed groups and forces in wars taking place in developing countries and 'failed states'. First and foremost, poverty and related socio-economic factors are more prevalent in developing countries, where children are likely to have few livelihood options. Lack of access to education and the breakdown of society and traditional protective structures can also contribute to the recruitment of children, as can forced displacement and associated

problems such as loss of livelihoods or educational opportunities. Children may also be motivated to join armed groups and forces for personal reasons of revenge, because of their own or others' expectations, or to escape a violent home life. Conditions favouring the spread of HIV/AIDS often exist in communities ravaged by long-term warfare; the pandemic leaves many children without families and impoverished. Joining armies may be their only means of survival. However, in many cases children are abducted, forced or coerced to join, often in brutal circumstances.

Conflicts in developing countries often move quickly out of the international spotlight – so that parties involved in conflict are therefore under less scrutiny, and less pressure to respect international laws they may have signed and to fulfil their corresponding duties to protect citizens, including children. In these situations fewer resources are available to prevent and address violations of these laws, such as the recruitment of children into armed forces.

1.4 Key protection issues

“After training, I was sent to Kapalata camp in Kisangani, where I escaped a cholera outbreak which killed a lot of my comrades. I fought on several fronts. I have killed and several of my comrades were killed at the front. I suffered a lot. I was beaten by my commanders. At Uvira I had nothing to eat, and had to hassle the locals for food. The commanders sent me to loot villages, but we got nothing after they had shared it all out between them. I learned to smoke dope and drink, and I raped the women kept by the commanders. I learned lots of

rotten stuff, and I wish I hadn't. I tried to escape, but I was caught and locked up in a container for a month-and-a-half, with beatings morning and night. Then I was transferred and demobilised. Now I plan to go home and help my parents."

A 16-year-old boy in the Democratic Republic of Congo.

The involvement of children in conflict exposes them to extreme and unacceptable threats to their health and well-being. With no one to protect them, children may be brutalised or killed by their commanders or peers. Boys and girls effectively lose their childhood and suffer terrible abuse, are exposed to hardship, desperate conditions and sexual violence. In combat, many children are killed, severely injured or permanently disabled. Some children may also be involved in committing human rights abuses, including war crimes and crimes against humanity. Children are deprived of growing up with their families and the opportunity to develop physically and emotionally in a familiar or protective, nurturing environment. They are denied their right to education. Child soldiers also risk long-term or even permanent separation from their families and communities, which makes them vulnerable to further violence, abuse and exploitation. Child soldiers not only suffer the direct impact of their experiences but also may be stigmatised or rejected by their communities, particularly if they have been involved in attacking them. Girls in particular often have enormous difficulties reintegrating into their families and communities, because of the kind of roles they may have been forced to play.

It is hard to imagine circumstances in which there is so much potential for abuse of children's rights. In summary, the involvement of children

in armed forces represents or may lead to violations of the following fundamental rights of children as set down in the UNCRC:

- right to life, survival and development – Article 6
- right to preservation of identity – Article 8
- right to family unity – Article 9
- right to an opinion/ be consulted in all matters pertaining to the child – Article 12
- right to protection from physical or mental violence or exploitation – Article 19
- right to protection in case of separation from family – Article 20
- right to adequate standard of living for physical, mental, spiritual, moral and social development – Article 27
- right to education – Articles 28 and 29
- right to play – Article 31
- right to freedom from hazardous or exploitative labour – Article 32
- right to freedom from sexual exploitation or abuse – Article 34
- right to freedom from all other forms of exploitation prejudicial to welfare – Article 36
- right to freedom from torture or other cruel, inhuman or degrading treatment or punishment; and freedom from unlawful detention – Article 37
- right to protection under international humanitarian law in times of armed conflict, and right to freedom from military recruitment if under 15 – Article 38
- right to physical and psychological recovery and social reintegration of child victims of neglect, abuse or exploitation – Article 39
- right to fair judicial treatment taking into consideration the child's age and their reintegration into society – Article 40
- right to freedom from forced recruitment for all under-18s – Article 2, Optional Protocol.

I.5 International standards

The framework for Save the Children programmes for child soldiers is provided by a series of international legal instruments.¹ The most central are the UNCRC (1989) and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000). The Geneva Conventions are also an important tool for protecting such children. National laws, which should be consistent with international instruments ratified by governments, also provide standards for advocacy and programming with children associated with armed forces.

Among the international community there is increased awareness of the issue of child soldiers, and growing international consensus against child recruitment. This is reflected in a series of recent international standards and positions, which are progressively more aligned against the use of children in armed groups and forces, and are gaining increasing respect for this position. These include the following:

- The Rome Statute of the International Criminal Court, adopted by the UN in July 2002, states that the use of children under 15 years by armed forces is a war crime.
- The International Labour Organisation has defined child soldiering as one of the worst forms of child labour (ILO Convention 182 on the Worst Forms of Child Labour, 2000).
- The UN Security Council, particularly Security Council Resolutions (1261, 1314, 1379, 1460, 1539) on Children and Armed Conflict, and Security Council Resolutions (1265 and 1296)

¹ Please see Annex 3 for a detailed chronology and description of international legal instruments relating to children associated with armed forces.

on the Protection of Civilians in Armed Conflict; the UN General Assembly; the UN Commission on Human Rights; UN Standard Minimum rules for the Administration of Juvenile Justice, 1985.

- The Organisation for African Unity and The African Charter on the Rights and Welfare of the Child, 1999.
- The Organisation of American States.
- The Organisation for Security and Co-operation in Europe, and the European Union, which produced EU Guidelines on Children and Armed Conflict in December 2003.

2 Working principles for Save the Children

2.1 Child rights programming

Save the Children's programmes are based on a child rights approach. This means that all interventions are developed within a human rights framework. Three considerations that stem from the use of this framework are:

- accountability (relating to the obligations of duty bearers)
- participation (recognising children's status as the holders or subjects of rights)
- equity/non-discrimination (since children's rights are universal).

Child rights programming is also rooted in the idea that rights are interdependent and indivisible, creating the need to take a holistic approach to issues such as child recruitment. This integrated approach means that interventions on specific protection issues such as recruitment sit within broader child protection programmes.

To summarise, the key characteristics of child rights programming are that it:

- means addressing the accountability of governments to respect, protect and fulfil human rights – as well as their capacity to do so

- uses human rights standards in situation analysis and programme planning, implementation and evaluation
- focuses on those who are most disadvantaged and discriminated against and, as a result, on poverty eradication and inclusion
- applies an inclusive and participatory approach to all work.

2.2 A child development perspective

Our work with children must also take into consideration an extensive knowledge of child development and the many factors that impinge on the psychological, social and physical development of the growing child, while conversely the child continuously impacts on his/her environment. Therefore programmes should be based on an integrated knowledge and understanding of the legal and developmental implications, recognising children both as subjects of rights as well as developing human beings. This combined perspective is essential for efficient child protection.

A child development perspective particularly informs an understanding of how children's relationships with significant persons in their lives have been affected by their experiences, as well as the particular impact of distressing experiences in different developmental phases. It also means taking into account the different impact on girls and boys involved with armed groups and forces, and the double effects on social development of growing up in a militarised system and being deprived of normal family relationships. A consideration of child development will always include recognising the individual capacities and resources of children in surviving and overcoming their difficulties.

2.3 Save the Children's programme experience

In the last 20 years, Save the Children has developed innovative ways of working with children who have been recruited or are at risk of recruitment. These include:

- interventions aimed at understanding and responding to the root causes of recruitment, and providing children with viable alternatives
- initiatives to advocate for the release of child soldiers, including during on-going conflicts
- preparedness to provide protection and care to children who have escaped or been spontaneously released, as well as support to official demobilisation processes
- tracing programmes to reunite families with children who have left armed groups and forces
- combined Interim Care Centre- and community-based interventions to support the reintegration of former child soldiers into their communities
- education and vocational training programmes to enable children vulnerable to recruitment, as well as former child soldiers, to develop and increase their potential to support themselves, and if necessary, their families
- providing advice and support to truth and reconciliation committees, and other initiatives to promote post-conflict reconciliation and the reintegration of former child soldiers
- advocacy to develop and promote new legislation to protect children at risk of recruitment
- exchange of lessons learned and models developed, both within Save the Children and with other agencies, through fora such as the Coalition to Stop the Use of Child Soldiers

- publication of key texts on children associated with armed groups and forces for those who work on the issue in NGOs, UN agencies, governments and other bodies
- development of tools for monitoring and evaluating rehabilitation programmes.

Many of these initiatives have made considerable progress and earned Save the Children country programmes and head offices a reputation for expertise. It is important to consolidate this experience so that we can use our position of growing influence in this area to the greatest possible effect.

3 Definitions

3.1 Children associated with armed groups and armed forces

This term refers to any child under 18 who is a part of, or attached to, any kind of regular or irregular armed group or armed force in any capacity, whether or not there is an armed conflict. Save the Children uses this phrase to ensure that the definition is not limited to children who are carrying or have carried arms, but includes those involved in any other capacity. This may be as cooks, domestic workers, porters, messengers, spies, decoys, couriers, guards and those accompanying such groups, other than purely as family members. It includes girls as well as boys, and children recruited for sexual purposes and forced ‘marriage’. It applies to all children in armed groups and armed forces, regardless of whether they have been forced to join, or appear to have done so voluntarily. For simplicity, in this document the term is often shortened to ‘children associated with armed groups and forces’, or replaced by ‘child soldiers’. Others may also use terms such as ‘children associated with fighting forces’ or ‘child combatants’.

Rationale

This definition is consistent with the Cape Town Principles as set down in the Cape Town Plan of Action (1997), and with UNICEF’s policy on children associated with armed forces. It is also consistent with the actual dynamics of children’s involvement in military

environments. Within armed groups and forces roles can be fluid, and whether a child is used as a cook, a porter, a soldier's 'wife' or for any other purpose, they are often exposed to the same dangers and equally forced to witness atrocities. Those with 'auxiliary' roles may even face greater threats, as in the case of children acting as informers or spies, laying landmines, or girls who are exposed to HIV/AIDS through forced sexual contact with male soldiers. Children originally recruited as camp helpers may eventually find themselves carrying a gun as their peers fall at the front.

Therefore the rights are violated and development threatened of all children recruited into armed groups and forces. It is important that this inclusive definition is applied in order to ensure protection for all those children whose lives and well-being is at risk.

3.2 Child

A child is a person under 18 years of age.

Rationale

Save the Children's programmes for children associated with armed forces primarily provide for boys and girls who are under 18 years of age.

The international community is moving towards a ban on the compulsory recruitment of children under 18 through mechanisms such as the Optional Protocol to the UNCRC. The UNCRC stipulates that children recruited into armed forces must be over the age of 15. This is supported by organisations such as UNICEF, the Office of the

Special Representative of the Secretary-General for Children affected by Armed Conflict, and the Coalition to Stop the Use of Child Soldiers. However, individual states still currently set their own minimum age for voluntary recruitment, although the recruitment of children under 15 is a war crime in the statutes of the International Criminal Court. Therefore, although programme managers and other staff who engage with state and non-state armed actors will define children associated with armed groups and forces as those who are under the age of 18, for the purposes of their programme work, they must also be familiar with the law of the country regarding age of recruitment, and how it is enforced (see Annex 3).

Save the Children firmly believes that no child should serve in armed groups or forces, and this sentiment is echoed in the spirit of the Optional Protocol to the UNCRC. Although the Optional Protocol leaves some margin for the legal use of over-15s, it does urge governments to give this group special protection within armed forces in recognition of the fact that they are children. It also stipulates: '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'. Save the Children will continue its efforts alongside UNICEF, the Coalition to Stop the Use of Child Soldiers and other key players to get an outright ban on the use of under-18s in armed forces.

3.3 Armed groups and armed forces

‘**Armed group**’ refers to any kind of non-state group, formal or informal, whether or not involved in fighting, which exists in times of conflict and/or peace. They include but are not restricted to opposition groups, rebel groups, resistance groups and guerrillas.

‘**Armed force**’ refers to any kind of state force, formal or informal, whether or not involved in fighting, which exists in times of conflict and/or peace. They include but are not restricted to national guards, air forces, marines, paramilitary groups, civil defence forces or traditional armed forces. They also refer to the political force, faction, party, movement, group or actor that acts on behalf of, is supported by and/or takes orders from the state. Peacekeeping forces also come under this term.

‘**Armed actor**’: these guidelines also use this as a broad term that includes both armed group and armed force.

Rationale

For all children who become associated with or run the risk of becoming associated with any kind of military action, special protection measures are necessary. The ideology, policies, practices and working cultures of armed groups and forces vary greatly and have a significant bearing on children’s experiences within them. However, across the spectrum from resistance groups to national armies, the potential remains for any children associated with these military actors to face death, torture, injury, exploitation, deprivation and neglect as well as long-term family separation.

3.4 Psychosocial support

Psychosocial support comprises a wide range of strategies that respond to the individual developmental needs of children, placing equal emphasis on the social context in protecting and promoting children's rights to safe and secure development. The strategies employed must recognise the inter-dependence of social, emotional, physical and cognitive well-being.

Rationale

A child's development and well-being depends very much on the security and stability of their environment, particularly the protection afforded by family and community relationships. It is essential that children who have been associated with armed groups and forces receive appropriate support that addresses their developmental needs and helps to restore a sense of stability and security. Programmes offering psychosocial support must therefore respond to each child's individual needs and must also respond and adapt to the specific social circumstances that play such a large part in determining developmental outcomes and well-being (for further details see the Alliance booklet *Promoting Psychosocial Well-Being Among Children Affected by Armed Conflict and Displacement: Principles and Approaches*, 1996).

4 Children associated with armed groups and armed forces: guidelines and implications for programming

An integrated approach should be taken to programming for children associated with armed groups and armed forces which addresses the needs of all conflict-affected children within a broad child protection framework.

All interventions must take into account the fundamental necessity for children to participate meaningfully at all stages of the project cycle, and in particular in decision-making on issues that will affect them.

4.1 Situation analysis

All programming for children associated with armed groups and armed forces needs to be based on a thorough understanding of the political, socio-economic and cultural context. Where possible, interventions should be community-based, supporting existing protection mechanisms and capacities.

Without this understanding, programmes are unlikely to be effective in tackling the complex set of issues that surround the use of children

by armed groups and forces. They may even cause harm to children. Situation analysis therefore needs to be detailed and ongoing. It is also vital that this is not carried out as a separate activity, but directly informs programming decisions and directions.

Implications for programming:

- Where possible, situation analysis should take place with the informed consent and participation of children, their families and communities. Other stakeholders such as government authorities, local and national NGOs, and armed actors, where this is appropriate, should also take part in such assessments.
- Before beginning a formal assessment, assessors should be familiar with national and international legal standards that apply to the recruitment of children and young people.
- Before beginning an assessment agencies should also have a clear understanding of the history and nature of the conflict.
- In some cases, situation analysis will require a regional approach in order to understand the politics of the situation and population displacements during the conflict. This will involve collaboration between country programmes of Save the Children, as well as with other actors in the region.
- Assessment will normally require interaction with members of the formal or informal military or police. As with all actors, it is important to be prepared and organised, and to preface each new interaction with a clear explanation of Save the Children's

working principles (including adherence to impartiality and the humanitarian imperative as described in the ICRC/NGO Code of Conduct) and objectives of the assessment. Dialogue with armed actors can negatively affect the public's perception of the agency if its actions are not seen as impartial. Furthermore, badly managed interaction can obstruct the release of children and block agency access.

- Reporting on activities to external bodies can pose a threat to children, communities and agency staff. Similarly, if the agency's objectives are seen to be in opposition to those of the armed actor the presence of staff and process of an assessment may be viewed as a provocation. Save the Children staff should take this seriously and assess the likely risks when carrying out formal assessments. With all actors, it is important to characterise the issue of child recruitment as a humanitarian issue, and not a military one.
- As with all areas of work, before beginning a formal assessment it is important to liaise with other agencies working on child recruitment in order to avoid damaging delicate relationships they may have formed, or hampering progress they may have made with armed actors. If necessary, a lead agency (such as the ICRC or UNICEF) should be designated for all interactions with armed actors.

(For more details on carrying out a situation analysis, see Save the Children UK's *Assessment Toolkit* in its *Field Resource Manual for Emergencies*, CD-ROM, 2003, available from Save the Children UK Emergencies Section).

4.2 Prevention of recruitment

Save the Children is committed to preventing under-age recruitment by any armed group or armed force. All prevention efforts should respond to the root causes of recruitment and provide children with viable alternatives.

If there is evidence of child recruitment, or if there is the potential for this to take place, an emergency response effort must address the protection needs of those who have been recruited or are at risk of being so, as well as the underlying causes for recruitment.

Children join armed forces for any number of complex reasons: abduction, forced recruitment, family poverty, religious indoctrination, peer pressure, ill-treatment at the hands of an opposing group, the need for protection, etc. Children may also join military academies or militarised schools from which they are then recruited into armed groups or forces. Often, the lines between compulsory, voluntary and forced recruitment are blurred. Push and pull factors may operate simultaneously on children, while there may also be pressure on families and communities to fulfil a 'recruitment quota'.

“My family is poor, and also my father has no job, so there’s not much chance of there being enough to eat, or there being any money for school fees. The Interahamwe often came to our village to steal cattle, goats and chickens... so [there was a call] to all the village leaders to set up a local defence [force]. Every family had to provide a son. As I didn’t have work, I was signed up.”

A 15-year-old boy in the Democratic Republic of Congo (*Children Not Soldiers*, p.35).

There are many elements in children's own lives that make them vulnerable to involvement with armed groups or forces. Lack of livelihood options and economic necessity – the need to survive, or to support a family or siblings – is a major factor. If institutional, social or familial protection structures have broken down, for example if children are separated from their families, living on the street, suffering different forms of harassment or abuse, or are already engaged in hazardous activities such as prostitution, they will almost certainly be more vulnerable to recruitment. Political ideology, the desire to seek revenge for acts against their family or community, traditional beliefs (such as the belief that adolescents have certain powers), peer pressure, the prestige attached to military activity, and having friends or family in armed groups or forces, are all factors that may push children towards recruitment. In parts of Eastern and Central Africa – and possibly elsewhere – children may also be armed by their communities or families to serve in a civil defence force.

Communities themselves may develop strategies to prevent under-age recruitment. For example, in the Wannai region of northern Sri Lanka, Save the Children learned that early marriage was used to prevent girls from being recruited. While this may have been effective, it led to a higher incidence of young motherhood and had attendant health risks for the girls and their children.

Therefore an effective prevention strategy must be based on a situation analysis that identifies the causes of recruitment, and provides an understanding of children's specific situations as well as the context in which recruitment is taking place. The analysis should also identify which children are at risk of recruitment, when the recruitment is most active, the methods used, where the

majority of children are being recruited and, of course, the armed actors involved. Given that recruitment often has a regional dimension, this should also be considered.

Implications for programming:

- The views of adults and children in the community are critical in designing and implementing prevention activities. They must be consulted during the situation analysis in order to determine their respective roles and how these can be strengthened. Dialogue and exchange of information between communities, national and international organisations should continue throughout the programme. Community networks, parents' groups and children themselves can be highly effective in preventing recruitment and should be supported where possible. Organisations working with them need to make a long-term investment to ensure that these initiatives are effective.
- When children's basic rights are denied, they are more vulnerable to recruitment. Prevention of military recruitment therefore requires a broad child protection strategy that takes into account livelihood issues, economic opportunities and access to basic services such as education and health.
- The presence of international agencies and international staff in conflict areas has sometimes been shown to have a deterrent effect on recruitment. (For example, partners supported by Save the Children in Sri Lanka, working with fostered children in conflict areas, found that children in their projects were not approached by LTTE for recruitment).

- While interventions such as children's clubs can succeed in improving child protection and preventing recruitment, they may also have the opposite effect. Children who gain new skills (such as leadership) and confidence, and whose profile is raised, may be more likely to be targeted for recruitment. Programme staff should bear this in mind when assessing the possible (intentional and unintentional) impacts of such interventions.
- In close collaboration with children and communities, the pros and cons and possible consequences of different strategies to prevent recruitment should be analysed, in order to avoid doing harm. Interventions and the range of effects they have on children and their communities should be closely monitored in order to identify any unintended negative effects early, and make appropriate adjustments.
- Opportunities must be sought for involving local communities at all levels in dialogue and exchange of views around the prevention of recruitment (eg, through local organisations, local and national authorities, etc). Information about legal standards on the age of recruitment, and penalties for violating them, should be widely disseminated in local languages.
- Those advocating the prevention of child recruitment must be familiar with the national law of the country concerned, international standards and provisions relating to recruitment, and how these apply to both state and non-state forces.
- The Optional Protocol to the UNCRC is a vitally important instrument for the prevention of recruitment. Save the Children advocates its full ratification and implementation.

- Representations to, and negotiations with, state or non-state armed actors must be co-ordinated, transparent and strategic. Training of armed actors on children's rights and protection should take place at local and national levels. Non-governmental organisations as well as governments should be actively engaged in advocacy efforts and training.
- Separated children are more likely to be recruited, as are refugee or internally displaced children. Programmes that specifically aim to help families stay together can reduce children's vulnerability to recruitment. Issuing children with birth certificates and identity cards has also been shown to prevent recruitment.

4.3 Contact with armed groups and armed forces for the purposes of training and advocacy

Armed groups and forces should be informed about or trained in children's rights, how they should treat children, and their potential positive role in protecting children.

Armed groups and forces are often the first to have contact with children in conflict-affected areas. While this may translate into abuses of children's rights, there is nonetheless potential for armed actors to become key players in child protection. This requires them to have a full understanding of children's rights, how they should treat children, and their role as protectors of children. Furthermore, in some countries armed forces are the most important state institution. For these and other reasons, training of armed forces on children's rights and child

protection has become increasingly important to individual nations and the United Nations.

Contact with armed actors may have a number of objectives, including some or all of the following: attempting to prevent recruitment and negotiate the release of children; training armed actors in international law on child recruitment and child protection; approaching them about the treatment of child prisoners of war; appealing for the release of the bodies of children killed in combat; and appealing for information on the whereabouts of child soldiers, including those killed in combat.

However, protection of civilians by armed actors becomes complicated when the aggressor (as well as the protecting army) is using children, and when 'protection' might lead to the killing of armed children on one or both sides of the conflict. Experience shows that when negotiating child protection issues with government armies in particular, it is possible to get them to agree that they will, during conflict, attempt to spare children of opposing groups, or encourage them to drop their arms and run to the other side. Agencies should also reach agreement on the appropriate treatment of captured children, who should be handed over to civil society organisations as soon as possible.

The irregular structure and unpredictable behaviour of some non-state armed groups means that working with them carries risks. While this must always be approached with caution, contact with non-state armed groups can have a direct impact on the protection of children, especially those who are hard to reach.

Ground rules

'The SPLA was involved in drafting [the Agreement on Ground Rules] and it was signed by both the head of the SPLA and that of OLS Southern Sector. It contains a statement of support for humanitarian principles such as neutrality and impartiality, as well as more detailed rules... Importantly, it also contains a statement of support for the Geneva Conventions and the UNCRC. This gave OLS the opening to discuss with the movement issues of abuse of international law, such as the recruitment of child soldiers. It thus introduced a rights element into a relationship that had hitherto been dominated by the provision of relief.'

(Children Not Soldiers, p.76)

Implications for contact and advocacy with armed forces:

- Save the Children must have a clear understanding of the nature, structure and military objectives of armed forces. The initial point of contact should be at the highest level possible, since this will influence future co-operation. Thereafter it is vital to secure the support of key decision-makers if the work is to be embedded institutionally. Regular contact at the highest level will help to ensure continued commitment to the project by armed forces.
- Mechanisms for follow-up must be planned at the outset of any project which foresees any kind of contact with armed forces, such as awareness-raising, training or advocacy on child protection issues.
- Clear written agreements with state forces and non-state groups and monitoring bodies can help to establish agreed roles and

responsibilities of the state and non-state actors, and to ensure the sustainability of the project. Written commitments specifying the armed group or forces' role and responsibility in relation to international standards should be sought from the highest level of command.

- Agencies in contact with armed groups and forces must adopt a co-ordinated and transparent approach in order to agree a common strategy and ensure consistent communications. If active in the context, the ICRC is likely to be an important focal point for inter-agency co-ordination.
- Rigorous adherence to the principles of neutrality and transparency is essential in order to promote confidence within the community and the armed force itself.
- Contact with armed groups and forces is most likely to be successful if undertaken by a well-established organisation that is respected by the local authorities and the community in the conflict-affected area.
- Identifying the people in both the agency and in the armed groups who are best placed to take co-operation forward is crucial. Armed actors often find it difficult to accept and respect humanitarian organisations. Individuals from armed groups and forces who have worked in both civilian and military environments and are part of the military hierarchy, eg, liaison officers, may be the best channel for collaboration and training. The ICRC may also be an important point of contact with armed groups and forces for the humanitarian community (see Annex 4 on the roles of international organisations).

- Advocacy to influence military decisions that will have a direct impact on the safety of children or recruitment practices should take place at all levels, from formal and informal meetings with commanders and other decision-makers through to action at the international level.
- A whole range of staff need to be able to communicate clear, consistent messages when they come into contact with armed groups and forces, be they supporters or their representatives. The appropriateness of and arrangements for informal meetings should be carefully considered, and guidance sought where necessary, in order to ensure that Save the Children keeps within its mandate and is consistent with its principles and any established operational policies and guidelines.
- Both formal and informal lobbying strategies should be used. An informal approach can be a good way to identify entry points and to establish a relationship with decision-makers. But careful judgement must be used to ensure that the nature of relationships (when and where meetings take place, and with whom in the armed group or force), is appropriate in terms of Save the Children's operating principles, the image we want to promote of ourselves, and staff security.

Implications for training armed groups and armed forces:

- Wherever possible, Save the Children should consider offering training to armed groups and forces on child rights/child protection issues. When possible, previously trained army personnel should be involved in facilitating such training. This training must be part of an ongoing process, which is regularly evaluated, and needs to include personnel at all levels in the military hierarchy.
- Save the Children's training of armed actors must be well-prepared and based on a situation analysis that identifies both the needs of the group to be trained and the main child protection issues in the particular context/scenario.
- Before providing training to non-state groups, agencies must have a clear understanding of the military environment, the situation of children, and the potential risks for children, the community and humanitarian organisations.
- A long-term objective should be to institutionalise an understanding of children's rights and human rights within the armed group or force, and to ensure that these issues are included in training as a matter of course so that understanding is not diminished by the high turnover of personnel.
- The training should include the development of tools with which to monitor and evaluate the impact of the training.

4.4 Ways in which children leave armed groups and armed forces

Peace agreements should include specific provisions for the post-conflict needs of children, including amnesties for them, with reference to the UNCRC. However, children should not have to wait for a peace process to leave armed groups or forces. Save the Children, in collaboration with other organisations who can play a role in child protection, must be prepared at all times to assist children who may leave armed groups or forces.

Negotiation with armed groups and forces for the release of children during conflict should be attempted whenever possible, as long as this does not place children at greater risk. It must include girls and, if pregnant, their unborn children.

Since children associated with armed groups and forces may be released at any time, with or without warning, Save the Children programmes working in the area should, together with partners and other agencies, develop mechanisms to ensure that these children are given the necessary assistance. It is critical that a realistic capacity to address the needs of all children associated with armed groups and forces is in place. An important lesson from past demobilisation programmes is that children's needs would have been better served had agencies known more about their situation before the demobilisation.

Children leave armed groups and forces in many different ways. For example, they may leave as a result of:

- formal, post-conflict demobilisation, usually following negotiations during peace processes, and monitored by the UN

- demobilisation after serving in an armed group or force for a certain length of time
- release during conflict, often as the result of advocacy or direct negotiations by external organisations
- escaping, which the armed group or force may see as ‘desertion’
- capture by an opposing armed group or force
- armed groups or forces handing over or abandoning children whom they see as a burden to them (eg, children with disabilities, sick children, girls with small children).

In some armed conflicts all of the above may apply.

It is known that the majority of children who leave armed groups and forces do not utilise demobilisation processes, which are rarely sufficiently child-friendly and even less sufficiently girl-friendly. Addressing these weaknesses is urgently required, as is a communication strategy to inform children exactly what is available and what the implications are for them.

For those children who still do not wish to participate in a formal demobilisation, a strategy needs to be developed to ensure they are supported and able to access any benefits that may be available. This must be done in ways that are sensitive to their needs and do not further stigmatise them. Local networks and groups working with other vulnerable children, such as street children, have an important role to play.

Implications for programming:

- Experience shows that negotiating the release of children associated with armed groups and forces requires a co-ordinated, transparent

and well thought-through approach, preferably with written agreements. Agencies must make every effort to preserve their neutrality, which means establishing contact with all parties to the conflict on this matter.

- Save the Children recognises that negotiating with armed actors for the release of children may involve considerable risks for staff and partner organisations working in the conflict-affected areas, as well as children themselves. When analysis indicates that security is likely to be at risk, international and other channels should be sought to negotiate children's release.
- Save the Children staff members should be trained in negotiation skills.
- When ceasefire and peace agreements are being negotiated, Save the Children should work for the inclusion of a comprehensive post-conflict plan for children. This should include the demobilisation of, and assistance to, all boys and girls associated with armed groups and forces. Information on the demobilisation and rehabilitation/reintegration of children should be made available to those negotiating peace agreements.
- Every effort should be made to find out children's views when planning any interventions to assist children involved with armed groups or forces. In particular, gender issues relevant to demobilisation and reintegration should be discussed with boys and girls. Systematic contact with children to enable monitoring of a demobilisation/reintegration process is essential.

- Save the Children must be prepared at all times to collaborate with other child protection agencies to assist children leaving armed groups and forces, and to have a broad child protection programme in place. When children are released during conflict, there is a particular challenge in ensuring their safety, carrying out family reunification and preventing re-recruitment. However, experience shows that with a high level of co-ordination among agencies in the conflict-affected area, children can be helped successfully. All actions must be carefully thought through with regard to the safety of the children in question and their best interests.
- Appropriate communications strategies must be used to reach all children leaving armed groups and forces, informing them of what support is available, how they can access this, and what the implications are for them. In situations where children are leaving armed groups or forces during conflict, it is important to consider contacting those who remain behind; this may be done best with radio messages. The risks involved must be carefully assessed, and always in consultation with children who have already left or escaped, and parents.
- Programmes for children leaving armed groups and forces must be organised in advance of their release and managed by competent organisations that are not associated in any way with the parties to the conflict. The demobilisation of children should be seen as a humanitarian process governed by human rights principles. Children should be separated from adult combatants immediately, when or soon after they are identified, and organisations with experience in working with children should manage subsequent processes. It is

imperative that the release of children is prioritised at the beginning of any disarmament, demobilisation and reintegration (DDR) process and that children are not kept waiting for the overall DDR process to be put in place before being released. Separate facilities and provision must be in place for boys and girls with male and female staff assigned respectively. Co-operation with relevant government departments should be established where possible.

- Save the Children should offer ongoing training to all those involved in demobilisation – including peacekeepers and protection advisers – on children’s rights, child protection and those aspects of the demobilisation process that affect children.
- Strategies to support children who do not wish to take part in formal demobilisation processes must be developed through discussions with groups working with other vulnerable children. For example, where a demobilisation card is issued to children to mark the end of their military service, it may be important to provide this. Also, mobile teams of health or social workers may be able to provide support or healthcare to children within their community. Such arrangements are often better provided as part of a broad child protection framework, rather than by targeting individual children in communities.
- Funding implications need to be taken into account. Funding to support children associated with armed groups and forces is often tied to a demobilisation process. Organisations will need to lobby donors to have a more flexible approach, that takes into account the broad protection and development needs of children in both an immediate and long-term perspective.

4.5 Monitoring of recruitment and re-recruitment

Monitoring of recruitment should take place before and throughout armed conflict and continue after children have been demobilised or ceasefires/peace agreements signed. Experience shows that they can still be at risk of re-recruitment, or re-recruitment by other armed groups or forces. Issues of security for all involved must be taken into account.

It is essential to gather information throughout the conflict, and at times post-conflict, on how many children are being recruited, who by and how. This information helps us to work with local and state authorities, NGOs and community leaders to prevent recruitment, and to design protection strategies.

“I was forcibly conscripted into the SLORC [State Law and Order Restoration Council] army when I was a student in March 1992. We were leaving school at the end of the day and the SLORC soldiers surrounded the school. There were 40 or 50 of us all leaving together, and we were all arrested. We were all 15, 16, 17 years old, and we were afraid of the soldiers. We were students; we looked like students, because we were all wearing our white shirts and our green longyi [trousers]. Our teachers ran away in fear. Everything was in chaos... We were all terrified, but we could not even call out to them to let us go and that we were under 18, because we were so scared.

They sent us to the exhibition ground at Aung San Stadium and we stayed there one night. The next day they sent us to Mingaladon [airport and military base] to register. Our parents had no idea

what happened to us. They weren't told anything, and neither were we. Some people had money to pay off the SLORC officers, but most couldn't."

A Burmese boy formerly associated with armed forces (*Children Not Soldiers*, p. 35).

Implications for programming:

- A risk assessment must be carried out before monitoring recruitment, taking into account risks to staff, children and communities.
- Care must be taken to co-ordinate monitoring work and ensure linkages with other agencies that do monitoring, in order to make sure that efforts are not duplicated and Save the Children is not working in isolation but is maximising its potential impact through contributing to others' work and promoting complementarity.
- Where mechanisms to monitor ceasefire agreements are possible, Save the Children should lobby for the inclusion of a mandate to protect children and promote the demobilisation of children associated with armed forces, as well as monitoring new recruitment of children. Save the Children should ensure that those responsible for upholding and monitoring ceasefires take into account children's protection needs, providing training when appropriate.
- Where protection officers exist, either as part of an armed force, a peacekeeping force or any other organisation, they should be mandated to monitor protection work along with their other activities. Save the Children should work closely with these actors.

- Save the Children should consider contacting and appealing to the expatriate community (diaspora) in countries where child recruitment takes place, and, where appropriate, to our own governments if they support countries guilty of such violations. When governments are supporting countries where child soldiers are being recruited, they should be encouraged to exercise their power of influence and speak out against the practice.
- Where there is a regional aspect to the conflict, monitoring should try to assess and document eventual cross-border recruitment of children.

4.6 Processes which facilitate return to family and community

Save the Children is committed to helping children associated with armed groups and armed forces return to their families and communities and successfully reintegrate.

Our extensive experience in this area has enabled Save the Children to identify four key elements that support children's successful return to their family and community. These are:

- the child's relationship with their family and community
- their access to education/vocational training
- healthcare, including attention to psychological and social issues
- livelihood support.

Children who have been associated with armed groups and forces are of course not returning to 'normal life' but to families and

communities who have also been disturbed, displaced and suffered multiple deprivations due to ongoing armed conflict.

However, most children who are able to return to their families and community appear to re-adjust fairly well, and the problems and challenges they struggle with are in many cases the same problems and challenges facing all children affected by conflict. These are related to education, economic opportunities (or lack of them), having their basic needs met, and whether or not they feel that they are useful members of their community.

However, some children, and in particular girls, who may be stigmatised because of their experiences, have more serious difficulties reintegrating. The increased isolation of a child, either initiated by him/herself or imposed by the community, behavioural problems which bring children into frequent conflict with family and/or community, suicide attempts, dropping out of school, increasing post-traumatic stress (which may manifest, for example, as increased and irrational anxiety/fear, irrational suspicion of others, disabling depression), are all serious issues which threaten the integration process, especially the child's relationship with others. Agencies need to deal with these in close collaboration with families and communities.

Examples of social or economic circumstances that inhibit children's reintegration have been highlighted in recent research in Rwanda. This found that only 56 per cent of children who returned to their communities after leaving armed groups and forces did not relocate after initial reintegration, and a small percentage of children relocated more than once. The most common reason for relocation was

problems with the family (such as the house being occupied by relatives, remarriage of a parent, death of a carer, etc.). Children also relocated to look for work or better opportunities, or to protect their inheritance.

In any given situation, the approach we take requires a detailed understanding of the context and the developmental needs of the children in that context. Planning for children who are in difficult circumstances must be based on an analysis of risks and resources in the home environment, and what needs to be supplemented from external sources. It also requires an understanding of the social, political and cultural reality. Gender issues, the age of the child, their length of stay in the armed group or force, and their actual experiences there, must also be taken into account.

The availability to the child of traditional cleansing and healing practices and rituals must also be assessed, and whether these are helpful or harmful to children. The child's ability to function effectively in society are influenced by circumstances before their involvement with armed forces, experiences during that time and the overall care and support they receive on return. It is critical to be welcomed back by a caring family. Some children need follow-up over time, and this needs to be negotiated with families and communities.

Vulnerability and resilience exist side by side and are continually changing as children develop in the context of changing circumstances. A central intervention in reducing vulnerability and increasing resilience is to encourage at all times children's active participation in developing responsive and sensitive rehabilitation programmes.

Reintegration strategies must take into account the fact that joining an armed group or force is a positive choice for some children for a variety of reasons, including lack of alternative occupation, escape from domestic violence, desire for self defence or revenge, status, protection, etc. These issues must be identified and addressed if the children are not to return to the armed group or armed force.

The return of former child soldiers to their communities in Liberia
[On their return] the community benefited from a centre for education, vocational training and recreation for children, access to water and the economic impact, such as employment... People also benefited from family tracing, as they came to the centre to request this for children they had lost. One woman said: "In the beginning there was fear in the community of the boys in the centre because they were rough and angry, but later this became better and the children even helped the people in the community." The young people in the centres built up relationships with the community children through education and recreation, they also made relationships with the adults in the community... One child said what he liked was that people in the community represented family life.'

(*Children Not Soldiers*, p. 158)

Young adults

It is also important to take into account that young people over 18 years of age at the time of demobilisation or release may have been recruited when they were under 18, and will have been in armed groups and forces for a number of years. These young people may not be included in demobilisation programmes targeting children, yet their needs may be as great and they are likely to have missed out on their

childhood. Young people, especially young women with children, who return home to find their families have been killed, are especially at risk. It is important to support these young people, who may have great difficulty reintegrating. But this presents a challenge for humanitarian organisations working with children, since constraints on funding and capacity do not allow for provision for all young people. A flexible approach is needed, and it is therefore Save the Children's practice to include vulnerable young people in its programmes where possible. At the same time, we advocate with other organisations and institutions to develop specific programmes for this group. UNICEF is one organisation that does so.

Implications for programming:

- Adults and children in the community must be included at all times in planning and implementing activities to support children's return to their family and community. A broad child protection programme supported by long-term commitments to funding and human resources should be developed and implemented from the outset.
- Resources must be allocated so that children receive adequate and appropriate services. This should also include mechanisms to alleviate poverty, since this is one of the major reasons behind children's military recruitment. It will be important to put pressure on the relevant ministries (eg, education, health, social welfare, labour), as well as the corresponding local authorities, to secure the necessary resources and commitments.
- All programmes to support the reintegration of former child soldiers must take into account the needs of all children affected by armed

conflict and be carried out under a broad child protection framework. Targeted support to this group only is likely to cause resentment within the affected communities and have a negative impact on reintegration.

- As noted above, work with communities goes far beyond notions of ‘sensitisation’ but will involve an ongoing dialogue with parents, children and community members, in particular those who have roles of duty bearers and are influential in important spheres of cultural and religious life. The quality of the relationship that agencies are able to develop with communities will be crucial for the successful integration of children.
- In all cases, an analysis of risks and the needs of the children concerned must be carried out, taking the following into account:
 - whether family tracing is required
 - the extent to which the family and community accept and are prepared for the child’s return
 - availability of, and access to, education, health facilities, livelihood support and traditional healing practices
 - whether mechanisms are in place to monitor the child’s return and prevent re-recruitment
 - children’s needs according to their age and gender.
- Educational provision should take account of the rights of all conflict-affected children to education, and may need to include accelerated or catch-up education for children who have missed out on schooling. Vocational/skills training and income-generating programmes must be developed with an understanding of the livelihood systems in the places girls and boys are returning to. They

must create the conditions that will allow and encourage all groups to access the programme, including girls with children who may need childcare facilities. If programmes are to be appropriately targeted, agencies should carry out a more detailed analysis of household economies and the constraints they face.

- Family tracing and reunification should be prioritised. Alternative family/community-based care will need to be provided for children who have lost their families or for whom return to their own family is not in their best interests. The issue of follow-up should be determined on the basis of risk to individual children.
- Where children are placed with extended families or community members, it may be necessary to follow up with regular assessments of the host family's ability to support the child with their reintegration.
- Issues related to land rights can be a serious problem with which children will require support. Financial independence may be crucial to the protection of children who have been associated with armed groups and forces. Experiences in Rwanda have shown that land tenure was an impediment to reintegration for 21 per cent of demobilised child soldiers. In most cases, family members – especially paternal uncles – had appropriated children's land.
- Certain children may benefit from a period of interim care in a setting where special assistance is provided by experienced staff. The children likely to benefit from this include those who, during their involvement with armed groups and forces, were exposed to and/or participated in atrocities, particularly over a long period;

experienced sexual abuse/rape, drug abuse, or alcohol dependency; or have serious health and disability problems on their return. Also, those whose family cannot immediately be found or who have died during their absence; whose families have rejected them, or who face hostility from the family/community. Girls returning with children born during their involvement with armed groups or forces are also among those who may need a period of interim care.

- Interim care should always be planned and implemented as part of a community-based programme facilitate the return of children to their communities, and to promote the protection and development of conflict-affected children in general. It should be clear to both children and families that the period of interim care is limited, and there must be regular assessments of children's readiness to return home. However, during ongoing conflict, it is recognised that security concerns may temporarily prevent reunification of children, who could then be at heightened risk of re-recruitment. Community members must be consulted in places where interim care centres are to be situated.
- All care centres should implement an active child protection policy in order to protect children from abuse and exploitation by staff and anyone else coming into contact with them.
- Interim care facilities should be staffed by people with social work, healthcare or education skills. Some of the main tasks should include:
 - provision of a safe and structured environment with age-appropriate activities

- assessment and response to children’s health needs, which are often serious and complicated
 - ‘supportive conversations’ and counselling for children to address their emotional/behavioural problems
 - preparation, when possible, of children and families for reunification/placement, including how to adjust to each other, what to expect
 - educational assessment and building confidence in preparing to return to school
 - discussions on alternative income-generating activities/vocational training and livelihood opportunities
 - assessment of follow-up needs; agreement on how follow-up should be done with children and parents.
- Children who have been associated with armed groups and forces may need special attention during follow-up that is not given to other children in conflict-affected areas. This must be negotiated with the community who, as part of the local child protection network, should also be consulted on which children they believe are most at risk. Activities that seek to integrate returning children with other children in their communities should be a priority.
 - The attitudes of all staff working with affected children is critical, and ongoing training, support and opportunity for discussion should be available to staff working with children associated with armed forces.

For further details on psychosocial issues, see the International Save the Children Alliance Working Paper *Promoting Psychosocial Well-Being*

Among Children Affected by Armed Conflict and Displacement: Principles and approaches (1996).

For further details on residential care for children – including interim care, which may be part of a demobilisation process, see the Alliance Position Paper on residential care, *A Last Resort: The growing concern about children in residential care* (2003), and the Save the Children UK draft document, *Quality Indicators for Childcare Programmes, East and Central Africa* (2004).

4.7 Health, disability and developmental problems

Interim care and reintegration efforts for children who have been associated with armed groups and armed forces should take into account the specific health and development needs of these children, including psychological and social development.

Children who have been involved for some time with armed groups or armed forces tend to have a range of health and nutrition problems, some of which differ from the general population and which, if left unattended to, may result in serious chronic problems or disability. Health issues include: untreated bullet wounds, bullets lodged in joints, destruction of joints, back problems and hernias from continually carrying heavy loads over long distances.

Both boys and girls appear to have an increased risk of infection from sexually transmitted diseases, most commonly gonorrhoea and syphilis, but also HIV/AIDS. Programmes must be prepared to follow up

children with the latter infections and ensure that they get adequate treatment and support, linking them to other specialised agencies in the area.

Drug dependency may be a problem in some contexts. Untreated tuberculosis and malaria may also be prevalent. Many children have permanent physical disabilities due to loss of limbs, loss of sight, and loss of hearing caused by their prolonged proximity to artillery fire and other loud explosions. Children may also have significant dental problems, and some return in a state of severe malnutrition.

Apart from sexually transmitted diseases, girls may present with several reproductive health problems including fistulas, disappearance of menstruation and sterility due to infection. They may face other reproductive health problems arising from female genital mutilation and giving birth without medical support.

Children who have been exposed to, and involved in, atrocities and sexual abuse while with armed groups or forces often have emotional and behavioural problems. These can range from a lack of trust in adults, difficulties in forming normal relationships with others, nightmares and anxiety, to severe withdrawal, fear, aggression, restless behaviour and depression with suicidal thoughts and attempts. Psychological problems around establishing a normal sexual life are often associated with their experiences while in the armed forces. Girls returning with babies may resist bonding with their babies.

Carefully planned interim care, sensitive work with families and communities and traditional forms of healing will be able to help most of these children recover a sense of hope, new identity and

direction in their lives. However, many children are likely to feel increased vulnerability throughout their lives, which will challenge their coping abilities when faced with new crises.

Implications for programming:

- Health and nutritional screening (and the capacity to address the range of potential problems) must be part of the child protection services for children leaving armed groups and forces. It is important that both female and male staff, trained to address the specific needs of this group, are available. Health and disability problems must be followed up if children are moved into interim care, and when they return to the community. Very often health problems are of a delicate nature which children are shy about taking up with health workers, who need to show great sensitivity.
- Referral services should be identified, and contact established with child protection networks. Training should be provided to staff as necessary.
- Parents and other caregivers should be made aware of the child's health problems and how they can be involved in follow-up. Confidentiality regarding results of tests for HIV/AIDS and other STIs must be respected. However, children, in keeping with health policies in areas where HIV/AIDS has a high prevalence, should be asked to behave as if they may be positive, ie, use protection and consider their sexual behaviour in relation to the possible risks of infecting themselves or others.
- Health education, including reproductive health, should be an integral part of child protection services for children leaving armed forces.

- Culturally appropriate approaches to assisting children with emotional and behavioural problems should be identified and assessed. Experience shows that a sensitive combination of traditional approaches together with supportive conversations/ counselling of children, as well as involving them actively in their own recovery, gives promising results. It is important to emphasise that all staff, as well as members of their family and community, can contribute to the child's psychological recovery through their behaviour and attitudes towards the child.

4.8 The challenges facing girls

In all programming to prevent recruitment and to assist children associated with armed groups and armed forces, special attention must be paid to identifying, documenting and responding to the specific needs of girls and the threats facing them.

Girls associated with armed groups and forces face particular challenges and have greater difficulty reintegrating than boys. Programme experience from Sri Lanka has revealed that up to 60 per cent of the child soldiers in the LTTE are girls. And recent research in three African countries suggests that planning should be based on the probability that anywhere between 10 to 33 per cent of children associated with armed groups and forces will be girls, yet in most cases only a handful of girls are identified.² Provisions for girls are not made as they are rarely visible; conversely, girls do not come forward as there is no provision for them. The fact that the needs of girls are not being addressed amounts to discrimination and this must be resolved.

² Mazurana and McKay, *op. cit.*

Charlotte's story

Charlotte has a new dress from Save the Children and a head newly shaved by the Congolese Rally for Democracy (RCD). She is 15, but like virtually all the children at the demobilisation centre, years of malnutrition have made her look much younger. Last month Charlotte gave up prostitution and joined the RCD because she was scared of getting AIDS. She says she cannot go back to her village because she was forced to leave when a neighbour accused her of witchcraft. "And anyway my parents had no food for me. The army was a hard life because I was beaten," she said. "But I did not ask to leave. If not prostitution, what am I to do? I will have to go into the army again."

(Children Not Soldiers, p. 106)

Key issues include:

- Difficulty in persuading armed groups and forces to release girls.
- The psychological, physical and social consequences of sexual and physical abuse, forced marriage, pregnancies and motherhood forced upon girls at a young age.
- Girls have a high risk of contracting sexually transmitted diseases, including HIV/AIDS.
- Challenges in rejoining their families and communities, such as stigmatisation or rejection; and if they have children, the need for them to be accepted and supported. Girls returning with what may be perceived as 'babies of the enemy' may have difficulty resettling. Girls may no longer be valued as marriage partners, which means their family will be deprived of the bride price or dowry in cultures which follow these practices. Loss of virginity before marriage will be a problem in many cultures; girls may be seen as 'spoiled'.
- Where girls have held posts of responsibility or experienced greater

social freedom in armed forces, the return to a society where their freedom and opportunities are restricted because of their age or sex can be problematic.

- Greatly reduced opportunities for education and employment.
- Vulnerability to further exploitation.
- Constraints in getting clear information to girls about their possible options.
- Lack of knowledge or understanding of how girls' needs can be met, either through formal DDR programmes or through community approaches.

“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.”

Girl abducted at the age of 15 by Armed Forces Revolutionary Council, Sierra Leone. (*Children Not Soldiers*, p. 35)

Implications for programming:

- When negotiating with armed groups and forces for the release of children, Save the Children (or those engaged in the negotiations) must insist on the release of girls as well as boys.
- Health and counselling services that respond to the needs of girls must be part of child protection services for children leaving armed forces. The safety and well-being of girls who are pregnant, or who have children, should be a priority.
- Where possible, programmes should be developed for girl mothers that include assistance with simple housing materials, food,

medicine and clothing for themselves and their children. Educational activities, vocational training and livelihood support should be adapted to meet the specific needs of girls – including, where necessary, providing childcare or crèches. It has been shown that more girls would attend educational/training programmes if a meal was provided (including for their children, if they have any).

- Recent research from Sierra Leone shows that girls have very few livelihood options for reintegrating, and so many are forced into sexual exploitation, working as prostitutes in order to make a living. Programme planning must include the capacity to investigate and support safe and viable livelihood options for girls to reintegrate.
- In all cases, the conditions must be created to allow and encourage girls to access programmes.
- Dialogue with donors should highlight the need for funds to support more documentation of the experiences of girls in order to increase understanding of their needs, as well as to support programmes designed to meet these specific needs.
- Dialogue with communities should promote acceptance and respect for girls and their eventual children who are returning home. It is important that there is the opportunity for a true exchange of beliefs and ideas – ‘sensitisation’ programmes are sometimes a one-way process in which communities/families are told what they ought to think, without the chance to express their views and engage in a true dialogue.

- Whenever possible, girls must be actively involved in developing programmes relevant to their present and future rights and well-being.

4.9 Children conceived or born to girls in armed groups and armed forces

Special attention must be paid to assessing and responding to the specific needs of children conceived or born to girls in armed groups or armed forces, as well as to the specific situations which these mothers face.

Children conceived or born during their mother's involvement in armed groups or forces have received very little attention in the past, despite evidence that they may be victimised because of the circumstances of their conception and birth. Experience suggests that, although many of these children are accepted by their mother's family and community, others are stigmatised and rejected. Fathers, or the father's family, may also try to reclaim the child. Although these children have rights under the UNCRC, their legal status according to both customary and national law is likely to be unclear.

Since these young mothers often feel ambivalent about their child and may even reject them, they may well need guidance in developing better relationships with their child. In some circumstances, an assessment may find that it is in the best interests of both mother and child that the latter is placed with another family.

Implications for programming:

- Child protection services should be designed to meet the physical, health and psychosocial needs of returning girl mothers and children. In anticipation that some of these children may become orphans, a long-term strategy is required. Furthermore, some of the children born to HIV-positive mothers will themselves become sick and require special follow-up. Mothers should be actively involved in designing project components to meet their specific needs.
- The legal status of the children should be clarified, including their rights to inheritance, citizenship and possible claims on them by their father or father's family.
- Birth certificates should be issued to these children.

4.10 Documentation, monitoring and evaluation

Save the Children should systematically document the situation of individual children, exercising extreme caution not to expose the child's identity, as well as documenting processes, approaches and lessons learned. This information should be used to maintain and build competence in all aspects of our work, and to inform advocacy.

Documenting individual cases is important for understanding the range of experiences and issues that affect child soldiers and the impact these have on them. However, such documentation must be anonymous, ie, the child's individual identity must be protected, to

shield them from any further harm. Documenting such cases could also include applying monitoring and evaluation tools that can be used to assess the progress of individual children.

Documentation must be ongoing, which means that adequate resources must be available so that it can be carried out by existing staff or, if capacity is limited, by bringing in other personnel such as short-term consultants.

Implications for programming:

- A monitoring and evaluation system should be established at the outset of the programme. All stakeholders including, where possible, children, their families and other community members/ groups should be involved in the development of the approach and indicators to be used. Communities should be kept informed about the results of monitoring and evaluation, and be involved in follow-up processes.
- Systems should be in place at field, regional, head office and Alliance level to enable information from documentation to be disseminated and shared for advocacy and lesson learning. The systems in place should facilitate cross-fertilisation of knowledge and approaches between projects, programmes, regions, and Alliance members.
- Guidelines on confidentiality, protection and the exercise of extreme caution with regards to a child's identity, especially when documenting individual children, should be developed and agreed.

- The methodologies used should be realistic and appropriate to the context. That is, the tools developed to monitor and evaluate programmes should reflect the reality of fluctuating security during armed conflict, and the limited time that personnel have to do this work. Therefore tools should be few and simple to use, but designed to reveal whether the most important objectives are being fulfilled.

4.11 Research

Save the Children is committed to carrying out ongoing research on children associated with armed groups and armed forces. All such research must be ethical, participatory and action oriented.

Systematic enquiry is vital to an organisation's effectiveness, if the learning generated is used to improve policy and practice. If research is to have an impact on the ground there must be co-operation between all concerned, and active participation with children and others in communities. In order to avoid causing harm, ethical guidelines must be agreed and followed by all actors involved. Research should not be divorced from programme work, but should arise from it and contribute to its development.

Implications for programming:

- Excellent links between the field and headquarters, and between academic institutions, non-governmental and other organisations are essential in order to identify gaps in knowledge and relevant areas for research.

- Some emerging issues are the situation of girls and their children; the situation of children returning with disabilities; the longer-term impact of traditional healing and centre-based interventions; how a livelihoods approach can support prevention and reintegration; and the changes in perceptions within communities brought about by dialogue and community programming.
- Research must be action oriented, ethical and above all should not put children at increased risk.
- Save the Children must look for ways in which children can be involved in research initiatives, with reference to the Child Participation Toolkit developed by the Alliance Working Group on Participation.
- All research proposals should ensure that the role of local institutions is clearly specified, along with mechanisms to build their capacity and competence.

4.12 Advocacy

Advocacy on children associated with armed groups and armed forces should be strategically planned and opportunistic, targeting a range of actors from the local to the international level and based on solid evidence, using credible documentation.

Any advocacy strategy that aims to mobilise public opinion, political will and commitment by governments and non-state actors on the

rights of the child and child protection must take place at regional, national and international levels. The focus may include issues such as the ratification and implementation of international standards, the discrepancy between national and international law, and recognition of children's rights in peace-building processes.

Advocacy targets can include the national public, diasporas and the international community; governments and their departments; non-state groups; international institutions; NGOs and other key organisations. Activities might include awareness-raising through the media; international conferences or special events on key issues; involving prominent international personalities in campaigns; providing inputs to the reports of the UN Secretary-General, and mobilising regional support on specific conflicts and situations. Advocacy may also be carried out behind closed doors when this is appropriate, through discreet approaches and day-to-day work and representation.

Save the Children's engagement in high profile advocacy work includes our active participation in campaigns such as the Coalition to Stop the Use of Child Soldiers (we were, and still are, on the steering committee), which was instrumental in getting the Optional Protocol to Article 38 of the UNCRC adopted. In 2001 Save the Children UK published *Children Not Soldiers: Guidelines for working with child soldiers and children associated with fighting forces*. This was followed by a conference with major donors in Brussels. Save the Children also regularly contributes to reports on children's issues such as the UN Security Council Report of the Secretary-General on *Children and Armed Conflict*; the *Global Child Soldiers Report* (published by the Coalition to Stop the Use of Child Soldiers); and reports to the

UNHCR ExCom, the UN Commission of Human Rights, UN resolutions and the EU.

Save the Children advocates the following:

- Full ratification and implementation of (i) the Optional Protocol to the UNCRC on Children and Armed Conflict as a minimum standard and (ii) the Rome Statute of the International Criminal Court. We are demanding an end to the recruitment and use of all children for military purposes, and the provision of physical protection for children at risk of recruitment.
- A reduction of the proliferation of small arms. Every opportunity should be taken to contribute to efforts to reduce arms, since it is these weapons that make it easier for children to fight in the armed forces.

Implications for programming:

- Key actors or events through which to promote awareness of specific issues and messages need to be identified. At the international level the UN Representative of the Secretary-General for Children and Armed Conflict and the UN Security Council provide important channels for lobbying. At the regional level, the Economic Community of West African States (ECOWAS), the Association of South-East Asian Nations (ASEAN), the African Union (AU) and the EU are possible avenues through which to promote implementation of existing international standards. At the national level, each government should be held accountable and should also be part of the solution. Coalitions (such as the Coalition to Stop the Use of Child Soldiers) may be established at all levels to strengthen and facilitate the work. Strategies and action plans should be developed within these fora.

- Advocacy strategies must be incorporated into planning for both long- and short-term programmes. Training for Save the Children staff in planning and implementation of advocacy work must be provided if needed.
- Advocacy must make use of accurate data drawn from credible and relevant research and documentation.
- In our advocacy work, we seek to build partnerships between relevant organisations, groups or institutions, and to promote collaboration and co-ordination at all levels in order to maximise impact.
- The contributions of children and adolescents must be supported and recognised.
- Mutual support and good communications between headquarters and regional/field offices are important in the development of advocacy statements, to avoid unnecessary risks to staff and partners on the ground and to determine ways of using information. If there is reason to believe that advocacy activities could jeopardise the programme in any way, the Alliance should involve other organisations who are able to use the information more safely, while ensuring that the messages transmitted are accurate.
- Wherever possible the impact of our advocacy work should be evaluated in order to inform ongoing and future work.

4.13 Prosecution

Children should not be prosecuted for their participation in armed groups or armed forces, or for acts committed during their participation. Any judicial proceeding involving children associated with armed groups or armed forces must be within a framework of restorative justice that promotes the psychological and social rehabilitation of the child, and be carried out in accordance with the UNCRC and other international standards for juvenile justice.

Children should not be in any way blamed for initiating or perpetuating the conflict. This position is based on the international consensus (reflected in recent developments in international law) that the recruitment and use of children by armed forces is wrong, morally and often legally; and that adults (specifically states and non-state actors) should be accountable for this practice and responsible for ending it. It should be recognised that children join armed groups and armed forces for many different reasons, including lack of alternatives, forced recruitment or to increase their chances of survival.

Children cannot be prosecuted for war crimes under the jurisdiction of the International Criminal Court but may be prosecuted under national courts for transgressions of national law such as rape, arson, robbery and murder. The prosecution of children for war crimes is not likely to be appropriate, and judicial systems, particularly in developing countries, are not likely to be adequate to protect children. Where children are required to give evidence in court, the Rome Statute for the International Criminal Court outlines measures that could be taken to protect them.

Non-judicial processes

While judicial processes are not recommended for children, it is necessary for them to take some responsibility for their actions and this is an important part of child development. All processes to support this must be established in a way that contributes to social healing and reintegration. Truth and reconciliation commissions, for example, can help to facilitate reconciliation.

However, it should not be assumed that all traditional and community rituals to help reintegration are harmless. A recent study of girl soldiers commissioned by CIDA (Mazurana and McKay, 2003) states that: ‘...rituals can violate the rights of women and girls and reinforce gender roles and support gender discrimination and sexism – such as the belief that women are the property of men. An example is that when uninitiated girls reintegrate into communities in Sierra Leone, initiation rituals with genital excision by female members of secret societies are required for a girl to be accepted into society’.

If there is a reconciliation process (such as a truth and reconciliation commission), the following key points should be observed:

- Children, their families and their communities should participate in the planning and design of the process.
- Procedures need to be clear and agreed before the process begins. These should be suitable to the needs of participating children.
- Participation needs to be optional, and on the basis of full and informed consent. Those considering participating should not be

subject to unreasonable deadlines in making their decision, or to fulfil quotas.

- Staff involved in the process need to be fully trained and competent, including in dealing with and supporting children who have experienced extreme violence and distress. Male and female staff should be deployed.
- Children should be treated in a way that is consistent with the standards set out in the UNCRC, International Humanitarian Law (IHL) and other international and national law protecting children.
- The process needs to be adequately funded for the required time.
- The process should in no way stigmatise children, or single children out for retribution, nor should it endanger children, or in any way contribute to their future insecurity.
- The process should contribute to the overall goals of community peace and reconciliation, in particular to reintegration of demobilised children and community healing, and not in any way undermine these goals. It should build on local culture, including realities and perceptions of child development, responsibility and accountability, as well as traditional processes to encourage healing and reconciliation.
- All or part of the procedures may be closed to the public to guarantee the well-being and safety of children, in accordance with

the 'best interests' principle, and out of respect for confidentiality and privacy.

- Media access and activity should be properly managed in order to protect children and to preserve their security, dignity and privacy.

"It was a voluntary thing... if you did not do it, it did not mean you were a social outcast, but if you did bad things during the war and want to remove the bad luck from your shoulders you could do it."

A Liberian boy who agreed to take part in community-based reconciliation. He confessed to war crimes in front of family members and the Zo (the Head of a Liberian traditional society). (*Children Not Soldiers*, p. 169)

Experience in this area is so far very limited. Alternative processes to prosecution, such as truth commissions, need to be better understood with regard to what is helpful for children, what is required for proper implementation, and what role organisations such as Save the Children can best play in supporting these processes.

One approach proposed by child protection agencies is to strengthen considerably, at the local level, the reintegration process for children returning from armed forces. This would mean expanding the range of activities carried out to embrace community-based mediation, reconciliation and other peace-building initiatives. For this to be effective there needs to be strong political commitment, early planning while the peace and DDR agreements are being negotiated, and adequate resources.

Naturally, the reconciliation process for adult members of armed forces will have vital implications for family and community peace and conflict resolution.

Implications for programming:

- Save the Children should advocate amnesties for children returning from armed forces.
- For any judicial or other reconciliation process, links between these and local activities involving former children associated with armed forces need to be explored. Save the Children and others working with children have a vital role to play in advocating, and supporting, community-based approaches of this kind, and in sharing their experience (see section above: *Processes which facilitate return to family and community*).
- When approaching possible participants in a reconciliation process or helping children to decide whether they should take part, it is paramount to consider what is in the best interests of each child. One must take into account the child's age; the fact that the child's psychological and emotional development may be adversely affected by the conflict and its disruptive effects on their life; or by specific experiences or events such as loss or separation from a family member; violence, exploitation or sexual abuse; being involved in armed forces; having committed atrocities; or witnessing an act of violence. Therefore the appropriateness of participation in the process will be different for each child.
- During any judicial or other reconciliation process, no assumptions should be made about children's actions or motives. Children

should be allowed their own voice, and should not be considered to have committed any acts unless this is proven.

- Any process should be closely monitored and evaluated, so that lessons are learned and can be put into practice in future – both in the given context and elsewhere.

4.14 Staff support

In order to ensure their well-being and the quality of their work, mechanisms to support staff working in conflict-related programmes must be an integral part of programming for children associated with armed groups and armed forces.

Save the Children recognises that staff working with children affected by armed conflict need to be highly skilled, sensitive and resilient. National staff are themselves likely to be affected by circumstances which may have an impact on their own attitudes. It is also possible that they may come under pressure resulting from fear and prejudice expressed by those around them. This can have an impact on the children they hope to assist. The provision of adequate staff support is therefore a prerequisite to good programming in this area, and not an add-on.

Implications for programming:

- Adequate measures must be in place to ensure the personal safety of staff working directly with children associated with armed groups and forces.

- Those in charge of programmes and projects for children associated with armed groups and forces should carefully consider the different social, professional and security pressures which will affect staff, depending on the type of work they are asked to do, their sex, ethnicity, place of origin and nationality. For example, it may be safer, easier and less stressful for an expatriate to engage with armed groups and forces than for a national staff member – or the opposite may be true.
- Training of staff and partners in conflict-related programmes could be done in the form of retreats outside the conflict area when possible, allowing some respite in a more peaceful environment.
- All programmes should be designed with staff development needs in mind; including apportioning time and funding for training. Training plans should be developed and carried out according to staff's own assessment of their development needs and feedback/ monitoring information on the programme's strong and weak points.
- Staff should be given ongoing regular opportunities to feed back to managers, assessing their support needs, including their own levels of stress, and to request rest periods where necessary.
- Where Save the Children is working with partners, care must be taken not to overburden the staff of partner organisations or to make unreasonable demands on them – including encouraging them to take on roles which may jeopardise their security.

4.15 Dealing with the media

In the collection of information and representations in media of children who are at risk of being, or have been, associated with armed groups or armed forces, the dignity, security and well-being of the children concerned are paramount considerations. Those producing public information or images of these children should do so in an ethical manner, striving to represent these children and their situations as accurately as possible. All forms of labelling of children should be avoided since this creates stigmatisation and discrimination.

Before proceeding with interviews or media coverage of child soldiers there should be clarity about the goal of the coverage. This should aim to contribute to positive change for children, or fulfil specific advocacy objectives, or build public understanding of the reality of children's lives. Staff need to be aware that media representations which focus on violent acts children have committed and/or experienced can be detrimental to the well-being of these children, and can jeopardise their physical security as well as their chances of successful reintegration. It can also turn public opinion against children associated with armed groups and forces, and be counter-productive to programme and advocacy efforts. Staff therefore need to work with the journalist to ensure responsible reporting; to encourage coverage of a broader range of issues that apply to all children affected by armed conflict; and to focus on their future rather than individual stories about their past.

The child must give consent and ground rules should be agreed with the journalist to ensure that identifiable images that might put a child

at risk are not used, and that the interview is conducted in an appropriate manner so that the child is not put under pressure or distressed.

At all times when working with the media, the best interests of the child must come first.

Save the Children UK is finalising media guidelines for interviewing and reporting on children and young people, particularly children associated with armed groups and armed forces. These are intended to provide practical guidance to Save the Children staff dealing with issues arising from media access to children who are currently, or were previously, associated with armed forces. It draws heavily on UNICEF's principles for the ethical reporting of children, which can be found at: http://www.unicef.org/media/media_tools_guidelines.html

See also *Children, ethics, media* (2002), Save the Children Sweden and Save the Children UK's *Interviewing children: a guide for journalists and others*.

Annex I Contacts and focal points in Save the Children

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Alliance child soldiers e-group

This Alliance child soldiers e-group was set up for Save the Children Alliance members who are involved in working with children associated with armed groups and forces. The e-group is intended to enable members to share ideas, information and programme experiences with each other via one e-mail address.

To post a message: alliancechidsoldiers@yahoogroups.com

To subscribe: alliancechidsoldiers-subscribe@yahoogroups.com

To unsubscribe: [alliancechidsoldiers-unsubscribe @yahoogroups.com](mailto:alliancechidsoldiers-unsubscribe@yahoogroups.com)

To write to the moderator: alliancechidsoldiers-owner@yahoogroups.com

Annex 2 Selected literature and useful websites

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‘Closing the Gap between Words and Action: Child protection through implementation of SCR 1261’ (2000b) Women’s Commission for Refugee Women and Children

‘Girls in Fighting Forces: Policy and program recommendations’ (June 2003) CIDA

‘Girls with Guns: An agenda on child soldiers for ‘Beijing Plus Five’’ (2000b) Coalition to Stop the Use of Child Soldiers, viewable at: www.child-soldiers.org

‘Harnessing Institutional Capacities in Support of the Disarmament, Demobilisation and Reintegration of Former Combatants, submission to ECHA (6 June 2000) ECHA Working Group on Disarmament, Demobilisation and Reintegration, viewable at: www.undp.org/erd/ddr/

‘Health Implications of Child Soldiering’ (May 1999) Coalition to Stop the Use of Child Soldiers

‘No place like home? Children’s experiences of reintegration in the Kailahun district of Sierra Leone’ (2004) Save the Children UK

‘Oral Statement by the NGO Caucus on Children and Armed Conflict’ (31 January 2001) to the Second Substantive Session of the Preparatory Committee for the Special Session of the General Assembly (follow-up to the World Summit for Children)

‘Protection of Children and Adolescents in Complex Emergencies’, conference report (9–11 November 1998) Norwegian Refugee Council *et al.*

‘Putting Children on the Military Agenda: A Save the Children Sweden training model for peacekeeping forces 1993–1999’ (2000) Save the Children Sweden

‘Quality Indicators for Childcare Programmes, East and Central Africa’ (2004) Save the Children UK

‘Sierra Leone: The need for increased and sustained international support’ (March 2000) a briefing from international NGOs , ActionAid *et al.*

‘Sierra Leone: What price peace? An analysis of the Disarmament, Demobilisation and Reintegration Plan’ (December 1999) Christian Aid

‘Special Representative of Secretary-General for Children and Armed Conflict concludes humanitarian mission to Colombia’ (9 June 1999), press release HR/4418, Special Representative of the Secretary-General for Children and Armed Conflict

‘Statement of the High Commissioner for Human Rights Pursuant to Resolution 2000/60, on the Abduction of Children from Northern Uganda’ (19 April 2001) UN High Commissioner for Human Rights

‘Strategy Framework for Reintegration of Child Ex-Combatants: Executive Secretariat of National Commission on Disarmament, Demobilisation and Reintegration’ (NCDDR) (June 2000), draft proposal developed in consultation with UNICEF and the Ministry of Social Welfare, Gender and Children’s Affairs child protection network, Sierra Leone

‘Summary Report of the first Redd Barna/Save the Children UK/UNICEF workshops on Taking Up the Challenge of Child Soldiers in Sri Lanka’ (1999) Save the Children in Sri Lanka

‘The Impact of Armed Conflict on Children: Filling knowledge gaps’ (December 2000), draft research agenda, Office of the Special Representative of the Secretary-General for Children and Armed Conflict

‘The Role of United Nations Peacekeeping in Disarmament, Demobilisation and Reintegration: Report of the Secretary-General, 11 February 2000’ (2000a), S/2000/101, UN Security Council. Viewable at: www.un.org/Docs/sc/reports/2000/sgrep00.htm/

‘UNICEF and the Office of the Special Representative for Children and Armed Conflict Contribution to the DPKO document on Lessons Learned in DDR of Ex-Combatants in a Peace-Keeping Environment’ (1999), section six: child soldiers, UNICEF

‘Women’s Commission for Refugee Women and Children: Children and Adolescents Project, Report of Consultation, 29-31 March 2000’, hosted by World Vision International and NGO Committee on UNICEF, Sub-Working Group on Children and Armed Conflict, viewable at: www.theirc.org/wcrwc/

‘Written statement by Friends World Committee for Consultation (Quakers) on Rights of the Child to the Commission on Human Rights, 57th session, 2001’, item 13 of the Provisional Agenda, Friends World Committee for Consultation

Useful websites

- www.child-soldiers.org
The Coalition to Stop the Use of Child Soldiers. This website includes extracts from key legal documents, themed reports and information on campaigning.
- <http://www2.essex.ac.uk/c&acu/Issues/Future/menu/childsoldiers.htm>
The Children and Armed Conflict Unit, University of Essex. It contains a variety of information and news on children and armed

conflict, and a comprehensive database of international legal documents.

- <http://www.hrw.org>
Human Rights Watch, see section on child soldiers, and its Children's Rights Division at <http://www.hrw.org/children/index.htm>
- http://www.amnestyonline.org/ai_fr2.html
Section of the Amnesty International website focusing on child soldiers.
- <http://www.rb.se/childwardatabase>
Two databases with information on child soldiers: ChildWar give facts and figures of child soldiers per country and armed forces; Soldoc gives detailed documentation on child soldiers.
- <http://ginie1.sched.pitt.edu/ginie-crises-links/childsoldiers>
UNICEF, UNESCO and GINIE website on Child and Young Adult Soldiers, covering recruitment prevention, demobilisation and reintegration. Includes selected international conventions and examples of methods and practices.
- <http://www.waraffectedchildren.gc.ca/menu-e.asp>
Website for the International Conference on War-affected Children held in September 2000. Includes Graca Machel's review of progress and obstacles encountered in increasing the protection of war-affected children.
- <http://www.un.org/special-rep/children-armed-conflict>
Website of the Special Representative of the Secretary-General for Children in Armed Conflict.

- <http://www.unhchr.ch>
The United Nations High Commissioner for Human Rights. The Action for the Rights of Children training module can be downloaded from the 'issues' section on 'children and adolescents'.
- <http://www.unicef.org/children-in-war>
Part of the UNICEF website which looks specifically at the situation of children and young people caught up in situations of war and conflict.
- <http://www.unhcr.ch>
UNHCR website that includes the Action for the Rights of Children (ARC) training manual. This has a section on child soldiers, and various international standards and instruments relating to child soldiers in the 'treaties' section.
- <http://www.un.org/document>
Section of the UN website for UN resolutions, statements and other documents.
- <http://www.demobilisation.org>
Website on the demobilisation of child soldiers in the Democratic Republic of Congo.
- http://www.penalreform.org/english/frset_pre_en.htm
Website of Penal Reform International. The 'theme issues' section has information on juvenile justice.
- <http://www.crin.org>
Website of the Child Rights Information Network.

- <http://www.defence-for-children.org>
Defence for Children International, which aims to ensure ongoing, practical, systematic and concerted international action specially directed towards promoting and protecting the rights of the child.
- <http://www1.umn.edu/humanrts>
University of Minnesota Human Rights Library.
- <http://www.pitt.edu/~ginie/mounzer/conventions.html>
Contains a series of useful documents, including the Cape Town Principles. A further section linked from the home page contains documented case studies of good practice and lessons learned on programming for children associated with armed forces.

Annex 3 International law, standards and guiding principles

This is a summarised chronology of international instruments regarding children associated with armed forces. Save the Children seeks to ensure that our programmes are consistent with this developing body of law, and that we are aware of changes in the law – both so that we make effective use of it in our advocacy and programmes, and so that we can seek to influence it in order to achieve greater legal protection for children.

1924 League of Nations first Declaration on the Rights of the Child

1948 Universal Declaration of Human Rights

1949 Four Geneva Conventions (International Humanitarian Law)

1976 Two UN International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights

1977 Additional Protocols to the four Geneva Conventions

1979 UN Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW)

1984 UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

1989 UN Convention on the Rights of the Child

As with the 1977 Additional Protocols to the four Geneva Conventions, the UNCRC uses a 15-year minimum age for recruitment and participation in hostilities. Article 38 of the UNCRC is derived from Article 77(2) of Additional Protocol I of 1977 to the four Geneva Conventions of 1949. It says:

“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.

States Parties shall take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities.

States Parties shall refrain from recruiting any person who has not attained the age of 15 years into their armed forces. In recruiting among those persons who have attained the age of 15 years but who have not attained the age of 18 years, States Parties shall endeavour to give priority to those who are oldest.”

In all other respects the UNCRC defines a child as any person under the age of 18 (unless under the law applicable to the child, majority is attained earlier, Article 1). The UNCRC applies to all children in all circumstances, providing the country on whose territory the child is to be found has ratified it.

1996 Resolution on the Plight of African Children in Situation of Armed Conflicts

1999 The African Charter on the Rights and Welfare of the Child

This is the only regional treaty in the world that addresses the issue of children associated with armed forces. It is clear and specific that a “child” is anyone below 18 years of age without exception. It goes on to say: “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.”

1998 The Rome Statute of the International Criminal Court

This gives the court jurisdiction over the war crime of conscription or enlisting children under 15 years into national armed forces, or using them to participate actively in hostilities (Article 8). 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.

1999 UN Security Council Resolution 1261 on Children and Armed Conflict (25 August 1999)

2000 ILO Worst Forms of Child Labour Convention 182

This 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”. The term “child” applies to all persons under the age of 18 years 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”.

Recommendation 190 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” 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.

2000 The Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

The Optional Protocol’s main provisions are:

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:

States Parties shall raise the minimum age in years for the voluntary recruitment of persons into their national armed forces from that

set out in Article 38 (3) of the Convention on the Rights of the Child, taking account of the principles contained in that article and recognise that under the Convention persons under 18 are entitled to special protection.

Each State Party shall deposit a binding declaration upon ratification of or accession to this Protocol which 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.

States Parties which permit voluntary recruitment into their national armed forces under the age of 18 shall maintain safeguards to ensure, as a minimum, that:

- such recruitment is genuinely voluntary;
- such recruitment is done with the informed consent of the person's parents or legal guardians;
- such persons are fully informed of the duties involved in such military service; and
- such persons provide reliable proof of age prior to acceptance into national military service.

Article 4:

Armed groups that are distinct from armed forces of a State, should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.

States Parties shall take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices. The application

of the present article under this Protocol shall not affect the legal status of any party to an armed conflict.

4(3)(c) Children who have not attained the age of 15 years shall neither be recruited in armed forces or groups nor allowed to take part in hostilities.

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 in compliance with Article 3. 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.

In relation to armed forces, it is important to note that in the Optional Protocol there is no requirement that such groups are involved in an armed conflict. This means that questions 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 forces – not only the state directly confronting the group – including legal measures to prohibit and to criminalise such practices.

2000 Security Council Resolution 1314 on Children and Armed Conflict (11 August 2000)

2001 Security Council Resolution 1379 on Children and Armed Conflict (20 November 2001)

2003 Security Council Resolution 1460 on Children and Armed Conflict (30 January 2003)

2004 Security Council Resolution 1539 on Children and Armed Conflict (22 April 2004)

Annex 4 The roles of other key international organisations in the protection of children associated with armed forces

The American Friends Service Committee (AFSC)

AFSC carries out service, development, social justice and peace programmes throughout the world. Founded by Quakers in 1917 to provide conscientious objectors with an opportunity to aid civilian war victims, AFSC's activities with youth include work with child soldiers, and cover other aspects of youth and violence.

Amnesty International

Amnesty contributes to the observance throughout the world of human rights as set out in the Universal Declaration of Human Rights. It consists of a secretariat and in-country operations. The UK office contains the Military Professions' Group, which works on human rights issues as they relate to armed forces.

Coalition to Stop the Use of Child Soldiers

This is a group of eight international NGOs and over 400 associated local and regional organisations working to prevent the recruitment and use of children as soldiers, to secure their demobilisation and to ensure their rehabilitation and reintegration into society.

Human Rights Watch (HRW)

HRW has a Children's Rights Division, whose mission is to monitor and advocate for children's civil and political rights around the world.

International Committee of the Red Cross (ICRC)

The ICRC offers humanitarian support to people affected by conflict, including demobilised soldiers and their dependants, for example, family reunification and tracing services, reintegration.

International Federation Terre des Hommes (IFTDH)

The mission of Terre des Hommes movements is to act in favour of the rights of the child and equitable development, without any discrimination based on race, religion, political opinions, culture or gender. The UNCRC provides the conceptual framework that guides TDH activities. At international level, the IFTDH works in collaboration with relevant bodies of the UN system to promote and implement the rights of the child and to advocate for people-centred and equitable development.

International Rescue Committee (IRC)

Founded in 1933 by Albert Einstein, the IRC helps people fleeing racial, religious and ethnic persecution, as well as those uprooted by war and violence. It carries out emergency assistance, advocacy and protection work, as well as helping thousands of refugees resettle in the United States.

Jesuit Refugee Service

JRS is an international non-governmental organisation with a presence in some 40 countries and a mission to accompany, serve and defend the rights of refugees and displaced persons. Set up in 1980, JRS is a

worldwide network of associates and institutions of the Society of Jesus (Jesuits), a Catholic religious order. It serves forcibly displaced persons, offering them practical and spiritual support including social counselling, legal representation, education programmes and community development, according to their humanitarian needs, regardless of their beliefs.

Office of the Special Representative for the Secretary-General for Children and Armed Conflict (OSRSG/CAC)

This office is responsible for advocacy for child protection in armed conflict; policy and technical guidance in design of DDR plans.

Quaker UN Office

The Quaker UN Office, located in Geneva and New York, represents Quakers through Friends World Committee for Consultation (FWCC). Since the founding of the UN in 1945, Quakers have shared and supported aims and efforts to abolish war and promote peaceful resolution of conflicts, human rights, economic justice and good governance.

UN Children's Fund (UNICEF)

UNICEF is responsible for advocacy for child protection in armed conflict; promotion of immediate demobilisation of child soldiers; design and implementation of reintegration programs for children leaving armed forces; family reunification; prevention of child soldier recruitment.

UN Department for Disarmament Affairs (UN/DDA)

This department carries out advocacy for small arms collection and removal, and advises on the design of weapons collection programmes

UN Department of Peacekeeping Operations (UNDPKO)

The UN's lead department for peacekeeping operations, to which the Special Representative to the Secretary-General reports. DPKO is involved in peacekeeping and peace support operations, including demobilisation of child soldiers.

UN High Commissioner for Refugees (UNHCR)

UNHCR is responsible for the protection and co-ordination of assistance to refugees, and internally displaced people when mandated to on a case-by-case basis. This can include ex-child soldiers and children at risk of recruitment. It is also involved in the reintegration of former child soldiers; prevention of their recruitment; and reintegration programmes for entire communities, including ex-combatants.

UN Office for the Coordination of Humanitarian Affairs (UNOCHA)

UNOCHA is responsible for co-ordination of financing and implementation of humanitarian elements, including reintegration, within the framework of a DDR operation (through the Humanitarian Co-ordinator mechanism).

World Vision

World Vision International is a Christian relief and development organisation working for the well-being of all people, especially children. Through emergency relief, education, healthcare, economic development and promotion of justice, World Vision helps communities help themselves. Established in 1950 to care for orphans in Asia, World Vision has grown to embrace the larger issues of community development and advocacy for the poor in its mission to help children and their families build sustainable futures. Its advocacy work involves speaking out against the use of child soldiers.

Annex 5 Uganda Workshop Report

International Save the Children Alliance Child Soldiers Workshop
3–7 June 2002
Sambiya River Lodge, Uganda

This workshop was the result of several months of co-operation between the Alliance Task Group on Child Soldiers and the Regional Children affected by Armed Conflict and Disaster Group in the Great Lakes region. Save the Children Norway played a key role in the logistics. The workshop brought together 25 International Save the Children Alliance members from African countries and Sri Lanka, who were almost fully representative of Alliance programme work in the area of child soldiers. Participants were from country programme, regional and head office levels, which proved to be a particularly fruitful combination. The range and length of programme experience was considerable and also reflected the wide variety of cultures and political and social circumstances we are working in. It was noted that programmes are operating during different stages of armed conflict, and dealing with rational and irrational armed forces on both/all sides. These factors created a wide diversity of experiences and insights.

The event began with a visit to Gulu District in northern Uganda to two rehabilitation centres for children escaping from the Lord's

Resistance Army (LRA), the Ugandan rebel group operating from southern Sudan. The LRA is now besieged by the Ugandan Peoples' Defence Forces (UPDF). Workshop participants visited GUSCO, Gulu Support the Children Organisation, which has facilitated the return of almost 3,000 children from Gulu District, and World Vision, which has likewise assisted the return of adults and children from other northern districts. We also visited the Child Protection Unit (CPU) in the barracks of the fourth division of the UPDF, where we were given a briefing by Col. Francis Okello on the situation regarding the UPDF operation 'Iron Fist' against the LRA in southern Sudan. He described the role of the CPU in receiving children who have surrendered or been captured during battles between the UPDF and the LRA in Sudan, and more recently during operations in Uganda. It was noted that as yet very few children are being rescued as a result of the present operations.

The workshop proper began on 5 June, and was facilitated in turn by the three members of the Alliance Task Group on Child Soldiers. A full copy of the workshop report can be obtained from Save the Children Norway.

Annex 6 Key quality elements for programming on children associated with armed forces

Key quality elements in programmes addressing child protection, child development and social integration in areas affected by armed conflict

- The programme is based on an integrated understanding of child rights and child development
- The programme is based on, and guided by, ongoing needs assessments utilising participatory methodology, with major inputs from children, which have documented main issues concerning children's rights and issues of importance for their development.
- Projects have ongoing dialogue with communities, including children, on issues concerning child rights and development that lead to relevant interventions. Community understanding and approval is sought in following up groups of children needing special attention.
- Children are participating actively in all phases of projects, including events, advocacy and other activities concerning them. Children are initiating their own activities.
- The programme addresses the psychological and social aspects of child development as part of a holistic approach which seeks to

address both the protection of the child and his/her overall development.

- The programme approaches psychosocial issues with sensitivity and understanding of the possibilities and limitations embedded in the cultural, social and material context in which children live, as well as the environment created by the conflict.
- The programme addresses all major issues affecting children in armed conflict through approaches which include projects, capacity building and advocacy.
- The programme, through co-operation, mutual capacity building and negotiation with relevant partners, including communities, NGOs, government authorities and armed forces, is developing a child protection system which is sustainable.
- The programme recognises that trust from all stakeholders is its main capital, and invests continually in building and maintaining trust. Indicators could be:
 - a Code of Conduct is utilised, emphasising child protection
 - the programme is transparent in all its dealings and perceived as neutral by both (all) parties to the conflict
 - phase-out of projects is planned in ways which do not compromise trusting relationships with communities or endanger children
 - the programme seeks to assist children on all sides of the conflict.
- The programme is implementing an advocacy strategy, which includes short- and long-term goals, targets different levels and utilises actively all relevant opportunities.
- Advocacy utilises well-founded documentation from projects and other sources and addresses the most central child rights/child development issues.
- The programme has systematic, informative and varied

documentation of all of its activities of a quality which allows the material to be used in advocacy, training and information. Materials are also available in relevant languages.

- The programme has a record-keeping system which safeguards confidentiality, both currently and in the future.
- The programme has developed and is utilising mechanisms to report serious violations of children's rights to appropriate institutions/organisations.
- The programme has an ongoing research initiative exploring themes of relevance to the protection, development and integration of children. Research is carried out according to universally accepted ethical requirements mindful of the issue of trust.
- The programme demonstrates flexibility (staff, funding/modes of implementation) to respond quickly to the changing needs and situations of conflict-affected areas.
- The programme has examples of innovative thinking and a willingness to explore new approaches to strengthen children's rights and healthy development.
- The programme has a monitoring and evaluation system in place which can demonstrate progress in all main issues affecting child rights and child development.
- International organisations are active in the conflict-affected areas, and have a long-term perspective in keeping with children's long-term development needs.
- The programme is able to play a substantial role on behalf of children during cease-fires, peace negotiations and peace agreements. The programme emphasises the role children can play in building peace, as well as advocating for full recognition of their rights and developmental needs in all steps leading to and including peace agreements.

Annex 7 Summary of guiding principles

An integrated approach should be taken to programming for children associated with armed groups and armed forces which addresses the needs of all conflict-affected children within a broad child protection framework.

All interventions must take into account the fundamental necessity for children to participate meaningfully at all stages of the project cycle, and in particular in decision-making on issues that will affect them.

1 Situation analysis

All programming for children associated with armed groups and armed forces needs to be based on a thorough understanding of the political, socio-economic and cultural context. Where possible, interventions should be community-based, supporting existing protection mechanisms and capacities.

2 Prevention of recruitment

Save the Children is committed to preventing under-age recruitment by any armed group or armed force. All prevention efforts should respond to the root causes for recruitment and provide children with viable alternatives.

3 Contact with armed groups and armed forces for the purposes of training and advocacy

Armed groups and armed forces should be informed about or trained in children's rights, how they should treat children, and their potential positive role in protecting children.

4 Ways in which children leave armed groups and armed forces

Peace agreements should include specific provisions for the post-conflict needs of children including amnesties for them, with reference to the UNCRC. However, children should not have to wait for a peace process to leave armed groups or forces. Save the Children, in collaboration with other organisations who can play a role in child protection, must be prepared at all times to assist children who may leave armed groups or armed forces.

Negotiation with armed groups and forces for the release of children during conflict should be attempted whenever possible – as long as this does not place children at greater risk – and if the girls are pregnant, must include their unborn children.

5 Monitoring of recruitment and re-recruitment

Monitoring of recruitment should take place throughout armed conflict and continue after children have been demobilised, or ceasefires/peace agreements signed, as experience shows that they can still be at risk of re-recruitment, or recruitment by other armed groups or forces. Issues of security for all involved must be taken into account.

6 Processes which facilitate return to family and community

Save the Children is committed to helping children associated with armed groups and armed forces return to their families and communities and successfully reintegrate.

7 Health, disability and developmental problems

Interim care and reintegration efforts for children who have been associated with armed groups and armed forces should take into account the specific health and child development needs of these children, including psychological and social development.

8 The challenges facing girls

In all programming to prevent recruitment and to assist children associated with armed groups and armed forces, special attention must be paid to identifying, documenting and responding to the specific needs of girls and the threats facing them.

9 Children conceived or born to girls in armed groups and armed forces

Special attention must be paid to assessing and responding to the specific needs of children conceived or born to girls in armed groups or armed forces, as well as to the specific situations which these mothers face.

10 Documentation, monitoring and evaluation

Save the Children should systematically document the situation of individual children, exercising extreme caution not to expose the child's identity, as well as documenting processes, approaches and lessons learned. This information should be used to maintain and build competence in all aspects of our work, and to inform advocacy.

11 Research

Save the Children is committed to carrying out ongoing research on children associated with armed groups and armed forces. All such research must be ethical, participatory and action oriented.

12 Advocacy

Advocacy on children associated with armed groups and armed forces should be strategically planned and opportunistic, targeting a range of actors from the local to the international level and based on solid evidence, using credible documentation.

13 Prosecution

Children should not be prosecuted for their participation in armed groups or armed forces, or for acts committed during their participation. Any judicial proceeding involving children associated with armed groups or armed forces must be within a framework of restorative justice that promotes the psychological and social rehabilitation of the child, and be carried out in accordance with the provision of the UNCRC and other international standards for juvenile justice.

14 Staff support

In order to ensure their well-being and the quality of their work, mechanisms to support staff working in conflict-related programmes must be an integral part of programming for children associated with armed groups and armed forces.

15 Dealing with the media

In the collection of information and representations in media of children who are at risk of being, or have been, associated with armed groups or armed forces, the dignity, security and well-being of the children concerned are paramount considerations. Those producing public information or images of these children should do so in an ethical manner, striving to represent these children and their situations as accurately as possible. All forms of labelling of children should be avoided since this creates stigmatisation and discrimination.

