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**Child Soldiers: A Threat To Canadian Forces Operations**

By/par

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## ABSTRACT

Children of all ages are recruited to act as soldiers in armed conflicts in all regions of the world. Known as child soldiers, they are forced to kill and to die at the behest of their adult leadership. Often abducted in their youth, the children are indoctrinated into death at an early age and become obedient, fearless soldiers. Child soldiers have become a tactical innovation for those unable to raise credible, adult armies.

This paper examines the child soldier phenomenon as a threat to Canadian Forces operations. Although child soldiers are not able to compete with modern militaries from a capabilities standpoint, it is shown that the impact of child soldiers on the battlefield could be detrimental to Canadian Forces operational effectiveness. Furthermore, it is argued that the influence of child soldiers extends beyond the battlefield. Public support for the Canadian Forces and the mission itself could be dramatically altered as a result of violent confrontations between Canadian Forces personnel and child soldiers.

The inevitability of the Canadian Forces facing child soldiers while on operations calls into question the preparations made by the Canadian Forces. This paper reviews recommendations for dealing with the threat of child soldiers and compares these to the measures the Canadian Forces have put in place to counter the threat. Conclusions regarding the current measures identify significant shortfalls. It must be recognized that the reality of child soldiers is not a simple one from which to design doctrine and policy; it is an issue to be addressed with extreme care. Nonetheless, recommendations are provided for updating education and training programs, and bolstering intelligence and health care support systems to assist the Canadian Forces to operate effectively on a modern battlefield that includes the threat posed by child soldiers.

## CHAPTER 1 INTRODUCTION

As reported by UNICEF in 2007, approximately 300,000 child soldiers are involved in more than thirty conflicts worldwide. These children are both boys and girls and they can be employed in many different roles including those of combatant, messenger, porter and cook. Some children are forcibly recruited, and others are driven to join by poverty, abuse and discrimination. Many are also known to join military or paramilitary forces to seek revenge for violence committed against them or their families.<sup>1</sup>

*Child Soldiers: Global Report 2008*, is a comprehensive report compiled by The Coalition to Stop the Use of Child Soldiers. It contains detailed information on the recruitment and use of child soldiers in 197 countries between April 2004 and October 2007. The report discusses many of the international instruments put in place to support the disarmament, demobilization and reintegration of child soldiers, and the challenges still being faced worldwide in making this goal a reality. Although the report includes positive messaging that ridding the world of child soldiers is an achievable goal, the report lists over forty-five countries where children are still recruited into both government armed forces and non-state armed groups.<sup>2</sup>

Perhaps equally alarming is a UNICEF news note published in February 2008, reporting that the United Nations Secretary General's annual report on Children and Armed Conflict had identified that children are employed as soldiers in fifty-seven armed

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<sup>1</sup> UNICEF, "Children in Conflict and Emergencies," [http://www.unicef.org/protection/index\\_armedconflict.html](http://www.unicef.org/protection/index_armedconflict.html); Internet; accessed 22 January 2010.

<sup>2</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers: Global Report 2008* (London: Bell and Bain, 2008): 18-29; [document on-line]; available from <http://www.childsoldiersglobalreport.org>; Internet; accessed 22 January 2010.

groups and armed forces worldwide, an increase from the forty the year before.<sup>3</sup>

Assuming no significant changes since the publishing of the *Child Soldiers* report and the Secretary General's report, the documented evidence overwhelmingly indicates that the employment of child soldiers is an ongoing issue.

Fortunately, international organizations such as The Coalition to Stop the Use of Child Soldiers, Amnesty International, UNICEF, and many more are working extremely hard to raise the issue into the international public arena. A comprehensive set of international legal instruments, reinforced by United Nations Security Council Resolutions, have been developed and ratified to establish that the employment of child soldiers in hostilities by both armed groups and armed forces is illegal. Nevertheless, the employment of child soldiers remains a reality and consequently, the probability of Canadian Forces personnel encountering armed child combatants remains relatively high.

The majority of efforts being made within the international community to address the complex issue of child soldiers are from legal, human rights and child protection perspectives; these efforts aim to curtail the practice of child soldier recruitment and usage and to promote disarmament, demobilization and reintegration. However, as articulated by Senator Romeo Dallaire's Child Soldier Initiative, child soldiering is also a serious security issue that presents military forces with specific and unique challenges.<sup>4</sup>

It is therefore important to determine what Canada and the Canadian Forces is doing to prepare for the inevitable encounters with child soldiers. From policy to

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<sup>3</sup> UNICEF, "Number of Armed Groups and Forces using Child Soldiers increases from 40 to 57," [http://www.unicef.org/media/media\\_42833.html](http://www.unicef.org/media/media_42833.html); Internet; accessed 22 January 2010.

<sup>4</sup> Child Soldiers Initiative, "The Child Soldiers Initiative Field Guide" (draft field guide, 21 December 2009), 13.

doctrine, to training and education, the Canadian Forces must prepare its personnel to confront children as adversaries and still be able to successfully accomplish the mission as tasked. Herein lies the true issue for the Canadian Forces and how it differs from missions of The Coalition to Stop the Use of Child Soldiers, Amnesty International, UNICEF and others. The Canadian Forces cannot concern itself with saving children from a life of child soldiering; the Canadian Forces needs to focus on preparing its soldiers to operate in an environment where child soldiers exist, and perhaps even fight child soldiers themselves.

Instability leading to contemporary armed conflict is an extremely complex problem and child soldiers are an inextricable part of it that cannot be addressed in a straightforward or simple manner. It is important to acknowledge that the topic of child soldiers is neither straight forward nor easy to address; efforts to address the topic must consider the macro political, economic, sociological and psychological contexts of the problem. Notwithstanding, this paper will focus its consideration of the child soldier issue to that which is within the current capacity of the Canadian Forces to influence while preparing for operations in the context of contemporary armed conflict involving child soldiers.

This paper will highlight the threat child soldiers pose to future Canadian Forces operations and will reveal some shortfalls in the current preparations the Canadian Forces has undertaken in order to counter the threat of child soldiers. In addition, this paper will offer recommendations on how to prepare Canadian Forces personnel for future deployments to regions where child soldiers are prevalent.



## CHAPTER 2 WHAT IS A CHILD SOLDIER?

The topic of children at war is admittedly not an easy one, neither to research nor to read about. These new soldiers are not simply children; they can be callous killers capable of the most terrible acts of cruelty and brutality. Many are adrift, having lost their entire families, including some by their own hands; they may know nothing except a world of violence. At the same time, they are still children whom society has an obligation to protect. Their understanding of the power and consequences of their acts is often limited. Indeed, children's immaturity and inexperience is often the very reason they are exploited. It is this innocence of youth placed within the context of war that is perhaps the most difficult to deal with.<sup>5</sup>

The term child soldier is almost an oxymoron. The notion of a child also being a soldier should seem quite inconceivable to most. The grim reality is that children do act in the capacity of armed fighters. It is estimated that as many as 300,000 children are enlisted as soldiers in armed forces and armed groups throughout the world.<sup>6</sup> This is a staggering statistic, not to be taken lightly. Some of the most knowledgeable experts on the subject have categorized the phenomenon of child soldiers as, "a post-Cold War epidemic that has proliferated to every continent with the exception of Antarctica and Australia."<sup>7</sup>

What therefore is a child soldier? In order to ensure Canadian Forces personnel are prepared to confront this threat, they must be educated on the threat. The purpose of this chapter is to provide the knowledge base necessary to better appreciate the

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<sup>5</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), ix.

<sup>6</sup> UNICEF, "Children in Conflict and Emergencies," [http://www.unicef.org/protection/index\\_armedconflict.html](http://www.unicef.org/protection/index_armedconflict.html); Internet; accessed 22 January 2010.

<sup>7</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 3, with permission.

phenomenon of child soldiers. This chapter will explore the history of children in armed conflicts and will attempt to explain how and why children have been employed.

### **CHILD SOLDIERS IN HISTORY**

While the employment of children in armed conflict is unfortunately not a new phenomenon, neither is it an age old practice. Peter Singer, a leading author on the subject of child soldiers, briefly recounts that many ancient and pre-colonial societies either excluded children completely from warfare, or limited their participation to menial tasks. In some African cultures for example, only post-pubescent men or married men were considered mature enough for such an important job as warfare.<sup>8</sup>

The active participation of children in military support roles increased over time, arguably out of necessity. Boy pages were employed by knights of medieval Europe to assist in arming and maintaining them in battle. Small boys used as “powder monkeys” to run ammunition to naval and army cannon crews in the seventeenth and eighteenth centuries were considered essential.<sup>9</sup> It was however only a matter of time before children would cease to remain in the support role, and would take up arms as true combatants.

Alexandre J. Vautravers explains that, in late eighteenth century European societies, “it was formerly commonplace for children to be enrolled in field regiments, although society was then substantially different.”<sup>10</sup> Vautravers attributes some of this

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<sup>8</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 9.

<sup>9</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 11.

<sup>10</sup> Alexandre J. Vautravers, "Why Child Soldiers are such a Complex Issue," *Refugee Survey Quarterly* 27, no. 4 (2008): 98; <http://proquest.umi.com/pqdweb?did=1728809371&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 15 December 2009.

forced enlistment to circumstances of family survival as a result of famine and hardship. For children who were abandoned, enlistment was for some the only alternative.<sup>11</sup>

Despite the examples above, the employment of children in armed conflict was still very limited. The only exceptions to this rule were either when children lied about their age or in dire situations of absolute military necessity. Singer offers two examples of absolute military necessity that best illustrate the situation described: the cases of Virginia Military Institute cadets ordered into the battle of New Market in May 1864 and the arming of the Hitler Youth in the final months of World War II.<sup>12</sup>

Nevertheless, as summarized by Singer and despite Vautravers commentary on 18<sup>th</sup> century Europe, the employment of child soldiers in armed conflicts up to and including the end of World War II was relatively rare. The few documented instances of children in conflict did not make up the norm, and never were these children designed to act as integral or essential components of the armed forces. Rather, until the wars of decolonization and the intra-state wars of the 1990s, the use of child soldiers was the exception to the rule.<sup>13</sup>

## **PRESENT DAY CHILD SOLDIERS**

Child soldiers today can be found serving in governmental armed forces and non-governmental armed groups worldwide. The Coalition to Stop the Use of Child Soldiers' *Child Soldiers: Global Report 2008*, reported that at the end of 2007, child soldiers were

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<sup>11</sup> Alexandre J. Vautravers, "Why Child Soldiers are such a Complex Issue," *Refugee Survey Quarterly* 27, no. 4 (2008): 98; <http://proquest.umi.com/pqdweb?did=1728809371&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 15 December 2009.

<sup>12</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 14.

<sup>13</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 15.



every armed force and armed group known to recruit or use children for situations of armed conflict. The report lists fifty-nine such organizations.<sup>15</sup> A detailed breakdown by region can be seen at Annex A.

Not all children accounted for in these reports are front line troops wielding rifles and fighting battles. Some, perhaps many, play supporting roles in the armed force or armed group within which they serve. The definition of child soldier has been a topic of debate for decades. The age limit below which a soldier was considered a child soldier was probably the most contested and the most difficult part of the definition to reach consensus on. Nevertheless, the definition now widely used, albeit not necessarily legally binding insofar as International Law is concerned, is the definition for child soldier as defined in the *Cape Town Principles*:

...any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks, porters, messengers and anyone accompanying such groups, other than family members. The definition includes girls recruited for sexual purposes and for forced marriage. It does not, therefore, only refer to a child who is carrying or has carried arms.<sup>16</sup>

## **RECRUITMENT**

Children are enlisted as soldiers through many means. Journalists and humanitarians tend to focus on the children abducted from their families. As discussed by Singer, case studies support the theory that in the majority of conflicts, abduction is

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<sup>15</sup> United Nations, Annual report of the Special Representatives of the Secretary-General for Children and Armed Conflicts, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development* ( New York: United Nations, 2009), 17-19; [document on-line]; available from <http://www.un.org/children/conflict/english/reports.html>; Internet; accessed 26 October 2009.

<sup>16</sup> UNICEF, *Cape Town Principles and Best Practices* (Cape Town: UNICEF, 1997): 12; [document available on-line]; available from [http://www.unicef.org/emerg/files/Cape\\_Town\\_Principles\(1\).pdf](http://www.unicef.org/emerg/files/Cape_Town_Principles(1).pdf); Internet; accessed 30 November 2009.

the primary means of recruitment.<sup>17</sup> Nevertheless, voluntary recruitment also exists. However, children predominantly volunteer out of necessity in the same context of the voluntary enlistment of the orphaned children of the 18<sup>th</sup> century as discussed by Vautravers.<sup>18</sup>

The conflict zones that see the most serious cases of child soldiers are often suffering from other calamities as well. Stricken by poverty and famine, orphaned children may volunteer for anything for the promise of food and clothing. Likewise, parents in these regions who cannot provide for their families may encourage, coerce or even force one or more of their children into the service. Soldiers' wages paid to the family, looted property brought home by the child soldier and even higher social status are all significant driving factors that may entice parents to volunteer a child.<sup>19</sup>

Propaganda through the distortions of media and peer pressure can steer children towards a life of soldiering. Education systems and social groups can also have an influence on a child's willingness to volunteer for service. As detailed by Singer, the Education Center for Afghanistan, located in Peshwar, Pakistan and operated by Afghan mujahedeen produced a series of primary school books used as the basis for education. The books promoted violence for the sake of Islam.<sup>20</sup> The following is an example of a word problem from a fourth grade Afghan textbook:

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<sup>17</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 58.

<sup>18</sup> Alexandre J. Vautravers, "Why Child Soldiers are such a Complex Issue," *Refugee Survey Quarterly* 27, no. 4 (2008): 98; <http://proquest.umi.com/pqdweb?did=1728809371&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 15 December 2009.

<sup>19</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 62 - 64.

<sup>20</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 67.

The speed of a Kalashnikov bullet is 800 meters per second. If a Russian is at a distance of 3,200 meters from a mujahid, and that mujahid aims at the Russian's head, calculate how many seconds it will take the bullet to strike the Russian in the forehead.<sup>21</sup>

Perhaps the most disturbing reason for a child to volunteer into service is when they feel the need to seek revenge. As survivors of family massacres, some children are motivated to join an armed force or armed group by a belief that they can prevent other children from losing their families. On the other hand, a child may join simply because they are bored and the allure of being a soldier excites them.<sup>22</sup>

Despite all the avenues of recruitment discussed, abduction is the most common form of recruitment. Recruiting parties are often given conscription targets based on the needs of the armed force or group. Not all children are taken, selection criteria are often used to determine what role a child will play and whether or not he or she will fit it. Once selected however, they usually comply or die.<sup>23</sup> The primary selection criterion is often physical size with the ability to bear arms. In the case of girls, only the most attractive are recruited, usually to work as attendants.<sup>24</sup> Furthermore, recruiting takes place where the probability of collecting children in the greatest numbers exists. Both

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<sup>21</sup> Shah Muhammad, *Riyazi Barayi inf-I chaharum* (Peshwar, Pakistan: Taj Mahal Company, 1987), 50, quoted in P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 67.

<sup>22</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 64, 68.

<sup>23</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 47; <http://proquest.umi.com/pqdweb?did=96276112&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 10 October 2009.

<sup>24</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 58.

state armies and armed groups are known to target secondary schools, market places and refugee camps to maximize efficient recruitment.<sup>25</sup>

## **INDOCTRINATION AND TRAINING**

Once forced into service, many child soldiers are sent to training camps. Regardless of their age, they generally receive the same level of training before being forced to fight. As part of child soldier conditioning, many are forced to kill someone they know and love. Child soldiers in training have been forced to kill family, friends, teachers and other children.<sup>26</sup> A typical indoctrination practice is to take the new recruit back to his village and force him to kill someone known to him. This practice identifies the child as a killer to his community effectively prevents him from ever escaping back to his village. This process also helps the armed force or armed group to create a situation where the child soldier develops a dependent relationship with the force or group.<sup>27</sup> To make matters worse, child soldiers are often branded or the initials of their armed group is carved into their chest, arms and even forehead in order for them to be easily identified. This scarring becomes a lifelong stigma with the intended purpose of preventing child soldiers from attempting to flee from the armed group.<sup>28</sup>

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<sup>25</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 47; <http://proquest.umi.com/pqdweb?did=96276112&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 10 October 2009.

<sup>26</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 15, with permission.

<sup>27</sup> Ilene Cohn and Guy S. Goodwin-Gill, *Child Soldiers: The Role of Children in Armed Conflicts*, (Oxford: Oxford University Press, 2003), 27.

<sup>28</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 73.



Training typically consists of the most rudimentary infantry skills. Children are taught how to fire and maintain a weapon, to set ambushes and to lay mines. The duration of training varies based on the immediate needs of the armed force or armed group. While training standards are low, they are sufficient to teach the children how to kill. Dependent on their adult leaders for their every need, the impressionable children begin to identify with the cause. Furthermore, discipline is maintained by extreme violence and the children are thus deterred from questioning the authority of their leaders.<sup>29</sup>

### **KILLING CAPABILITY**

Child soldiers can be ruthless killers. Despite their minimal training, they are often indoctrinated into death at an early age through extremely cruel means. Not surprisingly, right versus wrong becomes a foreign concept for them. Psychologically weak and underdeveloped and fearful of their commanders, they are obedient killers willing to take extreme risks and to deal out horrifying acts of brutality. Rarely does the child soldier fully appreciate the danger of the battlefield. This fearlessness is deliberately exploited and makes the child soldier a very effective combatant.<sup>30</sup>

In December 1997, the Leopard brigade of the LTTE [Liberation Tigers of Tamil Eelaam], its elite child soldier formation primarily made up of orphans, was able to surround and kill nearly 200 Sri Lankan army commandos. The loss

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<sup>29</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 47; <http://proquest.umi.com/pqdweb?did=96276112&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 10 October 2009.

<sup>30</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 48; <http://proquest.umi.com/pqdweb?did=96276112&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 10 October 2009.

demoralized the whole army, as these soldiers were considered the force's vanguard.<sup>31</sup>

Advances in modern weapons technology has been among the greatest enablers that has facilitated the use of child soldiers. Newer weapons are light enough for children to carry and employ. Powerful and relatively easy to use, modern weapons do not require lengthy or complicated training.<sup>32</sup>

For most conflicts worldwide, it has been the small arms such as rifles, grenades, machine guns, and land mines that have had the largest impact on the battlefield rather than the complex and expensive weapons systems such as missiles, tanks and aircraft. Technological advances in small arms have permitted the transformation of child soldiers into as lethal a fighting tool as adult soldiers. No more is the reliance on brute strength and years of training a requirement of modern warfare. A burst of thirty bullets from a modern assault rifle can be lethal out to four hundred meters; the explosion from a rocket propelled grenade can tear down a small building and maim a dozen people in one shot. In fact, Singer postulates that, "a handful of children can have the equivalent firepower of an entire regiment of Napoleonic infantry."<sup>33</sup>

## **DRUGS**

Drugs are employed by the leadership of child soldier units to either subdue the children when required or to invigorate them into a combat ready, killing frenzy. Initially,

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<sup>31</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 48; <http://proquest.umi.com/pqdweb?did=96276112&Fmt=7&clientId=1711&ROT=309&VName=POD>; Internet; accessed 10 October 2009.

<sup>32</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 17, with permission.

<sup>33</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 46, 47.

the children are usually forced to take these drugs but they become addicted and later use drugs regularly and willingly. Cocaine and heroine are the common drugs used, as is marijuana. The drugs reinforce the child soldier's natural sense of fearlessness and when under the influence, child soldiers will follow orders to do almost anything.<sup>34</sup> As explained by Mr Beah, a former child soldier of Sierra Leone: "You were always drugged and you pretty much fought constantly."<sup>35</sup>

### **WHY ARE CHILDREN RECRUITED**

Children are recruited for a number of reasons, but the overriding motive is articulated in simple terms by Charles Borchini. He explains that "[c]hildren are vulnerable and easy targets for recruitment and offer a quick, easy, low-cost way of generating forces. Groups that otherwise would have no real military power can pose a significant threat by augmenting their ranks with child soldiers."<sup>36</sup>

Vautravers discusses many reasons for the use of child soldiers. Paramilitary or rebel groups acting against authoritarian regimes where fighting aged men are normally drafted into the regular military force, may be forced to recruit from children below the nominal age of conscription. Likewise, states suffering from intense poverty and a lack of skilled workers may not be able to afford mobilizing adults and the short term gain of recruiting children to wage war may be considered as a worthwhile and less costly

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<sup>34</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 81, 82.

<sup>35</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 16, with permission.

<sup>36</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 14, with permission.

venture. Group and individual security can be a driving factor for voluntary enlistment of child soldiers. By bearing arms, child soldiers may feel that their access to food and other commodities is more easily guaranteed. Some believe children are easier to lead than adults. Disciplined through terror and the threat of death, child soldiers are willing to commit acts that infringe on international humanitarian law, where adult forces may be more reluctant.<sup>37</sup>

Singer shares many of the same conclusions on why the use of child soldiers has become much more popular with many armed groups. He further adds that not only is this alternative source of fighters cheap and easy to implement, but the costs are far outweighed by the benefits. Even a weak and unpopular armed force or armed group can generate a fighting force with almost no investment. Adults expect to get paid. Child soldiers are rarely paid. Training is minimal and therefore child soldiers are considered expendable assets that can be easily replaced if lost in battle.<sup>38</sup>

As explained in Marine Corps Warfighting Laboratory's Center for Emerging Threats and Opportunities' *Seminar Report*, the expendability of child soldiers allows them to be used as cannon fodder so the seasoned fighting force can exploit their efforts.

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<sup>37</sup> Alexandre J. Vautravers, "Why Child Soldiers are such a Complex Issue," *Refugee Survey Quarterly* 27, no. 4 (2008): 100 - 105; <http://proquest.umi.com/pqdweb?did=1728809371&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 15 December 2009.

<sup>38</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 51, 55.

Less inhibited and more vicious than adult soldiers, the report claims that child soldiers “seemingly have no fear, acclimatize quickly, and often do not play by the rules.”<sup>39</sup>

## **SUMMARY**

For the child soldier, survival may be the single driving force in their lives. Dealing death and surviving death may be the only realities of life these children can remember. Separated from their families in their youth, sometimes “as young as six, seven and eight years old[,]”<sup>40</sup> these children have been forced into performing cruel and abusive acts in an attempt to please the adult leaders for which they fight. Furthermore, abuses are inflicted on them by the very adults they are trying to please and impress.

Child soldiers are prisoners in their own bodies. Influenced by drugs and the abusive adults they serve, they cannot easily break out of the cycle of killing, abuse and drugs, even if they try. Branded, in some cases literally, as ruthless killers and drug addicts, a child soldier cannot escape. An enemy force will often kill a marked child soldier on sight, the general populace may do the same simply out of fear, and recapture by own forces after desertion would mean certain death.

To a child soldier, killing is the only way to survive and killing is what they do well. Canadian Forces commanders and soldiers must therefore be well educated on the threat of child soldiers in order to be prepared to face them. Capable of ruthless violence, and unpredictable action, a child soldier can be a deadly foe. Prevalent around the globe, child soldiers could pose a real threat to all future Canadian Forces operations.

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<sup>39</sup> Charles Borchini, Stephanie Lanz and Erin O’Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 14, with permission.

<sup>40</sup> Ilene Cohn and Guy S. Goodwin-Gill, *Child Soldiers: The Role of Children in Armed Conflicts*, (Oxford: Oxford University Press, 2003), 26.

### CHAPTER 3 CHILDREN IN INTERNATIONAL LAW

The purpose of armed conflict is to defeat the adverse party. The law of armed conflict only permits such actions as are imperative for this purpose and forbids acts which go beyond this and cause injury to persons or damage to property not essential to achieving this end.<sup>41</sup>

It is not permissible in modern warfare to use any means necessary to win.

Commanders and their soldiers must understand and appreciate that there are laws governing the means by which armed conflicts can be waged and by whom. These laws have been developed over time and have been embodied in both customary and conventional law. They are in essence, the rules of war, designed to ensure that armed conflicts are fought between soldiers, that attacks are directed towards military objectives, and that persons and objects not intrinsic to the conflict are protected from its violence.

Child soldiers pose a unique dilemma within international law. Although most would argue that the two words, child and soldier, should never be placed together, the fact remains, as has been discussed in Chapter 2, that children, in vast numbers, are employed in armed conflicts worldwide. So how then does a Canadian Forces soldier or his/her commander contend with the threat of child soldiers while still operating within the law?

An appreciation of the development of international law as it pertains to children and an understanding of its application must be a part of every soldier's training. Training must include both discussions on International Humanitarian Law, also known as the Laws of Armed Conflict, and Human Rights Law since, as discussed by Jenny

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<sup>41</sup> Leslie C. Green, *The Contemporary Law of Armed Conflict* (Manchester: Manchester University Press, 1993), 118.

Kuper, these bodies of laws can overlap. For example, a situation in which military personnel are deployed to an area where the categorization of the conflict is vague, or in dispute, such as civil unrest or rioting, Human Rights Law would generally apply. By contrast, full-scale international or non-international armed conflict situations tend to fall within the spectrum of International Humanitarian Law.<sup>42</sup>

For the purposes of this paper, this chapter will provide an in depth analysis of the development of applicable international law by tracing the chronological development of both International Humanitarian Law and Human Rights Law as they pertain to children. This chapter should provide sufficient background on international law to reveal that international law, as it pertains to children and child soldiers, is not necessarily as clear as it ought to be. Moreover, it should demonstrate that an adequate understanding of the law is required by all Canadian Forces personnel to ensure that they act within the scope of both International Humanitarian Law and Human Rights Law when dealing with child soldiers.

## **INTERNATIONAL HUMANITARIAN LAW**

Howard Mann highlights that prior to the *Geneva Conventions of 1949*, customary international law traditionally centred on the protection of civilians in time of armed conflict and the special protection of those groups regarded as being particularly vulnerable to the effects of war.<sup>43</sup> He continues to explain that the protection of civilians focused on not attacking them, preventing war from harming them, and by not using them

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<sup>42</sup> Jenny Kuper, *Military Training and Children in Armed Conflict: Law, Policy and Practice* (Leiden: Martinus Nijhoff Publishers, 2005), 21-22.

<sup>43</sup> Howard Mann, "International Law and the Child Soldier," *The International and Comparative Law Quarterly* 36, no. 1 (January 1987): 33; <http://www.jstor.org/stable/760458>; Internet; accessed 25 January 2010.

as hostages or shields against attack. Likewise, the special protection afforded to the sick, the elderly, the infirm, children and mothers of children, was to prevent them from suffering excessively from the effects of war. Mann clarifies that although these concepts were widely recognized, they remained more of a customary tradition rather than a codified law until the adoption of the *Geneva Conventions*.

The *Geneva Conventions* were the first codified international instrument that included provisions for the protection of civilians, and in particular children, in time of armed conflict. The *Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949*, commonly referred to as the *Fourth Geneva Convention*, made specific reference to children and the protection the parties involved in an armed conflict should afford to children.<sup>44</sup> Unfortunately the *Convention* completely neglected to include any reference to children as actual participants in armed conflicts. As noted by Mann, this may not have been a complete oversight. In fact, Mann argues that it was a common assumption that children, “whose weakness makes them incapable of contributing to the war potential of their country[,]”<sup>45</sup> would not actively participate in armed conflict.

Mann further identifies that this assumption was not unique to western thought. He cites evidence that traditional African law, Islamic religious law and ancient Chinese codes of war shared this presumption on the non-participation of children in armed

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<sup>44</sup> ICRC, *Convention (IV) Relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949* (Geneva: ICRC, 1949): Art. 14, 17, 23, 24, 38, 50, 82, 89, 94, 132; [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/380?OpenDocument>; Internet; accessed 28 January 2010.

<sup>45</sup> Jean Pictet, *Commentary, IV Geneva Convention Relative the Protection of Civilians in Time or War* (Geneva: ICRC, 1958): 126, quoted in Howard Mann, “International Law and the Child Soldier,” *The International and Comparative Law Quarterly* 36, no. 1 (January 1987): 35; <http://www.jstor.org/stable/760458>; Internet; accessed 25 January 2010.



conflict. Finally, as response to the participation of children in the German Army at the end of World War II and as partisans against Nazi occupying forces, he surmised that the drafters of the *Convention* must have considered these examples as aberrations to the pre-existing assumptions, not the future of armed conflict.<sup>46</sup>

It should also be noted that the word child was never explicitly defined in the *Fourth Geneva Convention*. Despite making multiple references to children, specifically children under fifteen, under twelve and under seven years old, an unambiguous age defined crossover point from childhood to adulthood was lacking.<sup>47</sup> The only other age specific reference within the *Convention* is that referring to “...persons over eighteen years of age[.]”<sup>48</sup> Although these references do not provide any clarity as to when exactly one should consider that a child has become an adult, one could interpret the language of the *Convention* to indicate that childhood ends at an age greater than fifteen years, but not later than eighteen years of age.

The International Committee of the Red Cross briefly discusses the defining age of fifteen in its document entitled *Commentary, IV Geneva Convention Relative to the Protections of Civilian Persons in Time of War*. “An age limit of fifteen was chosen because from that age onwards a child's faculties have generally reached a stage of

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<sup>46</sup> Howard Mann, “International Law and the Child Soldier,” *The International and Comparative Law Quarterly* 36, no. 1 (January 1987): 35; <http://www.jstor.org/stable/760458>; Internet; accessed 25 January 2010.

<sup>47</sup> ICRC, *Convention (IV) Relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949* (Geneva: ICRC, 1949): Art. 14, 23, 24, 38, 50, 89; [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/380?OpenDocument>; Internet; accessed 28 January 2010.

<sup>48</sup> ICRC, *Convention (IV) Relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949* (Geneva: ICRC, 1949): Art. 51; [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/380?OpenDocument>; Internet; accessed 28 January 2010.

development at which there is no longer the same necessity for special measures.”<sup>49</sup> This lack of a precise definition of child persisted for decades, but the *Convention’s* glaring omission regarding the protection of children from active participation in armed conflict was rectified much more quickly.

It could be argued that the *Additional Protocols* to the *Geneva Conventions* came into being in 1977 partly as a result of the wars of decolonization. From the end of World War II through to the adoption of the *Additional Protocols* in 1977, armed conflicts of varying degrees were waged throughout the world. Many of these wars were of a non-international nature and therefore were not subject to the *Geneva Conventions*. The two *Additional Protocols* were thus developed to separately address the protection of victims of both international armed conflicts and non-international armed conflicts. As stated by Alexandre Vautravers, the two *Additional Protocols* “helped to generalize and regulate the application of international humanitarian law in relation to civilian populations caught up in internal conflicts.”<sup>50</sup> Supplementing the *Geneva Conventions*, these *Additional Protocols* significantly improved the legal protection of civilians, and in particular, children.

The two *Additional Protocols* are *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 8 June 1977 and *Protocol Additional to the Geneva Conventions of*

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<sup>49</sup> Jean Pictet, *Commentary, IV Geneva Convention Relative to the Protections of Civilian Persons in Time of War* (Geneva: ICRC, 1958): 186; [document on-line]; available from [http://www.loc.gov/rr/frd/Military\\_Law/pdf/GC\\_1949-IV.pdf](http://www.loc.gov/rr/frd/Military_Law/pdf/GC_1949-IV.pdf); Internet; accessed 30 January 2010.

<sup>50</sup> Alexandre J. Vautravers, "Why Child Soldiers are such a Complex Issue," *Refugee Survey Quarterly* 27, no. 4 (2008): 97; <http://proquest.umi.com/pqdweb?did=1728809371&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 15 December 2009.

*12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)*, 8 June 1977. With respect to soldiering, *Additional Protocol I*, Article 77, Protection of Children states:

The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years the Parties to the conflict shall endeavour to give priority to those who are oldest.<sup>51</sup>

*Additional Protocol I* finally addressed the notion of children taking a direct part in armed conflict. Disappointingly, as illustrated by Volker Druba, the vague phrase “take all feasible measures” did not, in the case of international hostilities, completely prohibit the recruitment of children under fifteen years old into armed forces. Likewise, Article 77 all but condones the recruitment of children between the ages of fifteen and eighteen years old, despite the attempt at encouraging the Parties to give priority to those who are oldest.<sup>52</sup>

*Additional Protocol II*, Article 4, Fundamental Guarantees, however is firmly worded with respect to the recruitment of children. It clearly states that for non-international armed conflicts, “children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in

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<sup>51</sup> ICRC, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)* (Geneva: ICRC, 8 June 1977): Art. 77; [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/470?OpenDocument>; Internet; accessed 28 January 2010.

<sup>52</sup> Druba, Volker. "The Problem of Child Soldiers." *International Review of Education* 48, no. 3 (07, 2002): 272; <http://web.ebscohost.com/ehost/pdf?vid=2&hid=5&sid=e3f45aa5-0e6a-4f02-9b52-17a965109df1%40sessionmgr11>; Internet; accessed 29 November 2010.

hostilities[.]”<sup>53</sup> As argued by Volker Druba, both *Additional Protocols* still neglect to define child or the terms direct and indirect participation in armed conflict.<sup>54</sup>

The statute that established the International Criminal Court, the *Rome Statute of the International Criminal Court*, 17 July 1998, also provided the first strongly worded international instrument that prohibited “[c]onscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities[.]”<sup>55</sup> The *Rome Statute* also covered both situations of armed conflict, international armed conflicts and armed conflicts not of an international character. Although the *Rome Statute* provided an international law ruling on the minimum age at which a child can be recruited into an armed force, the age limit was set at fifteen years old, much lower than many of the regional and state declarations to date. Furthermore, the term conscription within the statute also permits the non-volunteer enlistment of children over fifteen years old.

The *Rome Statute* provides the latest ruling with respect to International Humanitarian Law on the age at which a child can be recruited into an armed force or group and employed in hostilities. It should be noted however that less than one year after the *Rome Statute* was adopted in July 1998, the International Labour Organization in June 1999 unanimously adopted *Convention No. 182 on the Prohibition and Immediate*

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<sup>53</sup> ICRC, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Civilians of Non-International Armed Conflicts (Protocol II)* (Geneva: ICRC, 18 June 1977): Art. 4; [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/475?OpenDocument>; Internet; accessed 28 January 2010.

<sup>54</sup> Druba, Volker. "The Problem of Child Soldiers." *International Review of Education* 48, no. 3 (07, 2002): 273; <http://web.ebscohost.com/ehost/pdf?vid=2&hid=5&sid=e3f45aa5-0e6a-4f02-9b52-17a965109df1%40sessionmgr11>; Internet; accessed 29 November 2010.

<sup>55</sup> International Criminal Court, *Rome Statute of the International Criminal Court* (Rome: ICC, 17 July 1998): Art. 8; [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/585?OpenDocument>; Internet; accessed 30 January 2010.

*Action for the Elimination of the Worst Forms of Child Labour*. Of particular interest was that *Convention No. 182*, clearly states “that forced or compulsory recruitment of children for use in armed conflict” is one of the worst forms of child labour<sup>56</sup> and “the term *child* shall apply to all persons under the age of 18.”<sup>57</sup>

## HUMAN RIGHTS LAW

The *Universal Declaration of Human Rights* was a milestone document in human rights history. Adopted by the United Nations General Assembly in December 1948, “[i]t sets out for the first time, fundamental human rights to be protected.”<sup>58</sup>

Unfortunately, human rights as they pertained to children were poorly defined and limited. Amongst the thirty articles of the *Declaration* there were only two references specific to children. The first reference was: “Motherhood and Childhood are entitled to special care. All children whether born in or out of wedlock, shall enjoy the same social protection.”<sup>59</sup> The other reference declared that parents have the right to choose the education for their children. Unfortunately the *Declaration* lacked definitions for the terms ‘special care’ and ‘social protection’ and the definition of child was also absent.

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<sup>56</sup> International Labour Organization, *Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182)* (Geneva: International Labour Organization, Nov 1999): Art. 3; <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>; Internet; accessed 31 January 2010.

<sup>57</sup> International Labour Organization, *Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182)* (Geneva: International Labour Organization, Nov 1999): Art. 2; <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>; Internet; accessed 31 January 2010.

<sup>58</sup> Office of the High Commissioner for Human Rights, United Nations Human Rights, “Universal Declaration of Human Rights,” <http://www.ohchr.org/EN/UDHR/Pages/Introduction.aspx>; Internet; accessed 31 January 2010.

<sup>59</sup> Office of the High Commissioner for Human Rights, “International Bill of Human Rights: A Universal Declaration of Human Rights,” Art. 25(2); <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/043/88/IMG/NR004388.pdf?OpenElement>; Internet; accessed 31 January 2010.

The *International Covenant on Civil and Political Rights* of 1966 and the *International Covenant on Economic, Social and Cultural Rights* of 1966, went much further to outline the rights afforded to children, although both still neglected to define child. In accordance with these covenants, states were to protect children and young persons from social and economic exploitation, employment in work harmful to their morals, health or life. Failure to do so was to be punishable by law and age limits were to be set below which child labour was prohibited.<sup>60</sup> Despite the increased detail regarding the rights of children, Human Rights Laws still failed to establish sufficiently clear international norms that would protect children from recruitment in armed forces and subsequent participation in armed conflicts.

In 1989, the *Convention on the Rights of the Child* was created and with it the first definition of child. “[A] child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.”<sup>61</sup> Regrettably, due to the exception stated directly within the definition, the upper age limit of child could be defined differently under national laws. Moreover, as detailed by Volker Druba, the other failings of *Additional Protocol I* to the *Geneva Conventions* were repeated in the *Convention on the Rights of the Child*. Unfortunately, the same weak language of

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<sup>60</sup> Office of the High Commissioner for Human Rights, *International Covenant on Economic, Social and Cultural Rights* (Geneva: UN, 1976): Art. 10(3); [document on-line]; available from <http://www2.ohchr.org/english/law/cescr.htm>; Internet; accessed 31 January 2010.

<sup>61</sup> United Nations General Assembly, *Convention on the Rights of the Child* (New York: UN, 1989): Art. 1; [document on-line]; available from <http://treaties.un.org/Pages/CTCTreaties.aspx?id=4&subid=A&lang=en>; Internet; accessed 06 December 2009.

taking “all feasible measures”<sup>62</sup> to prevent children from taking a direct part in hostilities was used in the *Convention on the Rights of the Child*, taken almost verbatim from *Additional Protocol I*. This language lacks sufficient definition and still fails to adequately address the use of children under fifteen years of age in hostilities.<sup>63</sup>

In response to the *Convention on the Rights of the Child*, and due in part to a lack of international consensus on the minimum age of eighteen for recruitment into armed forces, some individual countries such as Sweden and Switzerland made separate national declarations. Similarly, many regional declarations emerged, such as the *African Charter on the Rights and Welfare of the Child*, the *Cape Town Principles*, the *Montevideo Declaration*, and the *Berlin Declaration*. These declarations raised the minimum age for child soldiering to eighteen years, prohibited the recruitment of children under eighteen into armed forces or groups and aimed to bring the end to the use of children in hostilities in their regions.<sup>64</sup>

The *Optional Protocol to the Convention on the Rights of the Child*, adopted in May 2000, captured the momentum of the International Labour Organization’s *Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour* adopted in June 1999. It reaffirmed “that the rights of

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<sup>62</sup> United Nations General Assembly, *Convention on the Rights of the Child* (New York: UN, 1989): Art. 38; [document on-line]; available from <http://treaties.un.org/Pages/CTCTreaties.aspx?id=4&subid=A&lang=en>; Internet; accessed 06 December 2009.

<sup>63</sup> Druba, Volker. "The Problem of Child Soldiers." *International Review of Education* 48, no. 3 (07, 2002): 271; <http://web.ebscohost.com/ehost/pdf?vid=2&hid=5&sid=e3f45aa5-0e6a-4f02-9b52-17a965109df1%40sessionmgr11>; Internet; accessed 29 November 2010.

<sup>64</sup> Druba, Volker. "The Problem of Child Soldiers." *International Review of Education* 48, no. 3 (07, 2002): 273; <http://web.ebscohost.com/ehost/pdf?vid=2&hid=5&sid=e3f45aa5-0e6a-4f02-9b52-17a965109df1%40sessionmgr11>; Internet; accessed 29 November 2010.

children require special protection”<sup>65</sup> and raised the age of possible recruitment of persons into armed forces to eighteen years. As stated in the *Optional Protocol*:

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.<sup>66</sup>

States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.<sup>67</sup>

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.<sup>68</sup>

The *Optional Protocol to the Convention on the Rights of the Child* also imposed significant burdens on ratifying states. State Parties were required to “take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of the provisions of this Protocol within its jurisdiction.”<sup>69</sup> Furthermore, they were required to submit:

within two years following the entry into force of the Protocol for that State Party, a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the

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<sup>65</sup> United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child* (New York: UN, 2000): preamble; [document on-line]; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.

<sup>66</sup> United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child* (New York: UN, 2000): Art. 1; [document on-line]; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.

<sup>67</sup> United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child* (New York: UN, 2000): Art. 2; [document on-line]; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.

<sup>68</sup> United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child* (New York: UN, 2000): Art. 3; [document on-line]; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.

<sup>69</sup> United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child* (New York: UN, 2000): Art. 6(1); [document on-line]; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.



provisions of the Protocol, including the measures taken to implement the provisions on participation and recruitment.<sup>70</sup>

Following the initial report, State Parties were then mandated, as they were in the *Convention on the Rights of the Child*, to quinquennial reports documenting any further information with respect to the implementation of the *Protocol*.<sup>71</sup>

Despite the burdens associated with implementing the *Optional Protocol* and providing comprehensive progress reports, 132 parties have ratified or acceded to the *Optional Protocol to the Convention on the Rights of the Child* to date.<sup>72</sup> This figure is impressive considering it took six years of negotiations in order for it to be adopted.<sup>73</sup> Nevertheless, unless a state is party to the *Convention on the Rights of the Child* or the *Optional Protocol to the Convention on the Rights of the Child*, that state is not legally bound to adhere to it.

## SUMMARY

This analysis of international law, as it pertains to the protection of children from the effects of armed conflict, was meant to provide background regarding the complexities of International Humanitarian Law and Human Rights Law. It should now be understood that from the perspective of existing international law, special protection

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<sup>70</sup> United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child* (New York: UN, 2000): Art. 8(1); [document on-line]; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.

<sup>71</sup> United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child* (New York: UN, 2000): Art. 8(2); [document on-line]; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.

<sup>72</sup> United Nations Treaty Collection, Status of Treaties, [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en); Internet; last accessed on 18 March 2010.

<sup>73</sup> Jenny Kuper, *Military Training and Children in Armed Conflict: Law, Policy and Practice* (Leiden: Martinus Nijhoff Publishers, 2005), 47.

of children is still a relatively undefined concept, particularly for those children fifteen years of age and older. Jenny Kuper argues that the wide ratification of human rights laws, such as the *Convention on the Rights of the Child*, means that “the special protection of children is now at least an emerging international customary norm.”<sup>74</sup> Notwithstanding this viewpoint, nor the desire to rid the world of child soldiers, children continue to be employed in armed conflicts worldwide and continue to be a threat to Canadian Forces operations. Unfortunately the confusion surrounding the protection of children and child soldiers is only one side of the story. For the Canadian Forces, protecting the children from the violence of armed conflict can at best be only a secondary priority. The number one priority of the Canadian Forces should be to operate effectively, within the law, even against the threat of child soldiers.

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<sup>74</sup> Jenny Kuper, *Military Training and Children in Armed Conflict: Law, Policy and Practice* (Leiden: Martinus Nijhoff Publishers, 2005), 26.

## CHAPTER 4 EFFECT OF CHILD SOLDIERS

I found interaction with child soldiers problematic, both morally and practically. On the one hand, I realised they were children and that their wrongdoings were not really their own fault. On the other hand, their very ignorance of normal morality made them particularly dangerous. Most of the rebels I encountered were too young to remember life before civil war, and their commanders were quick to exploit this. Negotiating with armed rebels was hazardous enough. Add the unpredictability of a child soldier who has no understanding of life and death, let alone concepts such as neutrality or the United Nations, and you have a nightmare scenario.<sup>75</sup>

Child soldiers can be ruthless killers, fearless in battle and unpredictable in circumstances of relative calm. Professional soldiers, unaccustomed to the realities of child soldiers may not fully appreciate the dangers a group of armed youths can pose. Arrogance and a sense of superiority over the child soldiers may influence the professional soldier's behaviour, whereas caution and an acknowledgement of the threat should be paramount when dealing with child soldiers. A professional soldier's technology, equipment and training are meaningless to the child soldier. He or she has most likely killed adults before and may have done so with nothing more than a machete. The child soldier doesn't see the professional soldier as anything other than another adult he or she can extort for food or for drugs, or capture for ransom or kill.

Child soldiers pose a very real threat to future Canadian Forces operations, especially if operating under a North Atlantic Treaty Organization or United Nations mandate in regions where child soldiers are a part of the fighting forces. The influence

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<sup>75</sup> Phil Ashby, "Child Combatants: A Soldier's Perspective," *Lancet* 360, no. 9350 (12/22, 2002), s11; <http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=8767203&site=ehost-live>; Internet; accessed 22 January 2010.

child soldiers can have on a mission can be considerable to both the Canadian Forces soldiers abroad and to the Canadian public supporting those soldiers at home.

Canadian Forces soldiers preparing for the possibility of facing child soldiers must be equipped with the knowledge and training to sustain them through the mission and to allow them to cope with the after effects of the events that take place on the mission. Likewise, the Canadian public must be educated on the realities of the mission and sensitized to the potential outcomes when their Canadian Forces soldiers face child soldiers.<sup>76</sup> It is for these reasons that it is important for Canadian Forces personnel to understand the total impact child soldiers as an opposing force can have on mission success.

### **EFFECT ON SUPPORT**

No western nation wants its soldiers to be deployed on a mission aimed at ameliorating a bad situation and afterwards find out its soldiers were forced to kill children. For example, Singer recounts that Germany, as the leader in the development of an independent military capability for the European Union, was asked in 2003 to send combat troops to the Democratic Republic of Congo as part of the refugee protection program of Operation Artemis. This posed an excellent opportunity to provide vital protection to refugees, but Germany refused to send any troops. Germany was neither politically nor publically ready for its soldiers to face child soldiers.<sup>77</sup> This political and public concern for western forces fighting and killing child soldiers is only one factor that

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<sup>76</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 181.

<sup>77</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 164.

could have a detrimental effect on support for a mission. The possibility of escalating violence and a prolonged mission can also wear on support.

When an armed force or armed group is willing to recruit children into their fighting forces, the predictability of a start to conflict is diminished considerably. A state or organization that has avoided entering into conflict, or has been prevented from entering into conflict due to limitations such as manpower shortages, may find war more economically viable if the short term risk of waging a war is only the loss of child soldiers. As explained by Singer, employment of child soldiers can then be considered one of many factors that can lessen civil order and undermine weak state institutions, which can ultimately lead to a failed state situation. Singer explains that, “[i]n economic terms, the use of children lowers the ‘barriers to entry’ into conflict.”<sup>78</sup> A western nation that has forces deployed on a mission to a region tenuously clinging to peace, could rapidly find its soldiers caught in an armed conflict following a successful mass recruiting campaign of children by one of the belligerents. The public of the supporting nation may quickly retract their support, given the rapid change in the conflict environment and the distaste over losing its own soldiers in a foreign land.

Child soldiers have yet another detrimental effect on public support of a mission, in terms of the willingness to engage in or maintain prolonged deployments. Perhaps a western nation has come to terms with child soldiers, and the public supports a mission to a conflict region employing child soldiers. The ability to prolong a conflict by recruiting child soldiers may slowly degrade the support for the mission. The employment of child soldiers in an active role in armed conflict permits a state or organization that may not

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<sup>78</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 95, 96.

have been able to sustain a prolonged conflict due to manpower limitations endure a protracted war effort.<sup>79</sup>

The balance of power in a conflict region can shift frequently based on recruiting campaigns and the efficient employment of child soldiers, further prolonging resolution. Relatively small groups, insufficiently manned to form a viable force could have the most to gain from employing children. Employing child soldiers allows groups such as these to increase their fighting force easily and at low cost. This ease of force generation can facilitate an armed force or armed group's ability to endure when they otherwise should not be able to.<sup>80</sup> In the case where a western nation has been deployed to region where child soldiers are employed, this ability to prolong a conflict can have a detrimental impact on national support for the mission.

Western nations, including the Canada, do not enjoy entering into unknown situations or protracted conflicts. They want to get in, efficiently rectify the situation with as few losses as possible and get out. Peacekeeping missions and peace support operations that erupt into war and conflicts that drag on for too long are an economic drain, demoralize the force and the supporting nation and inevitably create problems in theatre and at home. Politicians have lost elections because the nation was hoodwinked into supporting a different mission and lengthy wars are not popular. Militaries lose soldiers and face fiscal limitations affecting future capabilities. Too much money is spent on sustainment of the deployed force, and planning and procurement for the future suffers. Deployed forces get frustrated at their lack of progress and morale suffers. Surprise

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<sup>79</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 97.

<sup>80</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 98.

conflicts and lengthy conflicts are unwelcome conflicts. Thus western nations, due to unpredictability and the potential of a long and drawn out conflict are reluctant to engage in or support missions to regions that are known for the employment of child soldiers.

### **EFFECT ON SOLDIERS**

Soldiers fight battles against armed foes, and whether the armed foe is an adult or a child is in some ways irrelevant. A child soldier firing a semi-automatic machine gun is as dangerous as an adult firing the same weapon. For the soldier preparing for the mission, this fact should be at the forefront in their training. If one must shoot back to defend oneself and it is within the force's rules of engagement, and self-defence almost always is, then the age of the opponent matters not. As will be discussed in Chapter 5, children employed as soldiers are no longer afforded special protection under international law. Child soldiers in combat receive the same treatment as adults.<sup>81</sup> If the result of the firefight is that child soldiers are shot and killed, then that is the logical outcome and the outcome western forces must be prepared to accept. Unfortunately, it is not this simple.

Western nations generally agree that children are to be protected from the violence of armed conflict, as will be discussed at length in Chapter 4. It is for this reason that the armed forces of western nations, including soldiers of the Canadian Forces, are the most at risk of errors in judgement when faced with a child soldier as an adversary, as well as mental illnesses following armed exchanges with child soldiers.

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<sup>81</sup> Claire Breen, "When is a Child Not a Child? Child Soldiers in International Law," *Human Rights Review* 8, no. 2 (01, 2007): 73; <http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=24097141&site=ehost-live>; Internet; accessed 26 November 2009.

One could only imagine a scenario where a platoon or company of Canadian Forces soldiers find themselves embroiled in a firefight, and finally after subduing their opponents discover the very soldiers they were fighting against were children. Dead, dying and injured children scattered at the soldiers' feet. What would the soldiers be thinking, how would they react? Were the soldiers briefed that this would be a reality or is this the first time they realize that child soldiers are fighting them. How would have the situation been different if before the firefight the soldiers knew that their opponents were children? Would the soldiers have still shot to kill or would they have tried an alternate approach? Would the outcome have been different? Perhaps it would have been the children that walked away victorious.

### **Combat Effectiveness**

If Canadian Forces personnel are not aware of the potential to face child soldiers, and the operational implications that may result, then their effectiveness can be seriously jeopardized. There are documented cases where other western forces, when faced with child soldiers, were made combat ineffective due to their reluctance to engage the child soldiers. The most dramatic example, as retold by Singer, is the case of a full squad from the Royal Irish Regiment on a patrol in Sierra Leone in 2000. They were surrounded and captured by a rogue militia unit made up almost entirely of child soldiers. Their squad commander was unwilling to fire upon children armed with AK-47s.<sup>82</sup>

Similarly, in an account of his time as a United Nations Military Observer in Sierra Leone, Major Phil Ashby, tells of two five year old boys, with the bush rank of Regimental Sergeant Major. Their responsibility was the daily manning of a checkpoint,

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<sup>82</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 163.



using rifles longer than they were. He also recalls watching them summarily execute some Kenyan Peacekeepers. In his words, “[y]ou remind yourself they’ve not known anything else and that they’re only children, but a temper tantrum when they’ve got a grenade launcher is not the same as a temper tantrum without a grenade launcher.”<sup>83</sup>

Disrespect of a child soldier could mean instant reprisals and could destroy any advances in the mission’s goals. Even in a relatively peaceful setting, a western soldier faced with child soldiers could enrage and ignite child soldiers into violence by simple acts of disrespect. A child soldier is no longer a child in his or her own eyes. They consider themselves soldiers, and only soldiers. They have ranks and responsibilities, just like any adult soldier. Canadian Forces personnel must be aware of the threat and be prepared to deal with it in some cases delicately, but in all cases accordingly.

### **Mental Health Injury**

Mental illness is another very real threat following exposure to child soldiers. Canadian Forces soldiers unprepared for the potential reality of shooting and killing child soldiers may experience immediate and/or long term psychological issues. These psychological issues could force their removal from the mission, perhaps even their release from the Canadian Forces. Often, their lives will be disrupted forever. As illustrated by Singer’s account of British forces operating in West Africa in 2001, after facing child soldiers in combat, highly skilled professional soldiers faced significant psychological problems such as clinical depression and post-traumatic stress disorder.<sup>84</sup>

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<sup>83</sup> Phil Ashby, "Child Combatants: A Soldier's Perspective," *Lancet* 360, no. 9350 (12/22, 2002), s12; <http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=8767203&site=ehost-live>; Internet; accessed 22 January 2010.

<sup>84</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 170.

The mental illness that Canadian Forces soldiers could experience may not solely arise from being forced to shoot and kill child soldiers. Simply being exposed to the harshness of life these children are forced to endure may create lasting scars. As stated earlier, western nations such as Canada consider children worthy of special protection. It should be expected that Canadian Forces soldiers may succumb to mental health injuries from exposure to children in their early teens and younger, forced into violent lives of soldiering, suicide bombers and sex slaves.

### **SUMMARY**

Child soldiers pose a considerable risk to the effectiveness of Canadian Forces operations. Canadian Forces' soldiers, trained to fight and kill combatants while also protecting the lives of civilians, and in particular children, are faced with contradictory agendas and significant moral dilemmas when fighting child soldiers. The influence of child soldiers on the battlefield, specifically whether a soldier should shoot them or try to protect them, could mean the difference between mission success or mission failure. The dilemma however is that it could be extremely difficult to determine if shooting the child soldier is mission success or mission failure.

The Canadian public does not want its Canadian Forces soldiers to kill children, however the public does not want its own soldiers returning home in body bags either. The thought of killing children to avoid death is unthinkable, yet a reality that must be overcome by all. And once overcome, those soldiers faced with the actual task of killing children, must be well trained, and prepared mentally for the assignment and the stressors that accompany such a horrific duty. Likewise, the public must not waver in its support

for its soldiers. If it does, the mental wounds which are bound to develop, will be all that more difficult to heal.

Canadian Forces soldiers assigned to a North Atlantic Treaty Organization or United Nations mission must be prepared for the inevitable. Child soldiers are a reality in many parts of the world, and unless Canada avoids deploying its forces to regions where the employment of child soldiers is known to occur, Canadian Forces soldiers must be ready to face the threat. The supporting national and international public alike must also be prepared, because the planned mission duration will invariably be extended and media reports will include stories of child soldiers being killed by Canadian Forces personnel. As explained, the effect of child soldiers is not just in their contribution to increased numbers on a battlefield, but also their impact on the mental processes of the Canadian Forces soldier and his or her capacity to operate effectively. They can have a detrimental effect on the survivability of the Canadian Forces soldier, both physically and mentally. Lastly, child soldiers will influence the way the Canadian public views and supports the mission and the Canadian Forces.

## CHAPTER 5 RECOMMENDATIONS ON HOW TO DEAL WITH THE THREAT

There may be no moral excuse, but the dark reality is that this terrible practice continues. It is only by understanding the causes and dynamics of this appalling phenomenon that we can develop appropriate responses to them. - Dr. Peter Singer, The Brookings Institution<sup>85</sup>

As stated in the *Canada First Defence Strategy*, the Canadian Government expects the Canadian Forces to support Canada's national security and foreign policy objectives and in doing so, the Canadian Forces has been mandated to make "meaningful contributions to operations overseas."<sup>86</sup> This is not a new task for the Canadian Forces. The Canadian Forces has been engaged in overseas operations since its formation. The concern however is the changing dynamic of these international operations with the rapid increase in the exploitation of children as combatants.

Canadian Forces personnel have been involved in many conflicts worldwide, but up until now, exposure to child soldiers has fortunately been quite limited. As the potential for Canadian Forces personnel to be confronted with a situation involving child soldiers increases, it is therefore even more important that ways to prepare the Canadian Forces soldier are explored. As highlighted by the Child Soldier Initiative, a lack of preparation to operate in conflict zones containing child soldiers is a dangerous

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<sup>85</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), back cover, with permission.

<sup>86</sup> Department of National Defence, *Canada First Defence Strategy* (Ottawa: Government of Canada, 2008), 2.

oversight.<sup>87</sup> The Canadian Forces must be prepared for the inevitable; the day that Canadian Forces' soldiers confront armed child soldiers in conflict.

Initiatives within the Canadian Forces must be developed to prepare for this confrontation. They will involve education programs, new training procedures and significant mental preparation and coaching. Pre-deployment preparation will need to be refocused to ensure that Canadian Forces personnel understand the threat posed by child soldiers and know the national and international laws applicable to children in combat. Furthermore, Canadian Forces personnel must recognize the mental health risks they will be exposed to when faced with a child in combat, and how they can defend themselves against potential mental health injuries. Pre-deployment training must incorporate new and innovative tactics and weapons that will assist Canadian Forces soldiers to more easily counter child soldiers in conflict. Operational considerations for dealing with the threat of child soldiers must also be brought into pre-deployment training scenarios. Finally, the Canadian Forces, and in fact the Canadian Government, must prepare itself and the Canadian public for the day the news breaks a headline story detailing how a patrol of Canadian Forces' soldiers shot and killed a group of armed children in some far away land.

## **UNDERSTANDING THE THREAT**

One component in the preparation for combat is to be educated and knowledgeable on the adversary's capabilities and limitations. Intelligence on the adversary is collected and analyzed, doctrine and tactics are scrutinized, and strengths and weaknesses are assessed, in order that commanders and his or her troops know what

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<sup>87</sup> Child Soldiers Initiative, "The Child Soldiers Initiative Field Guide" (draft field guide, 21 December 2009), 13.

to expect in combat, and train accordingly. As discussed by Dr. Eyal Ben-Ari, most, if not all, armed forces base their training on “images of conventional military structures” or in other words, “the kind of opponent involved is a peer or near competitor[.]”<sup>88</sup> The Canadian Forces must break free from this traditionally western mentality and develop an understanding of future potential adversaries that encompasses both the adult soldier and the child soldier as potential threats.

As discussed in Chapter 3, child soldiers pose a significant threat to operational effectiveness. As explained by Singer, “[c]hild soldiers are the essential quandary, perhaps even more difficult than the issue of civilian casualties. Children are traditionally considered outside the scope of war.”<sup>89</sup> The tactical leader, when faced with child soldiers for the first time and uneducated to the threat posed by child soldiers, may find himself or herself in a dreadful moral dilemma. To create the situation whereby a tactical leader is in a position where he or she must, as Singer puts it, “ad-lib a tactical response”<sup>90</sup> due to insufficient preparation is unacceptable. Such a situation would threaten mission success and the lives of his or her soldiers.

This issue of understanding the threat is therefore a two part problem. Canadian Forces commanders and soldiers need to be educated on both the phenomenon that is

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<sup>88</sup> North Atlantic Treaty Organization, Research and Technology Organization, *Child Soldiers as the Opposing Force* (pre-released RTO Technical Report, NATO Research and Technology Agency, Paris, FRA, November 26, 2007), with the kind permission of the NATO/RTO, 4-6.

<sup>89</sup> P.W. Singer, "Fighting Child Soldiers," *Military Review* 83, no. 3 (May/Jun, 2003), 30; <http://proquest.umi.com/pqdweb?index=2&did=411111941&SrchMode=2&sid=3&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1266770755&clientId=1711>; Internet; accessed 29 November 2009.

<sup>90</sup> P.W. Singer, "Fighting Child Soldiers," *Military Review* 83, no. 3 (May/Jun, 2003), 30; <http://proquest.umi.com/pqdweb?index=2&did=411111941&SrchMode=2&sid=3&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1266770755&clientId=1711>; Internet; accessed 29 November 2009.

child soldiers, and need to be knowledgeable on the situation specific to the region to which they are preparing to deploy. Therefore, in addition to an education program for deploying forces, an ongoing intelligence gathering and assessment program must take place, well in advance of any deployments, for all regions where child soldiers may be employed.

The Marine Corps Warfighting Laboratory's Center for Emerging Threats and Opportunities recommends an intelligence collection and assessment program which fully considers the threat posed by child soldiers. This complete and comprehensive program is to ensure everything possible is known about the child soldiers in the regions most likely targeted for future deployments. Knowledge should include "how they were recruited and trained, how they are organized, how they fight, their amount of combat experience, who the leaders are, and where they are located."<sup>91</sup>

When armed with knowledge of the threat of child soldiers, combined with intelligence regarding the specifics of the child soldiers in the area of operations, the Canadian Forces commander, tactical leader and soldier will be better able to make the difficult decisions required to ensure mission success.

## **KNOWLEDGE OF LAWS**

While the Laws of Armed Conflict are well known to Canadian Forces personnel and are reviewed thoroughly prior to deploying on international operations, laws that pertain specifically to child soldiers need particular attention to ensure they are well understood by the soldiers most likely to confront child soldiers. As detailed in Chapter 4,

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<sup>91</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 25, with permission.

the special protection afforded to children has been a significant issue in law and it is now dealt with quite comprehensively in both International Humanitarian Law and Human Rights Law. Nevertheless, understanding how these laws pertain to child soldiers requires more careful interpretation.

A comprehensive review of the applicable laws may not be necessary however an understanding of how the laws pertain to soldiers on operations is an absolute requirement. For example, although article eight of the *Rome Statute of the International Criminal Court* makes the forced participation of children under fifteen years old in armed conflict a war crime, neither it nor any other law, prohibit an armed force from engaging an enemy combatant under fifteen years old with deadly force.<sup>92</sup> But as discussed by Jenny Kuper, the proportionality principle should be used to guide decisions regarding tactics in order to balance military necessity and humanitarian considerations.<sup>93</sup> Therefore, soldiers and commanders should know that they are within the law to conduct military operations and act in self defence against child soldiers, but the level of lethality used should take into consideration the proportionality of force.

Another challenge associated with international laws and child soldiers is the circumstances surrounding the capture and subsequent detainment of a child soldier. Although children, regardless of age, lose their right to special protection in accordance with International Humanitarian Law the minute they take up arms, those who have not attained the age of fifteen years regain their right to special protection once they are no

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<sup>92</sup> International Criminal Court, *Rome Statute of the International Criminal Court*. (Rome: ICC, 17 July 1998): Art. 8; <http://www.icrc.org/ihl.nsf/FULL/585?OpenDocument>; Internet; accessed 30 January 2010.

<sup>93</sup> Jenny Kuper, *Military Training and Children in Armed Conflict: Law, Policy and Practice* (Leiden: Martinus Nijhoff Publishers, 2005), 49.



longer involved in hostilities, in particular when they are captured.<sup>94,95</sup> Operational commanders need to be prepared, and need to ensure their subordinates are prepared, to deal with the special circumstances that arise when child soldiers are captured. Not merely the fact that the captured children may be entitled to special protection, but the added difficulties that the special protection may pose to continued operations.

Similarly, the rules regarding due process and the conduct of pertinent disciplinary proceedings for captured child soldiers must be well understood. While the rules themselves are not complex, there are complicating factors that make the situation challenging, such as age. “[V]ery young children are not normally subject to criminal proceedings, as states normally incorporate in their domestic law the notion of a minimum age... That said, this minimum age varies considerably from country to country.”<sup>96</sup> Likewise, a child soldier may have committed the crime when below a minimum age, but may not stand trial until after he or she attains the minimum age.

A final complicating matter as it pertains to child soldiers and international law, is that the circumstances of the conflict can have a bearing on the applicability of the law. International Humanitarian Law for example differentiates between international armed conflicts and non-international armed conflicts, and each situation may pose unique challenges for the handling of captured and detained child soldiers.

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<sup>94</sup> ICRC, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)* (Geneva: ICRC, 8 June 1977): Art. 77(3); [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/470?OpenDocument>; Internet; accessed 28 January 2010.

<sup>95</sup> ICRC, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Civilians of Non-International Armed Conflicts (Protocol II)* (Geneva: ICRC, 18 June 1977): Art. 4(3); [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/475?OpenDocument>; Internet; accessed 28 January 2010.

<sup>96</sup> Jenny Kuper, *Military Training and Children in Armed Conflict: Law, Policy and Practice* (Leiden: Martinus Nijhoff Publishers, 2005), 51.

When considering child soldiers as a potential threat on operations, Laws of Armed Conflict training must be reinforced with a critical review of the laws as they pertain to child soldiers. Not only will the review improve preparedness of commanders to receive and deal with captured child soldiers, it will provide soldiers in the field the knowledge and confidence in the law they require to reduce the risks of hesitation when confronted with an armed child soldier.

### **MENTAL HEALTH RISK**

Much is written about the mental health illnesses soldiers may experience from exposure to combat operations. Lieutenant Colonel Judith Hughes of the United States Air Force discusses in her Masters Thesis three psychological effects of exposure to war zones: Combat Stress Reaction, Acute Stress Disorder and Post Traumatic Stress Disorder. The main difference between the three is the time of onset and the persistence of symptoms. Combat Stress Reaction, can occur almost immediately upon exposure to the combat environment and render a soldier combat ineffective. Acute Stress Disorder symptoms occur within the month after exposure, and Post Traumatic Stress Disorder symptoms may not develop before one month after exposure, but may persist indefinitely. As Hughes explains, the purpose of outlining these three mental health illnesses “is not to dwell on specific differences in psychological diagnoses but to make the point that killing child soldiers can be a combat exposure that may lead to an increase in negative psychological outcomes.”<sup>97</sup>

Based on the fact that soldiers are already at risk of mental health illnesses when exposed to conflict, it could be correctly assumed that Canadian Forces soldiers will be at

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<sup>97</sup> Judith Hughes, “Child Soldiers: Are U.S. Military Members Prepared to Deal with the Threat?” (master’s thesis, Air War College, Air University, 2006), 18.

risk of mental health illness when conducting operations in a conflict zone where child soldiers are prevalent. Furthermore, given the increased brutality associated with the conflicts within which child soldiers are commonly found, and the likelihood that Canadian Forces soldiers are unable to adequately intercede in what most likely is an internal conflict, the cases of mental health illness could be many and they could be severe.

It is therefore incumbent on the Canadian Forces to prepare its personnel prior to deployed operations, as well as its mental health practitioners, for the psychological effects that Canadian Forces soldiers may experience after confronting child soldiers.

### **INNOVATIVE TACTICS**

Child soldiers are generally employed in three methods: as shields, as cannon fodder or as small, elite fighting groups. As shields, children are used to protect the leadership or to protect the more valuable adult soldiers from high risk ventures. In this method child soldiers are often the first to cross a suspected minefield, or are the first to march into a suspected ambush. This way the commanders and adult soldiers remain safe.<sup>98</sup>

As cannon fodder, child soldiers are used in numbers to overpower the opposition through sheer weight of numbers. In essence they are simply there to force the opposition to engage more targets and to expend more ammunition. Although casualty

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<sup>98</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 50; <http://proquest.umi.com/pqdweb?index=0&did=96276112&SrchMode=2&sid=2&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1266786686&clientId=1711>; Internet; accessed 29 November 2009.

rates are very high, such attacks have been known to be quite effective against well-fortified positions.<sup>99</sup>

The third method, using child soldiers as elite fighting groups, is not well documented. However, anecdotal evidence indicates that when used in ambushes and in raiding poorly defended villages, small fighting groups of child soldiers can be quite effective.<sup>100</sup> Historically, the Hitler Jugend or Hitler Youth of World War II and more recently the Ashbal Saddam or Saddam Lion Cubs could be viewed as examples of elite fighting groups of child soldiers. Trained in the ways of military discipline and weapons handling from an early age, these young soldiers could have a considerable impact in small scale skirmishes.<sup>101</sup>

Whether the child soldiers are members of a highly trained elite fighting group, are shields, or are cannon fodder, they pose a threat to Canadian Forces soldiers in operations. Although they could be countered through the use of superior fire power in the same way adult soldiers would be, innovative tactics should also be explored. These tactics should include methods that will lessen the number of child soldier casualties by providing opportunities for the child soldiers to escape the battle and perhaps the conflict itself.

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<sup>99</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 50; <http://proquest.umi.com/pqdweb?index=0&did=96276112&SrchMode=2&sid=2&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1266786686&clientId=1711>; Internet; accessed 29 November 2009.

<sup>100</sup> Ishmael Beah, *A Long Way Gone: Memoirs of a Boy Soldier* (Sarah Crichton Books: New York, 2007), 176.

<sup>101</sup> P.W. Singer, "Facing Saddam's Child Soldiers," [http://www.brookings.edu/papers/2003/0114iraq\\_singer.aspx?p=1](http://www.brookings.edu/papers/2003/0114iraq_singer.aspx?p=1); Internet, accessed 26 January 2010.

Targeting the adult leadership instead of the child soldiers themselves may be a very effective tactic. When child soldiers are employed as shields or on suicide missions, the adult leadership is often close by to ensure that those not following orders are reprimanded accordingly.<sup>102</sup> The Center for Emerging Threats and Opportunities has determined that in the case of child soldiers “[t]he center of gravity is the hold leaders have over the children; the key is to break that link. If the adult leaders are captured or killed, the children often disappear.”<sup>103</sup> According to Singer, killing the adult leader, or even forcing him to take cover, may cause the organizational structure to rapidly break down and provide the child soldiers the opportunity to surrender or escape.<sup>104</sup>

Singer however recognizes that while targeting the adult leadership is preferable, it may not always be possible in the chaos of battle. In fact, Singer recommends magnifying the chaos and confusion of battle in order to create an overwhelmingly frightening event that may cause complete unit breakdown as an alternative to targeting the adult leadership. Fear of the unknown and the employment of distant, unseen, demonstrative air and artillery fires may be sufficient to cause the desired effects. Based on past successes against armed units comprised of child soldiers, heavy armour and

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<sup>102</sup> P. W. Singer, "Caution: Children at War," *Parameters* 31, no. 4 (Winter, 2001): 50 -51; <http://proquest.umi.com/pqdweb?index=0&did=96276112&SrchMode=2&sid=2&Fmt=6&VInst=PROD&VType=POD&RQT=309&VName=POD&TS=1266786686&clientId=1711>; Internet; accessed 29 November 2009.

<sup>103</sup> Charles Borchini, Stephanie Lanz and Erin O’Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 23, with permission.

<sup>104</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 172.

helicopter gunships are also suggested by Singer as effective tools to be employed as shock tactics to incite a rout.<sup>105</sup>

Two extremely important aspects to the use of shock tactics are highlighted by Singer. Not all child soldiers will be vulnerable to shock tactics, so the threat posed by child soldiers should never be taken lightly. Likewise, a follow-on tactic is essential to prevent surviving adult leadership the ability to regroup the child soldier force and reform fighting units. Since shock tactics are insufficient on their own to ensure overall success in the battle against child soldiers.<sup>106</sup>

### **NON-LETHAL WEAPONS**

Non-lethal weapons are another alternative that may be employed in the battle against child soldiers. The ability to temporarily disable or incapacitate without causing permanent harm to a child soldier has numerous benefits. As highlighted by The Center for Emerging Threats and Opportunities, this more “humane way of dealing with child soldiers” may prove instrumental in the maintenance of political and public support for the mission.<sup>107</sup> Singer rightly recognizes that the employment of non-lethal weapons cannot replace the usual lethal weapons employed by military forces, however non-lethal weapons can complement the arsenal and provide commanders with alternatives in the level of force to be applied. He clearly states that, “[a]n underlying reality is that forces

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<sup>105</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 172 – 173.

<sup>106</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 176.

<sup>107</sup> Charles Borchini, Stephanie Lanz and Erin O’Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 23-24, with permission.

deployed into such high-threat environments still face real threats and require the capability to ensure their own safety.”<sup>108</sup>

## **OPERATIONAL CONSIDERATIONS**

In conjunction with innovative tactics, and the use of non-lethal weapons, operational considerations such as the deterrence of recruitment, the conduct of psychological operations and the proper handling of captured child soldiers must be taken into account. Otherwise, the cycle of recruiting, fighting, capture or death will continue. These considerations are all discussed in *The Child Soldiers Initiative Field Guide* produced by Romeo Dallaire’s Child Soldier Initiative. The *Field Guide* is intended to provide useful tactical and strategic information to increase the awareness of peacekeeping and security forces and to provide guidance on how to deal appropriately with children in armed conflict.<sup>109</sup> This field guide will be a very useful tool for all Canadian Forces personnel preparing for expeditionary operations.

As explained in Chapter 2, one of the draws to the employment of child soldiers is the ability of an armed force or armed group to quickly swell the ranks with child soldiers. Therefore, a key operational consideration for Canadian Forces operational commanders when combating forces that employ child soldiers is the prevention of recruiting more children. Children are recruited at schools, refugee camps, churches, and even at demobilization sites. The most effective way to prevent children from being recruited is

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<sup>108</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 175.

<sup>109</sup> Child Soldiers Initiative, “The Child Soldiers Initiative Field Guide” (draft field guide, 21 December 2009), 12.

by defending them at the recruitment sites.<sup>110</sup> As pointed out by Singer, these high-density target zones are in effect strategic locations, or critical vulnerabilities, like key bridges or crossroads. To an armed force or group that relies on child soldiers for the bulk of their fighting force, eliminating their ability to recruit may be the most effective way to defeat them.<sup>111</sup>

As stated by The Center for Emerging Threats and Opportunities, psychological operations can also be an effective tool in preventing unnecessary bloodshed and saving lives. Well integrated psychological operations can help “to convince child soldiers to stop fighting, leave their units and begin the process of rehabilitation and reintegration back into society.”<sup>112</sup> Singer adds that a well implemented psychological operations campaign would not only target child soldiers, but also target the adult leaders and the local population at large. The message delivered to the adult leadership should focus on deterring them from continued exploitation of children in armed conflict. The message to the local population, also targeted at the adults, should seek to drive a wedge between the local populace and the groups that use child soldiers.<sup>113</sup>

The treatment of captured child soldiers or those child soldiers seeking amnesty after escaping their adult leaders must also be considered by Canadian Forces operational

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<sup>110</sup> Charles Borchini, Stephanie Lanz and Erin O’Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 23, with permission.

<sup>111</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 176 – 177.

<sup>112</sup> Charles Borchini, Stephanie Lanz and Erin O’Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 24, with permission.

<sup>113</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 177 – 178.



commanders. As discussed by Singer, prisoners and escapees should be welcomed in an effort to induce more child soldiers to lay down their arms. As soon as possible after determining the child soldier no longer presents a threat, food, shelter, clothing and medical attention should be provided. To break the system of control, children should be provided separate detention facilities than their adult leadership. Most importantly, and as soon as possible, the child should be turned over to Non-Governmental Organization professionals, such as UNICEF, or in the case of injured children health care professionals.<sup>114</sup>

Through the careful consideration of the many operational factors at play in a region where child soldiers are employed, a Canadian Forces commander can greatly improve his or her chances of success. Any number of tactics and techniques could be used to improve a forces' ability to counter the threat posed by child soldiers, but only through a combination of many, will the cycle of recruiting, fighting and killing end.

### **PUBLIC AWARENESS**

“Public affairs implications of killing child soldiers, even in self-defense, can become a real problem.”<sup>115</sup> As discussed in Chapter 3, nobody wants to hear that their nation's armed forces personnel were killing children, regardless of the circumstances. However, if the public wasn't even prepared for this as a possibility, outrage could result. National and international support for the mission could plummet as could support for the military in general. Public awareness of the circumstances of a deployment and the threat

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<sup>114</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 178 – 179.

<sup>115</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 24, with permission.

that child soldiers pose on the deployment must be made public to promote transparency and prevent disgrace.

According to Singer, the public and the international community should be sensitized to the issue of child soldiers. Furthermore, for a particular mission, the public should be informed of the measures in place to limit the deaths of child soldiers while ensuring the safety of own forces.<sup>116</sup> While the specifics are not necessary, simply the knowledge that non-lethal weapons, and non-lethal tactics may be employed to limit casualties should help to maintain public support for the Canadian Forces, if not the mission as well.

Singer also argues that “the public should be made aware that child soldiers, although they are children, are just as lethal behind an assault rifle as adults.”<sup>117</sup> In this vein, Singer believes that the United Nations and other political and religious leaders should mobilize their public affairs campaigns to condemn the practice of employing child soldiers in an effort “to turn the blame onto those who recruited, abducted, trained, led, and forced the children to fight.”<sup>118, 119</sup>

The Canadian Forces are the instrument of the Government of Canada, and as such it is incumbent on the Government to lead the public awareness campaign. It is the Government that chooses the mission and assigns it to the Canadian Forces and therefore

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<sup>116</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 181.

<sup>117</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 181.

<sup>118</sup> Charles Borchini, Stephanie Lanz and Erin O’Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), 24, with permission.

<sup>119</sup> P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 181.

it is the Government's duty to inform the people of Canada of the intricacies of the mission. Necessarily, as the experts in warfare, the Canadian Forces will have an active part in supplying the Government with the necessary information regarding the threat and the methods used to defeat the threat, however the Government and its agencies will be required to deliver the message to the Canadian public and if required, the international community at large.

## **SUMMARY**

The Canadian Forces will be forced to deal with the threat of child soldiers and therefore must be prepared to combat the threat. Unfortunately, complete annihilation of the armed force or armed group employing child soldiers will probably not be an option. Therefore, innovative tactics, non-lethal weapons and other operational considerations will be required to effectively counter an enemy that has in the past proven to be ruthless and persistent. Innovation in itself will not be sufficient; simply recognizing that a region of potential deployment employs child soldiers in its armed forces and armed groups needs to be known well in advance of the deployment date. A comprehensive intelligence collection and assessment program must be in place to clearly determine the scope of the threat child soldiers pose and to provide the insights into critical vulnerabilities, such as recruiting locations and tactics that can be exploited to promote mission success.

Mission success will also hinge on the Canadian Forces commanders and soldiers understanding of the laws that protect their forces, protect the forces of their adversary and all others impacted by the violence of conflict. If a leader in the field is not adequately knowledgeable on the laws pertaining to child soldiers, he/she may hesitate to act when action is required, jeopardizing his/her life and the lives of his/her troops.

The health of the Canadian Forces personnel deployed into theatre is also of primary concern. If preventative measures are not established prior to deployment, mental health injuries incurred in theatre could pose significant operational limitations and create a condition of long term suffering post-deployment. Killing children could have a very detrimental psychological effect on the toughest of soldiers. Likewise, witnessing the brutality of armed conflicts in the regions employing child soldiers and the helplessness a Canadian Forces soldier may sense in his/her ability to aid in the situation may have lasting psychological effects. The Canadian Forces must adequately prepare its personnel and its health service professionals for the psychological effects Canadian Forces soldiers may experience when deployed to conflict zones employing child soldiers. Almost as important as educating Canadian Forces personnel for the threat of child soldiers, is the preparation of the Canadian public for the realities of warfare involving child soldiers. The Government of Canada must take the lead and deliver the message to the public. At no time should it come as a shock that the Canadian Forces are engaged in a conflict where child soldiers may die as a result of Canadian Forces action. Although mission support may falter after such news, the support for the Canadian Forces should not suffer if the public was made aware beforehand of the nature of the mission and the associated risks.

## CHAPTER 6 THE CANADIAN FORCES RESPONSE TO CHILD SOLDIERS

The question is how can the U.S. train its military to know whether or not to kill child soldiers. It's very difficult to be put in a position where there is a kid who is 14, or even nine, who has a gun pointed at you. You know he is going to shoot it because he has been brainwashed so much – he has been so traumatized – there is nothing that is going to stop him from not shooting at you. - Ishmael Beah, former child soldier<sup>120</sup>

The issue of child soldiers is not something that can be solved by Canada or the Canadian Forces. Due to the worldwide use of child soldiers, efforts and pressure from the greater international community will be necessary in order to decrease and perhaps eradicate the employment of children in armed conflicts. This desire to eliminate child soldiers as an instrument of war, although noble, will not be universally acceptable. As described in Chapter 2, many armed groups and armed forces rely on child soldiers to bolster their ranks, and provide the manpower to their cause in situations where fighting aged males are scarce. It is for this reason that it will be a very long time before the globe will be free from the employment of children in armed conflict. Therefore, it is the responsibility of Canada, or more specifically the Canadian Forces, to have mechanisms in place to cope with the threat that child soldiers pose to international operations.

Chapter 5 recommends that the Canadian Government educate itself and the general public on the threat child soldiers pose to Canadian Forces expeditionary operations, while also sensitizing the population to the realities of armed conflicts where child soldiers are employed. More important to the Canadian Forces, Chapter 5

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<sup>120</sup> Charles Borchini, Stephanie Lanz and Erin O'Connell, *Child Soldiers: Implications for U.S. Forces*, Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory (Quantico: Centre for Emerging Threats and Opportunities, 2002), back cover, with permission.

recommends a robust education program and enhanced training procedures to provide Canadian Forces personnel with the necessary knowledge and tools they will require to combat child soldiers. None of these recommendations are new; they have been drawn primarily from the writings of Singer and reinforced by many other authors and organizations, including the United States Marine Corps' Center for Emerging Threats and Opportunities, the North Atlantic Treaty Organization's Research and Technology Organization and the Child Soldier Initiative. What therefore has the Canadian Government and the Canadian Forces done to date to implement these recommendations?

## **POLICY**

The Government of Canada currently has no published policy on the topic of Child Soldiers. Despite this fact, Canada has ratified the *Optional Protocol to the Convention on the Rights of the Child* as well as virtually all other International Humanitarian Laws and Human Rights Laws that pertain to child soldiers. In order to ensure compliance with the laws, a comprehensive assessment of all Canadian federal, provincial and territorial laws, policies and practices was conducted prior to the ratification of the *Optional Protocol to the Convention on the Rights of the Child* and the National Defence Act was amended to entrench into law that “[a] person who is under the age of eighteen years may not be deployed by the Canadian Forces to a theatre of hostilities.”<sup>121, 122</sup> Nevertheless, the Directorate of Peacekeeping Policy has been tasked

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<sup>121</sup> Kady O'Malley, “Canada’s policy on child soldiers – “Multi-faceted” is apparently another one of those irregular adjectives,” *MACLEANS.CA* (May 16, 2008); <http://www2.macleans.ca/2008/05/16/canadas-policy-on-child-soldiers-multi-faceted-is-apparently-another-one-of-those-irregular-adjectives/>; Internet; accessed 29 October 2009.

<sup>122</sup> Department of National Defence, *National Defence Act*, (Ottawa: Government of Canada, 2000): Art. 34: [http://laws.justice.gc.ca/eng/N-5/page-2.html#anchorbo-ga:l\\_I](http://laws.justice.gc.ca/eng/N-5/page-2.html#anchorbo-ga:l_I); Internet; accessed 08 March 2010.

to develop a policy statement concerning child soldiers, however other priorities have prevented this from occurring thus far.<sup>123</sup>

## DOCTRINE

There are several Canadian Forces doctrine manuals that include references to children and/or child soldiers, they are: *The Law of Armed Conflict at the Operational and Tactical Level*, *The Code of Conduct for CF Personnel*, *Prisoners of War Handling, Detainees, Interrogation and Tactical Questioning in International Operations*, *Land Operations*, and *Counter-Insurgency Operations*. There are also many more doctrine manuals that perhaps should contain references to child soldiers, yet do not, in particular, *The Use of Force Manual*.

*Land Operations* includes a reference to the demobilization of child combatants in an annex on Disarmament, Demobilization and Reintegration Operations.<sup>124</sup> However, despite the mention of child combatants, the document's primary focus is on the planning and the conduct of land operations in a far more general sense and the specifics on child soldiers as threats or as combatants is not discussed whatsoever. Similarly, *Counter-Insurgency Operations* has a single reference to child soldiers and it too relates to Disarmament, Demobilization and Reintegration Operations. Quite simply, the manual states the obvious, that "special programmes may be required to deal with situations involving child soldiers."<sup>125</sup> In reality, despite the cursory mention of child soldiers,

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<sup>123</sup> Lieutenant Colonel Robert Dixon, Directorate of Peacekeeping Policy, telephone conversation with author, 06 October 2009.

<sup>124</sup> Department of National Defence, B-GL-300-001/FP-001 *Land Operations* (Kingston: Army Publishing Office, 2008), 7A-10.

<sup>125</sup> Department of National Defence, B-GL-323-004/FP-003 *Counter-Insurgency Operations* (Kingston: Army Publishing Office, 2008), 6-22.

neither of these manuals discusses the threat that child soldiers pose to operations or how Canadian Forces personnel are to deal with that threat during operations.

The remaining manuals, with the exception of *The Use of Force Manual*, do discuss child soldiers. Unfortunately, for the most part they simply regurgitate and summarize International Humanitarian Laws and Human Rights Laws, without providing any guidance on the application of the laws, in particular with regard to the handling of child soldiers as combatants and potential prisoners/detainees.

*The Law of Armed Conflict at the Operational and Tactical Level* for the most part accurately outlines that children under the age of fifteen must be protected from participating in armed conflicts and must be protected from the effects of the violence of armed conflict as detailed in the *Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949* and the *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977*. Unfortunately, Article 1714, Treatment of Children, makes at least one unintentional error stating that “[c]hildren under fifteen who do take part in hostilities remain protected.”<sup>126</sup> This statement is not entirely true.

What this article needs to explain is that a child, regardless of age, who actively takes part in hostilities, loses his or her special protection so long as he or she continues to participate in the armed conflict. The article must clearly state that child soldiers involved in armed conflicts must always be considered combatants. Furthermore, it must be clear that regardless of the circumstances of the conflict or the classification of the

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<sup>126</sup> Department of National Defence, B-GJ-005-104/FP-021 *Law of Armed Conflict at the Operational and Tactical Level* (Ottawa: DND Canada, 2001), 17-4.



child as a lawful or an unlawful combatant, child soldiers can be deemed legitimate targets and attacked under the Laws of Armed Conflict.<sup>127</sup> Only once the child soldier is captured, shall the special protection afforded to children apply.<sup>128</sup> Article 1714 of *The Law of Armed Conflict at the Operational and Tactical Level* could be falsely interpreted by Canadian Forces personnel and confusion regarding the law could result.

*The Code of Conduct for CF Personnel* does not specifically discuss child soldiers however its guidance with regard to the treatment of civilians and its discussion of opposing forces is worth review when considering how both situations impact Canadian Forces interaction with child soldiers. Not surprisingly, *The Code of Conduct for CF Personnel* reinforces that Canadian Forces personnel shall provide foreign civilian populations a standard of treatment that is humane and respectful.<sup>129</sup> Child soldiers do not fall into the category of civilians despite being children who should never have been recruited into an armed force or armed group. The Canadian Forces soldier, unaccustomed to armed children, may find it difficult to accept that the child soldier is anything but a civilian. Similarly, the Canadian Forces soldier may find it difficult to identify who the opposing force is when child soldiers are involved. *The Code of Conduct for CF Personnel* discusses the difficulties paramilitary organizations and irregular armed groups who may not wear uniforms or operate in standard formed units cause in modern armed conflicts and peace keeping operations. For example, in the case

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<sup>127</sup> Department of National Defence, B-GJ-005-104/FP-021 *Law of Armed Conflict at the Operational and Tactical Level* (Ottawa: DND Canada, 2001), GL-10.

<sup>128</sup> ICRC, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)* (Geneva: ICRC, 8 June 1977): Art. 77; <http://www.icrc.org/ihl.nsf/FULL/470?OpenDocument>; Internet; accessed 28 January 2010.

<sup>129</sup> Department of National Defence, B-GG-005-027/AF-023 *Code of Conduct for CF Personnel* (Ottawa: DND Canada, 2005), 2-6.

of a peace support operation, unless a member of such a group is armed, poses a direct threat and acts in a threatening manner, it may not be permissible to target and engage them. Conversely, in a classic conflict, enemy forces can be targeted at virtually any time, regardless of whether they pose an immediate threat or not.<sup>130</sup> When the irregular armed group includes child soldiers, the unprepared Canadian Forces soldier faces an even increased risk of confusion and danger.

The Canadian Forces doctrinal document, *Prisoners of War Handling, Detainees, Interrogation and Tactical Questioning in International Operations* provides relatively clear guidance regarding the handling of children as prisoners of war. It is the only doctrinal document of those listed that truly acknowledges that other armed forces in the world employ children as combatants. Unfortunately the document introduces the term juvenile and then fails to adequately define its meaning. Juvenile is not used in any of the International Humanitarian Laws or Human Rights Laws, and although it can be inferred from the text that it refers to children below the age of eighteen, the introduction of a new term may cause further confusion. Nevertheless, the document is clear in stating that it may be difficult to determine the age of children or persons detained, and that when uncertainty exists, assume the prisoner of war is a child. Furthermore, when the prisoner is determined to be or assumed to be a child, treatment of the prisoner of war shall be in accordance with the applicable International Humanitarian Laws.<sup>131</sup>

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<sup>130</sup> Department of National Defence, B-GG-005-027/AF-023 *Code of Conduct for CF Personnel* (Ottawa: DND Canada, 2005), 2-1 – 2-2.

<sup>131</sup> Department of National Defence, B-GJ-005-110/FP-020 *Prisoners of War Handling, Detainees, Interrogation and Tactical Questioning in International Operations* (Ottawa: DND Canada, 2004), 3-2, 3B-4, 4-2.

As previously stated, *The Use of Force Manual*, does not make a single reference to children or child soldiers. The manual does however provide good general guidance with regard to the application of the Laws of Armed Conflict and International Human Rights Laws in various situations.<sup>132</sup> Unfortunately, these general guidelines may be insufficient when a Canadian Forces soldier is confronted with armed child soldiers in either an armed conflict situation or a peace support operation. For example, the principle of distinction, as detailed in *The Use of Force Manual*, limiting targets to strictly military objectives may not be easily applied when children no longer fall solely within the civilian category, arm themselves and actively take part in hostilities.<sup>133</sup> Similarly, the principle of minimum force may fail to take into account the ruthlessness of child soldiers, even during peace support operations, and may place Canadian Forces personnel in grave danger if applied without the provision for escalation.<sup>134</sup> The general guidelines provided in *The Use of Force Manual* allows the flexibility commanders require, however given the highly unpredictable circumstances surrounding operations in regions employing child soldiers, Canadian Forces soldiers require more detailed specifics regarding how they should be prepared to deal with child soldiers.

As discussed in *The Use of Force Manual*, Rules of Engagement are developed as the command and control instrument for controlling the use of force for Canadian Forces personnel in operations. Rules of Engagement “define the circumstances, conditions,

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<sup>132</sup> Department of National Defence, B-GJ-005-501/FP-001 *Use of Force in CF Operations* (Ottawa: DND Canada, 2008), 1-4.

<sup>133</sup> Department of National Defence, B-GJ-005-501/FP-001 *Use of Force in CF Operations* (Ottawa: DND Canada, 2008), 1-11.

<sup>134</sup> Department of National Defence, B-GJ-005-501/FP-001 *Use of Force in CF Operations* (Ottawa: DND Canada, 2008), 1-12 – 1-13.

degree, manner, and limitations within which force, or actions...may be applied to achieve military objectives in accordance with national policy and the law.”<sup>135</sup> The specifics details required regarding child soldiers must therefore be provided within Rules of Engagement for the operation. Moreover, it will be the responsibility of the operational commander to ensure the Rules of Engagement sufficiently cover all predicted situations and that all personnel have been trained to interpret and apply the Rules of Engagement correctly.<sup>136</sup>

Although doctrine plays an important role in defining how the Canadian Forces does business, operations will proceed, and can be successful, despite a lack of doctrine. A lack of doctrine can have its greatest impact on the Canadian Forces preparations for operations. In the same way that policy drives doctrine, doctrine will effect how the Canadian Forces educates and trains its forces for operations. Consequently, when Canadian Forces personnel are without adequate education and training, the chance of success in operations is drastically reduced.

While not a Canadian Forces doctrine manual, *The Child Soldier Initiative Field Guide* is worthy of mention in this section as it is intended to provide information and guidance to strengthen the ability of military and police actors to respond to child soldier issues during conflict and its immediate aftermath. The *Field Guide* offers situational awareness, provides planning and training tools, and outlines tactical procedures for

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<sup>135</sup> Department of National Defence, B-GJ-005-501/FP-001 *Use of Force in CF Operations* (Ottawa: DND Canada, 2008), 2-3.

<sup>136</sup> Department of National Defence, B-GJ-005-501/FP-001 *Use of Force in CF Operations* (Ottawa: DND Canada, 2008), 2-10 – 2-11.

implementation on the ground.<sup>137</sup> This *Field Guide* should be used to inform the development of Canadian Forces doctrine.

## **EDUCATION**

The Canadian Forces, as an institution, does not currently provide its personnel with education on the threat child soldiers pose to operations or on how to deal with child soldiers during operations. Nevertheless, certain measures have been put in place in an attempt to fill this education gap for those deploying to regions where child soldiers may pose a threat.

The Canadian Forces Peace Support Training Centre has been mandated to provide specific, individual education packages to selected Canadian Forces personnel in order to prepare them for overseas operations such as peace support operations as military observers.<sup>138</sup> As the organization responsible for the conduct of Individual Pre-deployment Training for non-combatant and static echelon augmentees to expeditionary operations and the Military Observer Course, the Peace Support Training Centre has included lectures covering children and child soldiers in some of its lessons.<sup>139</sup> These lessons however focus on the human rights issues and on Disarmament, Demobilization and Reintegration of child soldiers, as opposed to the threat child soldiers pose to operations and how the Canadian Forces is able defend against or combat the threat.

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<sup>137</sup> Child Soldiers Initiative, "Our Work," [http://childsoldiersinitiative.org/our\\_work.html](http://childsoldiersinitiative.org/our_work.html); Internet; accessed 16 April 2010.

<sup>138</sup> Peace Support Training Centre, "PSTC Mission Statement," [http://armyapp.dnd.ca/pstc-cfsp/mission\\_e.asp](http://armyapp.dnd.ca/pstc-cfsp/mission_e.asp); Internet; accessed 18 Mar 2010.

<sup>139</sup> Lieutenant Colonel Perry Poirier, Commandant Canadian Forces Peace Support Training Centre, email to author, 29 January 2010.

While Canadian Forces soldiers conduct their Road to High Readiness Training in preparation for an operational deployment, they are provided with a lecture entitled “Groups at Risk.” Colonel Makulowich explains that this lecture has been developed as another measure to educate and to expose soldiers to the generic issues effecting populations in regions of conflict. The topic of child soldiers is included in this single period lecture.<sup>140</sup>

Finally, it is the responsibility of the chain of command to develop Theatre Mission Specific Training as the final measure to fill the education and training gap and to provide soldiers with the most up to date knowledge on the theatre of operations. Theatre specific threats and concerns captured during the pre-deployment operational and tactical reconnaissance missions are translated into pertinent education and training events.<sup>141</sup> Obviously, a failure to recognize child soldiers as a threat in the theatre of operations would contribute to significant shortfalls in the Theatre Mission Specific Training and therefore fail to provide Canadian Forces soldiers with the required knowledge to counter the threat in theatre.

Education on the threat posed by child soldiers and methods the Canadian Forces can use to deal with child soldiers is lacking. Fortunately stop gap measures have been implemented to provide soldiers with the necessary knowledge required. Unfortunately, when considering the threat, the education provided to Canadian Forces personnel is neither robust nor adequately standardized to ensure uniformity to all deploying forces.

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<sup>140</sup> Colonel Marv Makulowich, Director Army Training, email to author, 29 January 2010.

<sup>141</sup> Colonel Marv Makulowich, Director Army Training, email to author, 29 January 2010.

## TRAINING

In general, the Canadian Forces trains its soldiers to combat fighting aged males in conventional warfare and counter insurgency warfare scenarios. Training neglects to account for children as potential combatants and therefore fails to provide Canadian Forces soldiers with the experiences necessary to contend with the unique and challenging circumstances child soldiers can pose. Fighting child soldiers in an insurgency conflict such as Afghanistan may not pose too great an issue for the Canadian Forces soldier since the opposing force, regardless of the age of the combatant, constitutes a legal target. However, that same Canadian Forces soldier deployed on a humanitarian mission may not be so well prepared to face an armed child soldier.

Fortunately, the Peace Support Training Centre does provide a practical exercise involving a child soldier at a United Nations checkpoint as part of the Military Observer Course. This training event is in addition to the classroom lessons that include children and child soldiers in the lectures on human rights and Disarmament, Demobilization and Reintegration operations.<sup>142</sup> Nevertheless, this practical exercise appears to be the exception and not the norm in current operational readiness training, unless a Theatre Mission Specific Training event also includes child soldier specific training. When asked if the Canadian Land Forces conducts training events that deal specifically with child soldiers as opposing forces, the Director of Army Training summarized the current training situation as “[a] pertinent subj[ect] that needs exploration.”<sup>143</sup>

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<sup>142</sup> Lieutenant Colonel Perry Poirier, Commandant Canadian Forces Peace Support Training Centre, email to author, 29 January 2010.

<sup>143</sup> Colonel Marv Makulowich, Director of Army Training, email to author, 29 January 2010.

## SUMMARY

Ideally, government policy should be the instrument that drives the development of doctrine. As detailed above, there is currently a lack of policy with regard to child soldiers, and thus limited doctrine dealing with subject. In other words, the Government of Canada has not adequately provided the guidance the Canadian Forces requires. Nevertheless, the Canadian Forces is still expected to be able to operate effectively and successfully wherever and whenever its forces are tasked to deploy. In order to achieve this capability, the chain of command must enable the success of Canadian Forces personnel through education and training. Regardless of whether child soldier policy and doctrine exists, Canadian Forces soldiers require education and training to be adequately equipped with the knowledge and skills required to combat child soldiers.

Fortunately, the Canadian Forces has not waited for the dissemination of child soldier policy from the Government of Canada. As outlined above, some limited child soldier specific issues have already entered into Canadian Forces doctrine, and insofar as education and training, the rudimentary beginnings of child soldier focused teachings have begun. Nevertheless, due to the high probability that Canadian Forces personnel will encounter child soldiers in future operations, institutional level direction is required to provide the necessary guidance and motivation to the Canadian Forces organizations responsible for the development of doctrine, education and training. Doctrine, education and training must be further expanded to include many of the recommendations of Chapter 5, and this should be done before a child soldier related incident jeopardizes the Canadian Forces respect and reputation. Likewise, pressure must be applied to the policy makers in order to influence them to provide the necessary building blocks for the



development of updated child soldier relevant doctrine, if not a child soldier related policy statement itself.

## CHAPTER 7 CONCLUSION

Numerous reports detail the recruitment and use of child soldiers worldwide. A recent United Nations report lists fifty-nine organizations that are known to recruit or use children for situations of armed conflict.<sup>144</sup> Disarmament, Demobilization and Reintegration efforts are underway in many regions, however the recruiting of child soldiers continues to be a global issue. Even the relatively recent updates to International Humanitarian Law making the forced recruitment of children less than fifteen years old a war crime has had little to no impact.<sup>145</sup> The exploitation of children to act as low cost killers is far too appealing to armed groups and armed forces unable to mobilize credible adult fighting forces.

Ruthless killers, fearless in the face of death, child soldiers can have a force multiplying effect on the battlefield. Conversely, for the uninitiated western force confronting child soldiers, the impact can be devastating. Decisions in battle that should come easy, to return fire for example, are conflicted by the notion that children must be protected from the violence of armed conflict. Mental illnesses following such encounters can cripple a professional soldier, temporarily or for a lifetime. National and international support can plummet when the media reports that children are being killed.

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<sup>144</sup> United Nations, Annual report of the Special Representatives of the Secretary-General for Children and Armed Conflicts, Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development ( New York: United Nations, 2009), 17-19; [document on-line]; available from <http://www.un.org/children/conflict/english/reports.html>; Internet; accessed 26 October 2009.

<sup>145</sup> International Criminal Court, *Rome Statute of the International Criminal Court* (Rome: ICC, 17 July 1998): Art. 8; [document on-line]; available from <http://www.icrc.org/ihl.nsf/FULL/585?OpenDocument>; Internet; accessed 30 January 2010.

Military operations in regions where child soldiers are employed can be disastrous for the unprepared.

The exploitation of children to act in the capacity of soldiers is an unfortunate reality that the Canadian Forces cannot afford to ignore. As highlighted by this paper, the prevalence of child soldiers in modern conflicts and the tactics employed by forces employing child soldiers poses a real threat to Canadian Forces operations. Whether employed as shields, cannon fodder or as trained fighters, child soldiers will become increasingly present in Canadian Forces expeditionary operations. Therefore it behoves the Canadian Forces to prepare for this inevitability. As urged by the Child Soldier Initiative, the Canadian Forces must recognise that “preparation for interaction with children in armed conflict is as important as preparation for any other aspect of peace missions if not more so.”<sup>146</sup>

Furthermore, it is incumbent on the Government of Canada to consider the threat of child soldiers when contributing Canadian Forces personnel to international theatres of operations. The government must recognize the threat, articulate policy regarding child soldiers and then educate and sensitize the Canadian public to the reality that Canadian Forces personnel will be put into situations in which they will have to deal with child soldiers as adversaries. It is imperative that this public education takes place if the government hopes to maintain support for both the international missions it chooses to support and the Canadian Forces in general.

Unfortunately, as revealed in this paper, a clear Government of Canada policy on child soldiers does not exist at this time. Moreover, Canadian Forces’ doctrine, education

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<sup>146</sup> Child Soldiers Initiative, “The Child Soldiers Initiative Field Guide” (draft field guide, 21 December 2009), 11.

and training lacks sufficient depth with regard to child soldiers to adequately prepare Canadian Forces personnel for operations in regions where the employment of child soldiers is common. Although government policy and Canadian Forces doctrine should form the foundation upon which education and training programs are built, the Canadian Forces must continue to prepare for the next mission. Canadian Forces pre-deployment education and training programs must therefore be reviewed and adapted as necessary to ensure all Canadian Forces personnel are provided with the knowledge and skills required to deal with the threat of child soldiers.

The road to mission success must begin even before the first pre-deployment training event takes place. Efforts must be made across the Canadian Forces to better prepare for the threat posed by child soldiers. For example, the Canadian Forces Intelligence services should be made responsible to maintain comprehensive child soldier databases to support pre-deployment planning, training and deployed operations. In addition, the Canadian Forces Health Services Group must ensure it can support Canadian Forces personnel experiencing mental health illnesses due to the exposure to child soldiers. As a minimum, updated education and training programs must be developed to prepare Canadian Forces soldiers for missions to conflict regions where child soldiers are employed; this education and training deficit must be addressed on a priority basis. In essence, an evolution in Canadian Forces military education, training and support will be required to prepare for the inevitable, the confrontation of Canadian Forces soldiers and child soldiers. Although the topic of child soldiers and the Canadian Forces is not a simple one from which to design doctrine or policy initiatives, these recommendations are all within the current capacity of the Canadian Forces to adopt.

**ANNEX A**  
**PARTIES THAT RECRUIT OR USE CHILDREN IN SITUATIONS OF ARMED CONFLICT.**

Table 1 - Parties that Recruit or Use Children in Situations of Armed Conflict

<b>State, Country or Region</b>	<b>Name of Armed Force or Armed Group</b>
Afghanistan	Taliban Forces
Burundi	Palipehutu-Forces nationales pour la libération (FNL) - Agathon Rwaswa.
Parties in the Central African Republic	<ol style="list-style-type: none"> <li>1. Armée populaire pour la restauration de la République et de la démocratie (APRD).</li> <li>2. Forces démocratiques pour la rassemblement (UFDR).</li> <li>3. Forces démocratiques populaire de Centrafrique (FDPC).</li> <li>4. Lord's Resistance Army (LRA).</li> <li>5. Mouvement des libérateurs centrafricains pour la justice (MLCJ).</li> <li>6. Self-defence militias supported by the Government of the Central African Republic.</li> </ol>
Parties in Chad	<ol style="list-style-type: none"> <li>1. Chadian National Army.</li> <li>2. Concorde nationale tchadienne (CNT).</li> <li>3. Convention révolutionnaire démocratique du Tchad (CRDT).</li> <li>4. Direction Générale de Sécurisation des Services et Institutions de l'Etat (DGSSIE).</li> <li>5. Front uni pour le changement (FUC).</li> <li>6. Sudanese armed groups backed by the Government of Chad:               <ol style="list-style-type: none"> <li>(a) Justice and Equality Movement;</li> <li>(b) Sudanese Toroboros.</li> </ol> </li> <li>7. Union des forces pour la démocratie et le développement (UFDD).</li> </ol>
Parties in the Democratic Republic of the Congo	<ol style="list-style-type: none"> <li>1. Congrès national pour la defense du peuple (CNDP), formerly led by Laurent Nkunda and currently by Bosco Ntaganda.</li> <li>2. Forces armées de la République démocratique du Congo (FARDC).</li> <li>3. Forces démocratiques de libération du Rwanda (FDLR).</li> <li>4. Front nationaliste et integrationaliste (FNI).</li> <li>5. Lord's Resistance Army (LRA).</li> <li>6. Mai-Mai groups in North and South Kivu, including PARECO.</li> </ol>
Parties in Iraq	Al-Qaida in Iraq.

<b>State, Country or Region</b>	<b>Name of Armed Force or Armed Group</b>
Parties in Myanmar	<ol style="list-style-type: none"> <li>1. Democratic Karen Buddhist Army (DKBA).</li> <li>2. Karen National Union-Karen National Liberation Army Peace Council.</li> <li>3. Kachin Independence Army (KIA).</li> <li>4. Karen National Liberation Army (KNLA).</li> <li>5. Karenni Army (KA).</li> <li>6. Karenni National People's Liberation Front (KNPLF).</li> <li>7. Myanmar National Democratic Alliance Army.</li> <li>8. Shan State Army-South (SSA-S).</li> <li>9. Tatmadaw Kyi.</li> <li>10. United Wa State Army (UWSA).</li> </ol>
Parties in Nepal	Unified Communist Party of Nepal-Maoist (UCPN-M).
Parties in Somalia	<ol style="list-style-type: none"> <li>1. Al-Shabaab.</li> <li>2. Remnants of the former Islamic Courts Union (ICU).</li> <li>3. Transitional Federal Government (TFG).</li> </ol>
Parties in southern Sudan	<ol style="list-style-type: none"> <li>1. Parties under the control of the Government of the Sudan: Sudanese Armed Forces (SAF).</li> <li>2. Parties under the control of the Government of southern Sudan: Sudan People's Liberation Army (SPLA).</li> <li>3. Lord's Resistance Army (LRA).</li> </ol>
Parties in Darfur	<ol style="list-style-type: none"> <li>1. Parties backed by the Government of the Sudan: <ol style="list-style-type: none"> <li>(a) Chadian opposition groups;</li> <li>(b) Government-supported militias;</li> <li>(c) Police forces, including the Central Reserve Police;</li> <li>(d) Sudanese Armed Forces (SAF).</li> </ol> </li> <li>2. Former rebel parties that have accepted the Darfur Peace Agreement: <ol style="list-style-type: none"> <li>(a) Justice and Equality Movement (Peace Wing);</li> <li>(b) Movement of Popular Force for Rights and Democracy;</li> <li>(c) Sudan Liberation Army (SLA)/Abu Gasim/Mother Wing;</li> <li>(d) Sudan Liberation Army (SLA)/Free Will;</li> <li>(e) Sudan Liberation Army (SLA)/Minni Minnawi;</li> <li>(f) Sudan Liberation Army (SLA)/Peace Wing.</li> </ol> </li> <li>3. Rebel parties that have rejected the Darfur Peace Agreement: <ol style="list-style-type: none"> <li>(a) Justice and Equality Movement (JEM);</li> <li>(b) Sudan Liberation Army (SLA)/Abdul Wahid;</li> <li>(c) Sudan Liberation Army (SLA)/Unity.</li> </ol> </li> </ol>

<b>State, Country or Region</b>	<b>Name of Armed Force or Armed Group</b>
Parties in Colombia	1. Ejército de Liberación Nacional (ELN). 2. Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP).
Parties in the Philippines	1. Abu Sayyaf Group (ASG). 2. Moro Islamic Liberation Front (MILF). 3. New People's Army (NPA).
Parties in Sri Lanka	1. Liberation Tigers of Tamil Eelam (LTTE). 2. Tamil Makkal Viduthalai Pulikal (TMVP) (former Karuna faction).
Parties in Uganda	Lord's Resistance Army (LRA).

Source: United Nations, Annual report of the Special Representatives of the Secretary-General for Children and Armed Conflicts, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development* ( New York: United Nations, 2009), 19; [document on-line]; available from <http://www.un.org/children/conflict/english/reports.html>; Internet; accessed 26 October 2009.

## BIBLIOGRAPHY

- Ashby, Phil. "Child Combatants: A Soldier's Perspective." *Lancet* 360, no. 9350 (12/22, 2002): s11;  
<http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=8767203&site=ehost-live>; Internet; accessed 22 January 2010.
- Beah, Ishmael. *A Long Way Gone: Memoirs of a Boy Soldier*. Sarah Crichton Books: New York, 2007.
- Borchini, Charles, Stephanie Lanz and Erin O'Connell. *Child Soldiers: Implications for U.S. Forces*. Cultural Intelligence Seminar Report prepared for the Centre for Emerging Threats and Opportunities, Marine Corps Warfighting Laboratory. Quantico: Centre for Emerging Threats and Opportunities, 2002.
- Breen, Claire. "When is a Child Not a Child? Child Soldiers in International Law." *Human Rights Review* 8, no. 2 (01, 2007): 71-103;  
<http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=24097141&site=ehost-live>; Internet; accessed 26 November 2009.
- Canada. Department of National Defence. B-GG-005-027/AF-023 *Code of Conduct for CF Personnel*. Ottawa: DND Canada, 2005.
- Canada. Department of National Defence. B-GJ-005-110/FP-020 *Prisoners of War Handling, Detainees, Interrogation and Tactical Questioning in International Operations*. Ottawa: DND Canada, 2004.
- Canada. Department of National Defence. B-GJ-005-104/FP-021 *Law of Armed Conflict at the Operational and Tactical Level*. Ottawa: DND Canada, 2001.
- Canada. Department of National Defence. B-GJ-005-501/FP-001 *Use of Force in CF Operations*. Ottawa: DND Canada, 2008.
- Canada. Department of National Defence. B-GL-300-001/FP-001 *Land Operations*. Kingston: Army Publishing Office, 2008.
- Canada. Department of National Defence. B-GL-323-004/FP-003 *Counter-Insurgency Operations*. Kingston: Army Publishing Office, 2008.
- Canada. Department of National Defence. *Canada First Defence Strategy*. Ottawa: Government of Canada, 2008.
- Canada. Department of National Defence. *National Defence Act*. Ottawa: Government of Canada, 2000; [http://laws.justice.gc.ca/eng/N-5/page-2.html#anchorbo-ga:l\\_I](http://laws.justice.gc.ca/eng/N-5/page-2.html#anchorbo-ga:l_I); Internet; accessed 08 March 2010.
- Child Soldiers Initiative. "Our Work." [http://childsoldiersinitiative.org/our\\_work.html](http://childsoldiersinitiative.org/our_work.html); Internet; accessed 16 April 2010.



- Child Soldiers Initiative. "The Child Soldiers Initiative Field Guide," Draft field guide, 21 December 2009.
- Coalition to Stop the Use of Child Soldiers. *Child Soldiers: Global Report 2008*. London: Bell and Bain, 2008. Document on-line; available from <http://www.childsoldiersglobalreport.org>; Internet; accessed 22 January 2010.
- Cohn, Ilene and Guy S. Goodwin-Gill. *Child Soldiers: The Role of Children in Armed Conflicts*. Oxford: Oxford University Press, 2003.
- Druba, Volker. "The Problem of Child Soldiers." *International Review of Education* 48, no. 3 (07, 2002): 271-278; <http://web.ebscohost.com/ehost/pdf?vid=2&hid=5&sid=e3f45aa5-0e6a-4f02-9b52-17a965109df1%40sessionmgr11>; Internet; accessed 29 November 2010.
- Green Leslie C. *The Contemporary Law of Armed Conflict*. Manchester: Manchester University Press, 1993.
- Hart, Jason. "The Politics of "Child Soldiers."." *Brown Journal of World Affairs* 13, no. 1 (Fall, 2006): 217-226; <http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=24443157&site=ehost-live>; Internet; accessed 29 November 2009.
- Hughes, Judith. "Child Soldiers: Are U.S. Military Members Prepared to Deal with the Threat?" Master's thesis, Air War College, Air University, 2006.
- International Criminal Court. *Rome Statute of the International Criminal Court*. Rome: ICC, 17 July 1998; Document on-line; available from <http://www.icrc.org/ihl.nsf/FULL/585?OpenDocument>; Internet; accessed 30 January 2010.
- ICRC. *Convention (IV) Relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949*. Geneva: ICRC, 12 August 1949; Document on-line; available from <http://www.icrc.org/ihl.nsf/FULL/380?OpenDocument>; Internet; accessed 28 January 2010.
- ICRC. *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*. Geneva: ICRC, 8 June 1977; Document on-line; available from <http://www.icrc.org/ihl.nsf/FULL/470?OpenDocument>; Internet; accessed 28 January 2010.
- ICRC. *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Civilians of Non-International Armed Conflicts (Protocol II)*. Geneva: ICRC, 18 June 1977; Document on-line; available from <http://www.icrc.org/ihl.nsf/FULL/475?OpenDocument>; Internet; accessed 28 January 2010.

- International Labour Organization. *Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182)*. Geneva: International Labour Organization, Nov 1999; Document on-line; available from <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>; Internet; accessed 31 January 2010.
- Kuper, Jenny. *Military Training and Children in Armed Conflict: Law, Policy and Practice*. Leiden: Martinus Nijhoff Publishers, 2005.
- Mann, Howard. "International Law and the Child Soldier." *The International and Comparative Law Quarterly* 36, no. 1 (January 1987): 32–57; <http://www.jstor.org/stable/760458>; Internet; accessed 25 January 2010.
- Muhammad, Shah. *Riyazi Barayi inf-I chaharum*, Peshwar, Pakistan: Taj Mahal Company, 1987: 50. Quoted in P.W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 67.
- North Atlantic Treaty Organization. Research and Technology Organization. *Child Soldiers as the Opposing Force*. Pre-Released RTO Technical Report, NATO Research and Technology Agency, Paris, FRA, November 26, 2007, with the kind permission of the NATO/RTO.
- Office of the High Commissioner for Human Rights. United Nations Human Rights. "Universal Declaration of Human Rights." <http://www.ohchr.org/EN/UDHR/Pages/Introduction.aspx>; Internet; accessed 31 January 2010.
- Office of the High Commissioner for Human Rights. "International Bill of Human Rights: A Universal Declaration of Human Rights." <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/043/88/IMG/NR004388.pdf?OpenElement>; Internet; accessed 31 January 2010.
- Office of the High Commissioner for Human Rights. *International Covenant on Economic, Social and Cultural Rights*. Geneva: UN, 1976; Document on-line; available from <http://www2.ohchr.org/english/law/cescr.htm>; Internet; accessed 31 January 2010.
- O'Malley, Kady. "Canada's policy on child soldiers – "Multi-faceted" is apparently another one of those irregular adjectives." *MACLEANS.CA* (May 16, 2008); <http://www2.macleans.ca/2008/05/16/canadas-policy-on-child-soldiers-multi-faceted-is-apparently-another-one-of-those-irregular-adjectives/>; Internet; accessed 29 October 2009.
- Peace Support Training Centre. "PSTC Mission Statement." [http://armyapp.dnd.ca/pstc-cfsp/mission\\_e.asp](http://armyapp.dnd.ca/pstc-cfsp/mission_e.asp); Internet; accessed 18 Mar 2010.
- Pictet, Jean. *Commentary, IV Geneva Convention Relative the Protection of Civilians in Time or War*, Geneva: ICRC, 1958: 126. Quoted in Howard Mann, "International

Law and the Child Soldier,” *The International and Comparative Law Quarterly* 36, no. 1 (January 1987): 35; <http://www.jstor.org/stable/760458>; Internet; accessed 25 January 2010.

Pictet, Jean. *Commentary, IV Geneva Convention Relative the Protection of Civilians in Time or War*. Geneva: ICRC, 1958; Document on-line; available from [http://www.loc.gov/rr/frd/Military\\_Law/pdf/GC\\_1949-IV.pdf](http://www.loc.gov/rr/frd/Military_Law/pdf/GC_1949-IV.pdf); Internet; accessed 30 January 2010.

Singer, P.W. *Air and Space Power Journal*. “The New Children of War.” <http://www.airpower.maxwell.af.mil/apjinternational/apjs/2008/1tri08/singereng.htm>; Internet; accessed 25 January 2010.

Singer, P. W. "Caution: Children at War." *Parameters* 31, no. 4 (Winter, 2001): 40-56; <http://proquest.umi.com/pqdweb?did=96276112&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 10 October 2009.

Singer, P.W. *Children at War*. Berkeley: University of California Press, 2006.

Singer, P.W. “Facing Saddam’s Child Soldiers.” [http://www.brookings.edu/papers/2003/0114iraq\\_singer.aspx?p=1](http://www.brookings.edu/papers/2003/0114iraq_singer.aspx?p=1); Internet, accessed 26 January 2010.

Singer, P.W. "Fighting Child Soldiers." *Military Review* 83, no. 3 (May/Jun, 2003): 26; <http://proquest.umi.com/pqdweb?index=2&did=411111941&SrchMode=2&sid=3&Fmt=6&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1266770755&clientId=1711>; Internet; accessed 29 November 2009.

UNICEF. *Cape Town Principles and Best Practices*. Cape Town: UNICEF, 1997. Document on-line; available from [http://www.unicef.org/emerg/files/Cape\\_Town\\_Principles\(1\).pdf](http://www.unicef.org/emerg/files/Cape_Town_Principles(1).pdf); Internet; accessed 30 November 2009.

UNICEF. “Children in Conflict and Emergencies,” [http://www.unicef.org/protection/index\\_armedconflict.html](http://www.unicef.org/protection/index_armedconflict.html); Internet; accessed 22 January 2010.

United Nations. Annual report of the Special Representatives of the Secretary-General for Children and Armed Conflicts. *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development*. New York: United Nations, 2009. Document on-line; available from <http://www.un.org/children/conflict/english/reports.html>; Internet; accessed 26 October 2009.

United Nations. *Convention on the Rights of the Child*. New York: UN, 1989; Document on-line; available from <http://treaties.un.org/Pages/CTCTreaties.aspx?id=4&subid=A&lang=en>; Internet; accessed 06 December 2009.

United Nations. *Optional Protocol to the Convention on the Rights of the Child*. New York: UN, 2000; Document on-line; available from <http://www.icrc.org/IHL.NSF/FULL/595?OpenDocument>; Internet; accessed 26 October 2009.

United Nations Treaty Collection. "Status of Treaties."  
[http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en); Internet; last accessed on 18 March 2010.

Vautravers, Alexandre J. "Why Child Soldiers are such a Complex Issue." *Refugee Survey Quarterly* 27, no. 4 (2008): 97;  
<http://proquest.umi.com/pqdweb?did=1728809371&Fmt=7&clientId=1711&RQT=309&VName=PQD>; Internet; accessed 15 December 2009.