

PROHIBITION ON THE USE OF CHILD SOLDIERS

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Children, armed conflict, international, war, child soldiers

AÇAR SÖZLƏR:

Uşaqlar, silahlı münaqişə, beynəlxalq, müharibə, uşaq əsgərlər

XÜLASƏ:

“Silahlı münaqişə” uşaqlara birbaşa və ya dolayısı ilə zərər verə biləcək müxtəlif ssenarilər üçün çətin terminidir. Uşaqlar tarix boyunca döyüş ilə əlaqədar müxtəlif rol oyanmışlar. Münaqişə bölgələrindəki uşaqlara humanitar çıxışın danılması tez-tez böyük narahatlığa səbəb olur. Uşaqlar, hətta 15 yaşınadək olsa belə, qızlar və oğlanlar ucuz və sərfəli müharibə vasitəsi kimi müharibəyə daxil edilir və istifadə olunur və çoxları da silahlı qruplar kontekstində cinsi istismara məruz qalırlar.

КЛЮЧЕВЫЕ СЛОВА:

Дети, вооруженный конфликт, международный, война, дети-солдаты

АННОТАЦИЯ:

«Вооруженный конфликт» - это общий термин для различных сценариев, в которых детям может быть причинен прямой или косвенный вред. На протяжении всей истории дети играли разные боевые роли. Отказ в гуманитарном доступе к детям в конфликтных зонах часто вызывает серьезную обеспокоенность. Девочки и мальчики, даже дети в возрасте до 15 лет, цинично используются в качестве дешевых и удобных инструментов войны, и слишком многие из них также подвергаются

сексуальному насилию и эксплуатации в контексте вооруженных групп.

‘Armed conflict’ is an umbrella term for a variety of scenarios in which children can be directly or indirectly harmed. Children have played a variety of combat-related roles throughout history. The denial of humanitarian access to children in conflict areas is often a great concern. Children, both girls and boys, even under the age of 15 are cynically included and used as cheap and expendable tools of war, and too many are also exposed to sexual abuse and exploitation in the context of armed groups.

Children are a precious part of the fabric of any society. They are the building blocks of future generations. Children are a treasure. They are energetic and inquisitive, and should be learning and experiencing the joys of childhood. Yet, they are used and abused in the most atrocious of manner. They should not be experiencing war in any manner, much less be active participants!

The world is facing the “People’s War”. The political chaos in every country during the past few years has affected almost every sector of society. The present situation is that in every country it has had an adverse impact on the lives of children. In 1990 James P. Grant Declared “the leaders of the world have agreed to be guided by the principles of a ‘first call for children’ - a principle that the essential needs of children should be given high priority in the allocation of resources, in bad times as well as in good times, at national and international as well as at family levels.” Today in times of armed conflict when children are used as tools of war this principle is long forgotten. [6]

In the late 20th and the early 21st centuries, the term ‘armed conflict’ replaced that of ‘war’. While there is no universally accepted definition of the term, the Office for the Coordination of Humanitarian Affairs (OCHA) defines it as: “A dispute involving the use of armed force between two or more parties. International humanitarian law distinguishes between international

and non-international armed conflicts. [4] “The International Committee of the Red Cross (ICRC) further differentiates between the two forms of conflict: “International armed conflicts exist whenever there is resort to armed force between two or more States. Non-international armed conflicts are protracted armed confrontations occurring between governmental armed forces and the forces of one or more armed groups, or between such groups arising on the territory of a State. [5] The armed confrontation must reach a minimum level of intensity and the parties involved in the conflict must show a minimum organisation. [3] “The term ‘armed conflict’ covers a much broader spectrum of violence than does ‘war’ and is marked by a high level of fluidity and fragmentation.

Changing trends in armed conflict in the past years include the deliberate targeting of civilians, the multiplication of armed actors not limited to States, increased and easier access to small arms and light weapons, the prolonged duration of conflicts, especially where natural resources are concerned, the inability of external actors to force a termination of hostilities and the linking of armed groups to illegal trafficking and criminal networks. Examples of this contemporary form of conflict can be seen in the current hostilities in Afghanistan, the complexity of armed actors in Colombia, the prolonged fighting in Sri Lanka, the armed violence in Haiti and the insurgency in the Philippines. In addition, terrorism can be viewed as the biggest challenge.

Today, fighting is rarely carried out between uniformed soldiers from two national armies. With the decrease in international warfare and the growth of internal conflicts and urban violence, conflict has moved into the informal sector. Combatants rarely have uniforms, rations and a standard kit. Frequently, it is extremely difficult to identify who is fighting for whom. This confusion is strategic, as it allows individuals and combat units to operate more freely and with less risk.

The use of children and youth by terrorist organizations to carry out attacks, including suicide bombings, is well known. As part of the practice of including them in violent activities and in terror-supporting operations, children and youth are sent to participate in demonstrations and in confrontations with the army (at times they are taken out of school for this purpose). Terrorist groups also use them for smuggling, digging tunnels, spying and intelligence-gathering. The common picture in the world today is child soldiers and

child terrorists.

Child terrorists introduce a new threat to the War on Terrorism and are helping undermine the success of many governments attempting to thwart terrorism and rid it from their borders. The world is brought together by improved and interconnected technology we are able to witness, usually within seconds, the atrocities that can take place when child soldiers and terrorists who are recruited, conscripted and kidnapped into rebel armies and terrorist groups. Areas such as Africa, the Middle East and South East Asia have witnessed a steady increase of young children joining the ranks of terror and executing horrendous acts of violence.

Who are child soldiers? Additional Protocol to the Geneva Convention 1977 Protocol I set the minimum age for recruitment by armed forces and for the direct participation of children in armed conflict. This was the first time that the issue of children associated with armed groups and armed forces was addressed in a binding international document. The Protocol set 15, not 18, years as the minimum age for participation and recruitment. [1]

The definition of child soldiers as established 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 those accompanying such groups, other than purely as family members. It includes girls recruited for sexual purposes and forced marriage. It does not, therefore, only refer to a child who is carrying or has carried arms.”

The International Coalition to Stop the Use of Children as Soldiers (CSC) “Any person under 18 years of age who is a member of, or attached to, government armed forces or any other regular or irregular armed force or group, whether or not an armed conflict exists. They may perform a range of tasks, including participation in combat, logistical and support functions, and domestic and sexual services”. [2] Unfortunately, the use of children as soldiers and terrorists is a commonly used practice International Labour Organization (ILO) Convention it defines the forced or compulsory recruitment of children under 18 for use in armed

conflict as one of the worst forms of child labour.

The Rome Statute of the International Criminal Court (ICC) defines all recruitment of children under 15, by governments and armed groups, and their active participation in hostilities, as a war crime in both international and non-international armed conflict. The ICC provides for the possibility of identification, prosecution and punishment of recruiters.

Additional Protocols to the Geneva Conventions (1977) had set the age as 15 for conflict. In 2000, the UN adopted a new protocol to the Convention on the Rights of the Child that raises the international legal age of recruitment to eighteen.

On the battlefield, children armed with light weapons can be as deadly as their adult counterparts. They are often sent on the most dangerous missions, such as checking for mines, spying, and leading attacks. Thus, it is not surprising that child soldiers typically have higher casualty rates than adults. They are more likely to take ill-judged risks, and their bodies are more susceptible to complications if injured. In addition to injuries, child soldiers may face a variety of other health problems, including malnutrition, poor hygiene and health care, respiratory and skin infections, and punishment by physical abuse or deprivation. Some armed groups force children to use drugs to desensitize them to violence and enhance their performance. Use of cocaine, amphetamines, and other stimulants is especially common. These drugs can cause lasting harm to the bodies and minds of child soldiers. All child soldiers are vulnerable to sexual abuse and exploitation by others in the armed group. The risks are usually much higher for girls. Sexually abused children are at high risk of contracting sexually transmitted infections, including HIV. Girls are at risk of unwanted pregnancies. These pregnancies can be very dangerous for the girls, who are often malnourished, physically immature, and living in unsanitary conditions.

In addition to the physical vulnerabilities they face, child soldiers' social and psychological development is often damaged by their experience in the armed group. Children are routinely exposed to terrible acts of violence and brutality. They often brutalized themselves as part of an indoctrination process. They may also be encouraged or forced to brutalize others by beating or killing, those seen as 'traitors,' and sometimes even members of their own family or community. This is intended to erode children's desire to escape and return

home, as well as to form a bond with other members of the armed group. Many children lose their sense of identity outside the armed group. In addition, child soldiers are deprived of many of the opportunities that their non-soldier peers may have.

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