

# 5.30 Children and DDR

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#### NOTE

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# 5.30 Children and DDR

## Summary

This module on children and disarmament, demobilization and reintegration (DDR) is based on relevant provisions of international law, field experience and lessons learned by the United Nations Children’s Fund and its partners over the past 15 years in its programmes for the prevention of recruitment and the demobilization and reintegration of children associated with armed forces and groups.

There is a growing international consensus that the forced or compulsory recruitment of children — girls and boys under the age of 18 — and their use in hostilities by both armed forces and armed groups is illegal and one of the worst forms of child labour. The recruitment and use of children under 15 is a war crime. This consensus is expressed in a comprehensive set of international legal instruments, such as the Optional Protocol to the Convention on the Rights of the Child (CRC) and the Rome Statute establishing the International Criminal Court, and is reinforced by a series of United Nations (UN) Security Council resolutions (for a detailed normative and legal framework, see Annex B).

Unlike adults, children cannot legally be recruited; therefore, measures that aim to prevent their recruitment, or that attempt to reintegrate them into their communities, should not be viewed as a routine component of peacemaking, but as an attempt to prevent or redress a violation of children’s human rights. This means that child DDR is not the same as that for adults. Rather, it is a specific process with its own requirements, several of which are fundamentally different from adult demobilization programmes.

Child DDR requires that the demobilization (or ‘release’) and reintegration of children, especially girls, be actively carried out at all times, even during a conflict, and that actions to prevent child recruitment should be continuous. When DDR exercises have made the presentation of a weapon for disarmament as a criterion for eligibility for DDR, children, especially girls, have been excluded — whether intentionally or not. Because children are associated with armed forces and groups in a variety of ways, not only as combatants, some may not have access to weapons. These children must still be considered child soldiers, released by the groups that recruited them, and receive reintegration support.

Child DDR has a different scope and time-frame from that for peacekeeping operations and national reconstruction efforts. It must not wait until a mechanism for adult DDR is established. Efforts should be made to ensure that child DDR is not contingent on adult DDR or the conclusion of broader security sector reform (SSR) and power-sharing negotiations, because interdependency between child and adult DDR programmes has negative consequences for children associated with armed forces and groups. Children should not be exploited by being recruited in order to swell the ranks of armed groups who have over-reported their numbers, as a way of influencing power-sharing agreements. It is also essential to protect child DDR structures and mechanisms from setbacks in SSR reform, including a lack of funding, so that child DDR continues to take place even if progress on adult DDR is slow. Equally, because children can be associated with armed forces and groups in a variety of ways, child-specific DDR mechanisms should remain in place after national reintegration

of adult soldiers is complete. This will ensure that all children associated with armed forces and groups — not just those who fought as combatants — can benefit from the process.

Peace processes offer an opportunity to highlight the needs of children affected by armed conflict, and their rights should be identified as an explicit priority in peacemaking, peace-building and conflict resolution processes, both in the peace agreement and in DDR plans. The commitment to stop the recruitment of children and to release children from armed forces and groups, with specific attention to girls, should be stated within peace agreements.

Child-specific reintegration shall allow a child to access education, a livelihood, life skills and a meaningful role in society. The socio-economic and psychosocial aspects of reintegration for children are central to global DDR programming and budgeting. Successful reintegration requires long-term funding of child protection agencies and programmes to ensure continuous support for education and training for children, and essential follow-up/monitoring once they return to civilian life. For sustainability, and to ensure that the whole community can benefit from a child's return and reintegration, while avoiding tension, stigmatization or envy when a child is returned to a village with a reintegration package containing material goods that are unavailable to others, reintegration must be based on broader community development processes. There is no simple formula for the DDR of children that can be routinely applied in all circumstances, so each programme needs to be context-specific and developed and managed in order to be sustainable.

## 1. Module scope and objectives

This module provides policy makers, senior management, operational staff and DDR officers with guidance on the planning and implementation of a child-specific demobilization and reintegration programmes for children associated with armed forces and groups in a peacekeeping environment. It covers guiding principles, definitions, the role of child protection agencies and key issues to be covered when designing and implementing programmes for the release and reintegration of children in times of continuing conflict and the prevention of (re-)recruitment, with specific attention to girls.

The module is intended to be applied specifically in a peacekeeping environment, i.e., with a peace accord providing the overall framework for DDR operations. It can also be used more generally, as a response to the specific needs of children in post-conflict environments.

## 2. Terms, definitions and abbreviations

Annex A contains a list of terms, definitions and abbreviations used in this standard. A complete glossary of all the terms, definitions and abbreviations used in the series of integrated DDR standards (IDDRS) is given in IDDRS 1.20.

In the IDDRS series, the words 'shall', 'should' and 'may' are used to indicate the intended degree of compliance with the standards laid down. This use is consistent with the language used in the International Organization for Standardization standards and guidelines:

- a) 'shall' is used to indicated requirements, methods or specifications that are to be applied in order to conform to the standard.
- b) 'should' is used to indicate the preferred requirements, methods or specifications.
- c) 'may' is used to indicate a possible method or course of action."

### 3. Introduction

Girls and boys under the age of 18 are involved in most major conflicts in the world today, associated with both government armed forces and non-State armed groups. Children typically represent 10 to 50 percent of the armed forces' or groups' strength.

Child recruitment into armed forces and groups is illegal in international law. Therefore, child demobilization (or 'release') and reintegration is a human rights issue and is not contingent on any other political negotiation. The mechanisms and structures for the release and reintegration of children should be set up before a formal peace agreement is signed, a peacekeeping mission deployed and an adult DDR structure established. Progress should be made by armed forces and groups on child release before more complex and national processes begin, such as SSR.

Children should not be included in the count of members of any armed force or group at the time of SSR or power-sharing negotiations, and apparent legitimacy should not be given to child recruitment through the integration of children into adult DDR processes, even though, for the purposes of planning the budget and the DDR programme itself, children should be included in the count of persons qualifying for demobilization/release and reintegration assistance.

Sufficient funding for child DDR should be made available to child protection agencies through a funding mechanism that is independent of, and managed separately from, adult demobilization, and specialized child protection agencies should be called upon for the necessary political, technical and operational leadership within the framework of the UN mission or the UN country team.

While DDR programmes in general must include the community to which former combatants return, child-specific programmes must in particular be community-based so that adequate services are provided to communities to enable them to care better for children. Because conflicts affect all children in the countries where they occur, communities may resent any special attention given to children associated with armed forces and groups, especially when cash allowances are given to such children at the time of demobilization. To avoid problems, it is important to ensure that the work of child protection agencies and programmes in communities includes all children, is independent and flexible, does not stigmatize children formally associated with armed forces and groups, and builds and reinforces community-based solutions and capacities.

### 4. Background

Armed forces and groups recruit children for many reasons. When conflicts last a long time, fewer adults may volunteer to fight. Children may be unprotected because there may be no national legislation dealing with the use of children as soldiers, or it may not be enforced or understood. Children may be easy to hide in armed groups or forces, because the birth registration system may be inefficient or identity documents may not be available. Both girls and boys can be associated with armed forces and groups in various ways: they can be present in command posts; as part-time informers, cooks and porters; or as combatants. Girls, who can make up a large proportion of recruits, are vulnerable to recruitment because of gender expectations that they can do any kind of useful work. They perform a variety of functions, including forced sex work, although they are rarely acknowledged and even less often taken into consideration in demobilization and reintegration processes. Small arms and light weapons can be easily handled by children, and children can be easily manipulated

to use weapons, so armed groups usually carry out a systematic strategy of recruitment and training to ensure that children become completely dependent on them.

Recruitment — whether into governmental forces or armed groups — can take various forms: the abduction of children from schools, public markets and streets; parental or community pressure; media manipulation; recruitment by force; recruitment to escape from poverty; and lack of alternative opportunities. Very often, a child's need for security leads him/her to join an armed force or group to find protection. Children might also wish to be associated with armed forces or groups because of political or ideological motivations; cultural, social and economic exclusion; family, community or peer pressure; idleness; lack of educational opportunities; a lack of peaceful and safe ways to participate in civic life; the attraction of powerful arms; the need for protection, care and belonging; the wish to escape a difficult environment; or a desire for justice or revenge.

Regardless of the kind and level of involvement of children in armed forces and groups, their recruitment has many consequences, both in the short and long term, for them, their families and their communities. Children in armed forces and groups are exposed to extreme physical and emotional risks, are often neglected, can be abused and mistreated, and can witness or become involved in killings, rapes, etc. The environment in which they operate, their often-bad living conditions, and the training they receive all seriously hinder their development.

Prevention of recruitment, and the demobilization and reintegration (PDR) of children is a continuous, ongoing process, and reintegration programmes should offer viable alternatives to military life for all war-affected children. The aim of PDR programmes for children associated with armed forces and groups is to ensure their effective and sustainable reintegration. The elements of the process work together and support each other: prevention is an ongoing activity supported by reintegration; demobilization is a tool to achieve reintegration; and reintegration aims to prevent re-recruitment.

## 5. Guiding principles

### 5.1. Guiding principles from the Convention on the Rights of the Child

The following guiding principles should be applied at all stages, from situation analysis through to the design, implementation, monitoring and evaluation of the programme:

- *The child's right to life, survival and development:* The right to life, survival and development is not limited to ensuring a child's physical well-being, but includes the need to ensure full and harmonious development, including at the spiritual, moral and social levels, where education plays a key role;
- *Non-discrimination:* States shall ensure respect for the rights of all children within their jurisdiction — including non-national children — regardless of race, sex, age, religion, ethnicity, opinions, disability or any other status of the child, the child's parents or legal guardians;
- *Child participation:* Children should be allowed to express their opinions freely, and those opinions should be "given due weight in accordance with the age and maturity of the child". Children should be consulted at all stages of the demobilization and reintegration process, and actions that affect them should be in their best interests and take into account their needs and concerns. In particular, children should participate in making decisions concerning family reunification, and career and educational opportunities;

- *The child's best interests:* Actions that affect the child should be based on an assessment of whether those actions are in the child's best interests. A child should participate in determining what is in his/her best interests.
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## 5.2. Programming

When programmes are developed, the following issues should be considered.

- *Technical and operational leadership by specialized child protection agencies:* Prevention, demobilization and reintegration programmes for children — girls and boys — require a specialized approach, and child protection agencies shall provide the required technical and operational leadership in decision-making and programme implementation;
- *Ensuring inclusive programming for all war-affected children:* Conflicts harm all children, whether they have been recruited or not. An inclusive approach that provides support to all war-affected children shall be adopted to encourage reintegration, avoid stigmatization or a sense that children formerly associated with armed forces and groups are privileged, and prevent further recruitment;
- *Ensuring age-appropriate interventions for each age group:* Wherever possible, children should be provided with an opportunity to access formal education. Where this is not possible, appropriate income-generating opportunities will have to be developed, while non-formal and informal learning opportunities may also be offered to children;
- *Strengthening existing local capacities:* Programmes aimed at children associated with armed forces or groups require a longer implementation period than others during a peace-keeping operation. Their long-term success depends on the capacities of local actors and communities, which can be strengthened by, for instance, involving them in the prevention of child recruitment. Training and monitoring should be offered by field agencies, along with advocacy at various levels of national structures;
- *Participatory and decentralized consultation* should be encouraged so that common strategies can be designed and programmes can be more responsive to local realities. National frameworks, including guiding principles, norms and procedures specific to the local and regional contexts, should be established. Clear roles and responsibilities of each stakeholder, including engagement and exit strategies, should be agreed upon by all actors;
- *Government should be a key partner/owner* in the official overall DDR process, in order to ensure long-term sustainability. The level of responsibility and national ownership will depend on the context and the terms of the peace accord. PDR requires that basic social services be efficient, sustainable, and designed and implemented so that they achieve what they are meant to achieve. Appropriate ministries, such as ministries of education, social affairs, families, women, labour, etc., as well as any national DDR commission that is set up, need to be involved in the planning and design of PDR programmes;
- *Systems of coordination and information-sharing systems* must be established and continuously implemented, so that all concerned parties can work together and support each other, particularly in the case of contingency and security planning;
- *Training in all matters relating to children* should be provided for all personnel (civilian and military) involved in the operational aspects of DDR programmes. Training should increase awareness of children's rights and protection, and it should empower people

to monitor violations and uphold the principles laid out in the Secretary-General's bulletin on *Special Measures for Protection from Sexual Exploitation and Sexual Abuse*. Given the high turnover of peacekeeping staff, training should be ongoing, and should be provided automatically to newly arrived personnel. Child protection advisers play a key role in ensuring that this training is carried out effectively within a peacekeeping mission;

- *Staff should gather and process information on children* when creating databases, while obeying ethical rules and maintaining strict confidentiality to protect the security of the children and their relatives. Government armies often try to obtain military information on armed opposition groups from demobilized children. This is illegal, places children in danger and undermines the demobilization process. A clear commitment shall be obtained from governments that military information will not be sought from children under any circumstances;
- *Protective rules have to be established* when collecting testimonies from children through post-conflict justice mechanisms, a truth and reconciliation commission, or the International Criminal Court. It is essential to protect the identity of child witnesses, not to require children to re-live traumatic experiences as they testify, and to make it clear in criminal cases that their testimony may or may not succeed in convicting the accused, so that they do not have unrealistic expectations;
- *The media should respect rules governing reporting on and interviewing children*. Particular attention should be paid to making the media aware of the consequences of discussing sensitive issues that could have implications for the reintegration of children, e.g., HIV prevalence rates (real or perceived) among demobilized children;
- *The reintegration of children is a long-term process*: Demobilization and reintegration programmes for children should be expected to extend over a period of five years or more, and require sufficient funding early on in the process in order to build capacity, especially in the community to which a child returns. Immediate start-up financial support should be made available to child protection agencies, and independent and flexible mechanisms are required to allow separate child demobilization and reintegration activities where needed.

### 5.3. Situation analysis

A detailed situation analysis of the country should examine:

- the root causes of the conflict;
- the ideology, command structure/management/hierarchy of the armed group or force;
- the circumstances, patterns, causes, conditions and extent of child recruitment;
- the emotional and behavioural consequences of children's living conditions and experiences;
- the attitudes of families and communities regarding the conflict, and the extent of their resilience and capacities;
- the extent of children's participation in armed forces and groups;
- children's expectations (see Annex C).

Emphasis is often placed on the need to estimate the numbers of children in armed forces and groups in order to plan actions. While this is important, policy makers and planners should also recognize that it is always difficult to obtain accurate figures. Inaccurate estimates during planning should not prevent programmes from being implemented,

however. DDR personnel should also be aware that the act of recording children's and communities' wishes can in itself raise expectations, which can only be managed by being honest about what services or assistance may or may not ultimately be provided.

#### 5.4. Planning

Planning includes — but is not limited to — carrying out the situation analysis; developing ways to implement the programme, and to monitor and evaluate it; specifying the roles and responsibilities of stakeholders; making sure that funding is sustainable; and developing strategies of engagement and exit. The best interests of the child should guide all assumptions and decisions made during planning.

Outside of an official national DDR operation, unplanned, spontaneous self-demobilization may take place as a result of opportunities arising from the geographical, political, security or even health conditions of armed forces and groups, and this should be taken into account in the planning process. Contingency plans should be established and sites and equipment for the reception of released children pre-located, if this is feasible. Agencies should ensure that community reconstruction, rehabilitation and reintegration programmes are in place throughout the conflict area, and should encourage the population to identify and deal with the needs of displaced children and those who leave an armed force or group on their own initiative in order to return directly to their communities or find refuge elsewhere. Flexible planning is needed to allow children to receive reintegration support in any places where they look for help, such as churches, health centres and so on. If a child has successfully found help by him-/herself, it may be in the best interests of the child to remain outside a formal DDR programme rather than be uprooted when formal reintegration takes place. In such cases, community-based approaches to reintegration should help ensure that the child continues to receive proper care and assistance.

#### 5.5. Communication and awareness-raising

Awareness-raising and communication are essential at all stages and levels to manage expectations and create clear lines of communication among all actors involved in DDR. This involves exchanging and listening to opinions, and not misleading or manipulating people's opinions for political advantage. Be wary of members of armed forces and groups and DDR actors making promises to children that cannot be kept. Communication programmes must be active and constantly ready to respond to changing events, perceptions or declarations, so that the DDR process can continue in the best possible conditions. Strategies should include providing opportunities for people to ask questions about the DDR process, and involve credible and legitimate local actors (community leaders, etc.).

Awareness-raising should target the following groups with specific information:

- *Children* should receive information about their rights and the DDR process that they can understand, so that they can become positively engaged in the process;
- *Members of armed forces and groups and actors in the demobilization exercise* must not make promises to children about DDR that cannot be kept;
- *Armed forces and groups* should receive information on the rule of law and child protection, including the prohibition of child recruitment and its harmful consequences, so that they release all boys and girls without threatening them or making unrealistic promises, and do not try to re-recruit them;

- *Families, communities and civil society in general* should receive information about children's rights and protection, the demobilization process, the living conditions of children associated with armed forces and groups, and the difficulties they face, so that they can play a protective and supportive role in the children's reintegration. Community sensitization activities help to ensure that the communities' expectations are realistic before a former child soldier returns;
- *DDR staff (national and international)* should be aware of children, especially girls, in armed groups and forces, understand what steps to take to obtain their immediate release and know how to assist them after release.

## 5.6. Advocating for children's needs to be taken into account at peace negotiations

Parties to a conflict rarely acknowledge the presence of children in their ranks, so children are often excluded from the benefits linked to DDR. Despite declarations of intent, the issue of children is often neglected during negotiations to set up a general DDR programme. UN personnel shall actively call for children's needs to be taken into account in peace negotiations, and make sure that this does in fact happen.

Advocacy of this kind aims to keep the issue of child soldiers on the agenda of peace negotiations and to ensure that the roles played by girls and boys in conflict situations are identified and acknowledged from the moment the negotiations start. Children's rights and protection should be explicitly discussed during the negotiation of peace accords and enforced in peacekeeping and conflict resolution processes, including DDR programmes. Advocacy for this should take place at all levels, through both formal and informal discussions; UN agencies, foreign missions, donors and representatives of parties should be involved; and it should be linked to existing civil society actions if possible.

The unconditional release of all girls and boys associated with armed forces and groups should be stated in peace agreements. The willingness of parties to a conflict to release children early and to stop further child recruitment should be a way of measuring the seriousness of their commitment to peace negotiations.

## 5.7. Access of children to DDR programmes

Children, especially girls, are not always considered to be full members of an armed force or group; nor are DDR staff properly trained to identify them and cater for their needs. As a result, children do not get access to essential services. Sometimes children themselves do not want to be identified as coming from an armed force or group, in order to avoid discrimination against them. Some may not know they have the right to benefit from any kind of support (e.g., children who flee and hide, and consider themselves deserters). The challenge is to encourage girls and boys to benefit from DDR programmes while avoiding any damaging effects.

To achieve this, those in positions of authority over children (e.g., government ministries, child-focused non-governmental organisations and child protection agencies) should monitor the recruitment of children in order to understand recruitment patterns and the roles played by children, and to gain direct and free access to them. This is necessary to allow authorities and agencies to collect information concerning the child's release and to implement child-specific programmes. These authorities can raise awareness among children, the military and other DDR actors about the services available and how to access them, and establish procedures to identify boys and girls associated with armed forces and groups.

## 5.8. Criminal responsibility

Former child soldiers are victims of criminal policies for which adults are responsible. Any judicial proceedings for children should take place in the context of juvenile and restorative justice in order to assist children's physical, psychological and social recovery, in line with article 40 of the Convention on the Rights of the Child (CRC). Mitigating circumstances should be taken into account, and children shall not be prosecuted or detained for military crimes (such as desertion, insubordination, etc.) or for criminal acts committed while associated with armed forces or groups. The detention of a child shall be used only as a measure of last resort and for the shortest appropriate period of time (CRC, art. 37).

While some processes of determining accountability serve the best interests of a child that has carried out a crime, international child rights and juvenile justice standards require that alternatives to normal judicial proceedings in criminal courts should be applied, providing that human rights and legal safeguards are fully respected (CRC, art. 40[3b], rule 11, 'Beijing Rules') (see Annex B). For example, restorative justice — achieved through finding alternatives to criminal courts — involves the child offender understanding and taking responsibility for his/her actions and it also aims to achieve reconciliation among the offender, the victim and the wider community through reparations.

## 6. Girls

Girls are recruited and abducted by armed groups and forces to perform specific functions, but they can also take on the same responsibilities as boys. Gender inequality makes girls vulnerable to abduction or forced recruitment, as well as sexual violence within armed groups and forces. Indeed, violence supported and carried out by the State, including sexual violence by State forces; the absence of educational opportunities; mistreatment or exploitation in the family; a lack of opportunities to attend school, earn a livelihood or express themselves; negligence; and a need for improved security and empowerment are all factors that make girls vulnerable to recruitment. Therefore, prevention strategies for girls need to take into account that girls' vulnerability, while similar to that of boys, is not exactly the same.

Particular attention should be given to respecting girls' rights and ensuring their access to basic services in order to build and sustain a 'protective environment' by:

- ensuring government commitment to girls' rights and building capacity to uphold those rights;
- introducing legislation and enforcing it, especially to create and protect gender equality for children, as well as adults;
- protecting children's rights, especially the right of girls to bodily integrity, education and health care, and providing essential services to support these rights;
- ensuring participatory discussion with girls about programmes designed for their reintegration, as called for in Security Council resolution 1325;
- providing children with life skills and knowledge, especially to counter gender-based violence;
- building the capacity of families and communities to take care of and encourage girls;
- monitoring, reporting and overseeing all programmes for girls, including monitoring staff (national and international) responsible for caring for girls, and taking speedy action to punish abusers.

## 6.1. Identification and access to demobilization processes

Guaranteeing girls' access to PDR programmes is a major challenge. Like women, girls are generally 'invisible' and neglected, both by members of armed forces and groups and by DDR planners and programme staff. DDR planners have been unaware of the presence and roles of girls associated with fighting forces, are ill informed about appropriate responses to their needs, and therefore often design programmes that unintentionally prevent girls' entrance to these programmes and damage their chances of long-term recovery. At the same time, members of armed forces and groups are increasingly aware of the fact that the use and recruitment of children is a violation of international law, and they try to hide all children associated with their fighting forces and groups. Members of armed forces or groups are often reluctant to give up their girl captives, who may be serving them as forced wives and domestic servants. One of the biggest security threats at cantonment sites is fights between family members who have come to rescue captured girls and commanders who claim these children as wives: family members are often forced to retreat because of the threat of violence against them. Another important problem is that girls often do not know about, or do not wish to come forward for DDR, because of shame or fear of being punished. Thus, PDR programmes for girls must be designed to minimize shame and stigma and to maximize security.

DDR personnel should always assume that girls are present in armed forces and groups, even if they are not visible. No distinction should be made between combatants and non-combatants when eligibility criteria are determined, as these differences are unclear in armed forces and groups where children, and girls in particular, perform numerous combat, combat support and non-combat roles that are essential to the functioning of the fighting force. To make DDR programmes more gender-sensitive, women's groups should be involved in raising awareness about the programmes, female staff should be recruited, all staff should be trained to deal with girls and know how to assist girl and young mothers in particular, and respected members of the community (both men and women) should be involved in mediation to release girls, in particular, from armed groups and forces. Training on gender equality should be provided to staff and others working with demobilized girls and boys.

Mechanisms should be developed to find girls and inform them about the benefits they might be entitled to through PDR, and girls should be able to access PDR programmes and benefits in other ways than through cantonment sites; e.g., through institutions they are already involved with and other groups or organizations that focus on their needs, such as health care facilities (particularly those dealing with reproductive health), religious centres and organisations that assist survivors of sexual violence. Finally, specific attention needs to be paid to girls' health and psychological needs, as they are far more likely than boys to have been subjected to sexual violence, sometimes over long periods of time.

## 6.2. Cantonment sites and temporary facilities

In cantonment sites, girls are particularly vulnerable, because most sites are designed to attract and house large numbers of adult male combatants. The construction of such sites tends to allow or even encourage the exploitation and abuse of women and girls, e.g., through lack of adequate protection measures; overcrowded conditions; poor lighting; lack of safe spaces and privacy for girls; the expectation that they will cook, which requires them to fetch wood and water from outside the camp boundaries; and so on. Moreover, girl and young mothers struggle to properly take care of their children in cantonment sites, as most sites make no provisions for infants or young children (also see IDDRS 5.10 on Women, Gender and DDR and IDDRS 5.20 on Youth and DDR).

To minimize these problems, the time spent by girls in cantonment sites should be as short as possible (days not weeks), and the transfer of girls and mothers with young children to temporary or interim care centres (ICCs) should happen immediately. Women and girls must be represented on the management committees of cantonment sites. Separate accommodation must be provided for females, with specific health services, including reproductive health services, separate washing and toilet facilities, hygiene kits adapted to their needs and clean birthing kits. Since a number of the girls are likely to be mothers, sites should also be designed to provide proper food and health care for infants and young children, with child-care assistance provided for mothers unable to care for their children. Particular attention should be given to the safety and protection of girls in cantonment sites, through measures such as regulated access of male former combatants to the sites, proper lighting, and regular surveillance and patrolling by security forces in which women are a majority. Girls should know they have the right not to be abused and that they have the right and ability, through adapted and efficient reporting and complaints mechanisms, to report abuse.

Abuse, particularly sexual abuse, and exploitation by adults is a possible threat at all stages of the DDR process, including in cantonment sites and ICCs, but remains hidden because girls are reluctant or afraid to report it. When girls do report abuse or exploitation by staff or adult caregivers, they should not be stigmatized or made to feel 'disloyal' in any way, and their complaints must be acted on immediately through mechanisms designed and put in place to protect them from such exploitation and to punish the offenders to the fullest extent possible. Mechanisms should be established to prevent offenders from working again with girls (and boys) in similar situations.

In the transit facilities and during the follow-up in their community of return, if girls say they want such a service, they should be given space and time to share their emotions and reflect on their experiences to health workers trained in psychotherapeutic assistance. In general, and particularly in the transit facilities, children should see equal relationships between men and women, based on dignity and respect: this modelling is important for helping children to adapt to a peacetime environment. In the transit facilities, night accommodation for girls should continue to be separate from that of boys, and girls' facilities should still be protected with adequate lighting near all toilet and shower facilities. Appropriate recreational activities should be provided so that girls and boys are not idle.

If children are placed with caregivers who are not their relatives during the transition period, particular attention should be paid to the safety and protection of girls through careful selection of caregivers, close follow-up and monitoring, and the availability of secure and confidential reporting mechanisms for those who feel unsafe.

### **6.3. Reintegration support**

Reintegration is the most difficult phase of any DDR process. Girls face great difficulties during the process of being accepted back into their families and communities, with girl mothers and their children experiencing the highest levels of rejection and abuse upon return. Girls have complex relationships with men within the fighting forces, including their former captors, during reintegration phases; these relationships need to be dealt with in sensitive ways to ensure that the girls' rights are upheld and that they remain secure. Many girls want to return to their education or receive training to be economically self-sufficient.

In some instances, girls associated with armed forces and groups may have had the same responsibilities as boys (e.g., taking part in decision-making, having subordinates,



Adolescent boys, among them former child soldiers, learn to make machetes during a vocational training workshop run by the UNICEF-assisted Family Homes Movement of St. Peter's Church in the town of Calaba, a suburb of Freetown, Sierra Leone, 1998. Photo: R. Grossman, UNICEF

experiencing some independence, sometimes learning a trade). If so, the reintegration environment may be disappointing and limiting, as it may not offer them as much independence and the same right to self-expression. Girls may feel dissatisfied with the traditional expectations of their community of return.

To assist them concretely and help them to learn how to cope, the plans for the reintegration of girls should be decided with their full participation, should be shaped by what they want to do with their lives, and, if applicable, should build on any skills they developed during their time in the armed force or group. Throughout, there should be a focus on encouraging girls to be independent, and developing their ability to make decisions and build up their self-esteem. Girls need to be shown respect and given responsibilities and tasks valued by the community, and should be provided with education and professional training activities adapted to their situation and appropriate to the local economy. Relationships between girls and older women in the community should be encouraged if this is helpful to the girl.

Where appropriate, girls should be encouraged to learn non-traditional skills; but this may mean that reintegration opportunities in rural areas are too limiting, offering little opportunity for growth and adaptation to civilian life. If so, girls should be encouraged to reintegrate in a town or city.

#### **6.4. Violence, sexual abuse and exploitation**

Sexual abuse and exploitation in humanitarian crises is a serious and widespread problem, and violates not only the physical integrity and security of individuals, but also their dignity and sense of self-worth. Gender-specific forms of violence result from unequal power relationships, often exacerbated in times of widespread and systematic violence and mass

displacement, which lead to the breakdown of traditional family and social structures and values, and the weakening or loss of legal and governance systems. The economic and social inequalities confronting women and children increase their risk of exploitation by those in positions of power, particularly in State and non-State armed groups and forces where interpersonal relationships are characterized by violence, dominance and a lack of discipline.

As soon as possible after their release from an armed group or force, and then for as long as necessary, girls who survived sexual violence, abuse and exploitation should receive medical and psychosocial care. This care shall include a long-term commitment to the welfare of the child, including girls who are HIV-positive or living with full-blown AIDS. Confidential services should be offered to survivors by staff trained to protect their dignity and security.

Sexual and physical abuse of girls in fighting forces and groups is widespread. Cantonment sites and ICCs should, without exception, provide medical health screening, including sexual health screening, to all girls, and provide necessary treatments. Girls should be assisted by staff trained to deal with children who may be unable or unwilling to describe their symptoms.

Whether or not they have been abused, social practices and cultural beliefs about the sexual purity of females mean that girls are much more likely than boys to be stigmatized when they leave an armed force or group. Caregivers in the environment to which they are returning should be sensitized so they can actively work to counter and reduce this stigma, and in some cases, communities should not even be told that girls were associated with an armed group or force, provided the girls themselves know where to go if they need help.

All UN staff, including peacekeeping forces, shall be aware of, and are required to abide by, the Secretary-General's bulletin on *Special Measures for Protection from Sexual Exploitation and Sexual Abuse*. All staff should receive training on the six core principles of the code of conduct developed by the UN Inter-Agency Standing Committee Task Force on Protection from Sexual Abuse and Exploitation in Humanitarian Crises. These principles include a prohibition against any form of sexual activity with children, regardless of the age of majority or age of consent in a particular country. Believing that a child is over the age of consent is not a defence. UN staff members are prohibited from exchanging money, employment, goods or services for sex.

## **6.5. Girl mothers and their children**

Girl mothers and their children are particularly vulnerable to abuse and exploitation, and should be cared for with particular attention paid to the protection of the children. On release, children of girls associated with armed forces and groups should be registered, where birth registration is available, to allow them to gain access to basic services.

After return to civilian life, even when families are ready to accept the return of girls, these girls may be reluctant to accept their own children, who may have been born of rape, or else they may reject them because their fathers are unknown or from the opposing forces. A warm reception is the best guarantee that a girl will remain with her family, so families and communities should be sensitized about the vulnerabilities of girl mothers and their children and encouraged and assisted to protect and support them. Particular support should be offered to families to protect girls and their children from being re-abducted into marriages that have not been recognized through customary and national law.

If, however, sensitization and mediation processes do not succeed, girls may choose to leave their family and move to towns or cities where they are less likely to be stigmatized and they may have greater access to organizations offering support. Girl mothers see access to education for themselves and their children as a priority, and want to find a job that enables them to support themselves and their children. They also see reliable access to community health services and psychosocial support as a priority. To prevent cycles of violence, girl mothers should be enabled to learn positive parenting skills so their children grow up in a nurturing household that is free of violence (also see IDDRS 5.10 on Women, Gender and DDR and IDDRS 5.20 on Youth and DDR).

◀▷ 5.10

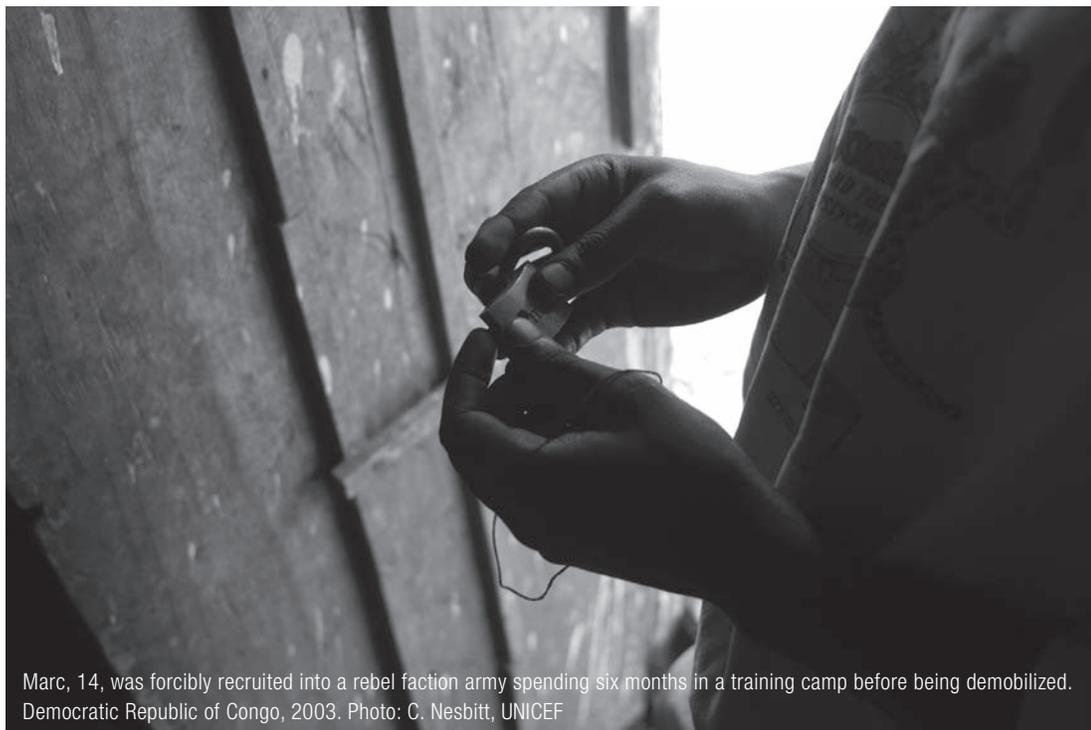
◀▷ 5.20

## 7. Prevention of recruitment and re-recruitment of children

Prevention of recruitment should take place continuously throughout a conflict, and programmes should be based on an analysis of the dynamics of recruitment and its underlying causes, and include an advocacy strategy that is directed at all levels of governance. Prevention of (re-)recruitment of children can start at any time, and should continue well beyond adult DDR. Although difficult, it is possible to carry out prevention activities during an ongoing conflict.

### 7.1. Documentation and identification of risks of recruitment

Many emergencies create favourable conditions for recruitment: insecurity, displacement, breakdown in family and social structures, family separations, erosion of traditional value systems, a culture of violence, weak governance, absence of accountability, lack of access to basic social services, etc. Some children are particularly vulnerable to recruitment because of inadequate protection, such as children living in conflict zones, child refugees or those



Marc, 14, was forcibly recruited into a rebel faction army spending six months in a training camp before being demobilized. Democratic Republic of Congo, 2003. Photo: C. Nesbitt, UNICEF

who have been internally displaced, unaccompanied children, orphans or those separated from their families, and children with very young parents. Careful analysis of the situation, attention to children most at risk, and an understanding of the various risk factors are essential measures to help prevent recruitment; and although preventive activities are difficult to develop, they are effective in the long term.

Girls and boys are at greater risk of being recruited in certain locations, such as zones of intense conflict; areas frequently crossed by troops; and public places with concentrations of children such as markets, schools, refugee camps or camps for internally displaced persons, and places where children go to fetch wood or water. All necessary measures need to be taken to avoid the separation of children from their families, particularly whenever populations are in transit to displacement camps, and to support families and communities working to prevent the displacement of children.

## **7.2. Prevention of recruitment through the creation of a protective environment**

Certain forms of recruitment are used more intensely and in a more focused way, according to geographical areas and political, social, economic and cultural realities. Understanding this allows for the development of activities to help create a vigilant environment that protects all children from recruitment and use in armed conflict. Supporting families and/or establishing community-based child protection networks for the care and protection of children within communities is an effective preventive measure.

Child recruitment is not always a sudden occurrence, but can take place gradually, progressing from initial contact into formal association. Children may start with occasional visits to the camps of armed forces or groups to look for food, polish shoes or carry out other tasks. Increasingly, they are given more responsibilities, then may seek shelter at these camps, and eventually start to take part fully in military life. Preventing this kind of ‘voluntary’ recruitment is a specific challenge, so action should be taken to avoid children having any contact and any form of association with an armed force or group, even if it appears harmless.

## **7.3. Sensitizing combatants, ex-combatants and commanders**

Members of armed forces or groups may express regret for recruiting children, often arguing that they were unfamiliar with legal norms and unaware of its harmful effects on child development. However, awareness that child recruitment is illegal may also lead them to actively try to hide children, especially girls. Regardless of how the child was originally recruited (voluntarily or by force), or any perceptions about the strategic value of children to an armed force or group, its adult members should be made aware of, and be responsible for, preventing the negative effects of militarization on children. Combatants, ex-combatants and their commanders should be sensitized and informed, whether during the time they spend in demobilization sites or before their integration into new security forces, of protection measures and the prosecution of anyone who violates children’s rights. This sensitization and training of adults in armed groups and forces to child-related issues means that they can no longer justify the recruitment of children, and makes the environment safer for children.

## **7.4. Community-level advocacy**

Communities and the family can prevent a child’s association with armed forces and groups. Protecting communities and working with them to identify how to protect children

and understand why children might join armed forces and groups, explaining the developmental effects of children joining armed forces and groups, and assisting these communities with the development and establishment of community-based child protection networks will all help prevent recruitment.

### **7.5. National-level advocacy against recruitment**

Advocacy directed at national decision makers raises awareness of the recruitment and use of children in armed conflict, and can lead to new laws being introduced, including such measures as the ratification and implementation of international legal instruments on child protection, or the reinforcement of these legal instruments; the adaptation of laws related to the recruitment and use of children in armed conflict; and the end of impunity for those who recruit and/or use children in armed conflict. Appropriate sanctions can then be implemented and enforced against people who continue to recruit children.

### **7.6. Security sector reform**

Where a national security sector reform (SSR) programme is carried out after DDR, the composition of new security forces is frequently negotiated according to the numbers of combatants in each faction. Children are often included in these figures. Negotiations on SSR and force reduction must include releasing all children and ensuring that they are not counted, because the presence of children is illegal and including them may encourage more recruitment of children in the period before negotiations, in order to increase the numbers of armed groups and forces to achieve political advantages.

The establishment or strengthening of child protection services and legal and police support services for children should receive specific focus in SSR processes.

### **7.7. Monitoring and reporting on the use and recruitment of children**

Paragraph 3 of Security Council resolution 1612 (2005) requests the Secretary-General to establish a monitoring and reporting system for children affected by armed conflict. The new mechanism requires both governments and armed groups to use time-bound plans of action to end the use and recruitment of child soldiers, and requires the UN system to monitor and report on serious violations against children, including the killing or maiming of children; the recruitment or use of child soldiers; attacks against schools or hospitals; rape and other forms of sexual violence; abduction of children; and denial of humanitarian access. The resolution requires that this mechanism should operate with the participation of, and in cooperation with, the national government of the country concerned and relevant UN and civil society actors. The monitoring mechanism will be reviewed in July 2006, and a report of the Secretary-General will be submitted to the Security Council in November 2006. Application of the monitoring mechanism will begin with parties in situations of armed conflict listed in the annexes to Secretary-General's report S/2005/72 that are on the agenda of the Security Council: those in Burundi, Côte d'Ivoire, the Democratic Republic of the Congo, Liberia, Somalia and Sudan; and then, in close consultation with the countries concerned, it will apply to parties in other situations of armed conflict listed in the annexes to report S/2005/72: those in Colombia, Myanmar, Nepal, the Philippines, Sri Lanka and Uganda.

The resolution also established a Security Council Working Group (para. 8) to which the mechanism will report. The Working Group will review progress in the development and implementation of action plans called for in paragraph 5 (a) of Security Council resolution 1539 (2004), which called on the parties concerned to prepare concrete, time-bound action plans to halt the recruitment and use of children in violation of international obligations.

## 8. Disarmament and demobilization

Article 6 of the Optional Protocol to the CRC asserts that: “States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilized or otherwise released from service”.

Demobilization is, however, a transition point during which children face pressure, abuse and uncertainty about the future. Conflicting information can confuse or mislead a child and raise unrealistic expectations, while programme mismanagement can jeopardize his/her progress. A full understanding of the circumstances affecting the decisions a child makes is necessary, e.g., is a commander of the armed force or group making unrealistic promises to a child? Is the child being threatened with punishment if he/she ever talks about revealing his/her experiences?

Agreeing on child-specific demobilization procedures serves two purposes: (1) it avoids further possible abuse and exploitation of children, especially for political or tactical gain; and, (2) it prepares children for separate and specific child-related reintegration programmes.

### 8.1. Disarmament

Children with weapons should be disarmed, preferably by a military authority rather than a child protection agency, but need not prove that they know how to use a weapon. Eligibility should never be based on the handing in of a weapon or proof of familiarity with weaponry, because not all children have used a weapon or been a combatant while in the armed forces or groups, and children should enter the demobilization and reintegration process irrespective of whether they present themselves at the assembly points with weapons or ammunitions. They should be given the option of receiving a document certifying the surrender of their weapons if there is a procedure requiring them to do so, and if this is in their best interests, i.e., if it can protect the child against any doubt over his/her surrender of the weapon, but not if it will be seen as an admission of guilt and participation in violence in an unstable or insecure environment.

### 8.2. Cantonment and interim care centres

The time spent by children in cantonment sites should be as short as possible, and every effort should be made to identify and register them, and supply them with their immediate needs rapidly. Where possible, children should be identified before arrival so that the documentation process (identification, verification, registration, medical needs) and other procedures that apply to them in the reception and care phases last no longer than 48 hours, after which they should be transferred to an ICC or to another location under civilian control.

Admission lists of children that are submitted by commanders should be treated warily and supported by a screening system that is established before individuals go through verification processes. Children should be separated physically from adult soldiers, and a

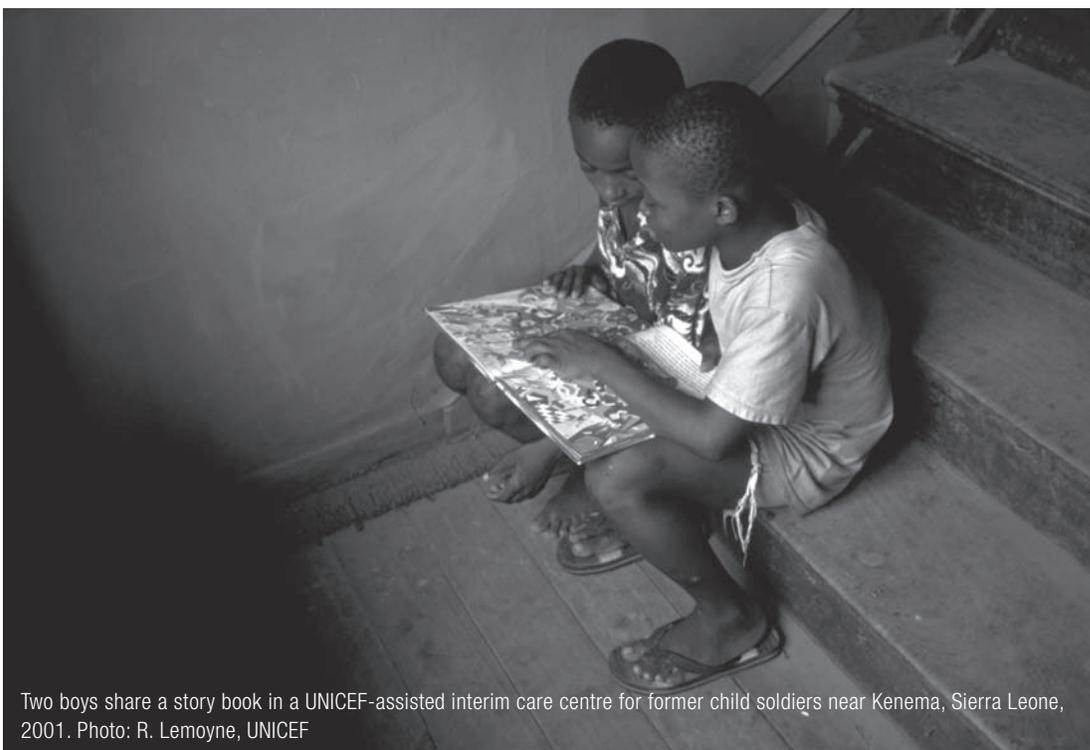


Two boys, each with an amputated leg, play football on crutches at the St. Michael's interim care and rehabilitation centre for children, including former child soldiers, in the town of Lakka on the outskirts of Freetown, Sierra Leone, 2001. Photo: R. Lemoyne, UNICEF

security system should be established to prevent adult access to them. Girl mothers, however, should not be separated from their children. In situations of forced marriage, girls and young women should remain secure and separated from their partner, to give them time both to be reunited with family members and to think about whether or not to rejoin their partner. Violent protests from men separated from their 'wives' should be expected and planned for. Assembly areas and cantonment sites for girls should be far enough from conflict zones to ensure security for children and prevent re-recruitment. Trained child protection staff should carry out activities aimed at children.

ICCs are not necessary in all DDR situations, especially when a placement there delays family and community reunification. However, they can be used when necessary, as they provide a secure space to help children cut their links with armed groups and forces, allow time for family tracing and verification, and allow medical support to be provided.

ICCs should be run in the same way as cantonment sites, with the same rules of staffing, care and security in place and an emphasis on removing children to their families or alternative care solutions as quickly as possible. Only children under 18 should be accommodated in ICCs, and they should be grouped according to age (unless they are girl mothers). Tracing, verification, reunification and monitoring should be carried out at ICCs to allow the return of children to their communities (including community outreach). Health check-ups and specialized health services should be provided, e.g., reproductive health and antenatal services, diagnosis of sexually transmitted infections, and voluntary and confidential HIV testing and counselling, while nutritional deficiencies and war-related injuries should receive treatment. Children should receive counselling, including help to overcome trauma, develop self-esteem and learn life skills; learn about reintegration and livelihood opportunities; and receive peace education and training in non-violent conflict resolution to help them regain a sense of the social norms and routines of civilian life. Age- and gender-appropriate



Two boys share a story book in a UNICEF-assisted interim care centre for former child soldiers near Kenema, Sierra Leone, 2001. Photo: R. Lemoyne, UNICEF

sports, cultural and recreational activities should be provided to keep children occupied and help them build trust, but there should be no formal education or training activities apart from assessments of literacy.

The following table gives the advantages and disadvantages of ICCs:

| ADVANTAGES OF ICCs   | DISADVANTAGES OF ICCs  |
|--|--|
| <ul style="list-style-type: none"> <li>■ Provide a stable and protected temporary environment</li> </ul>                                       | <ul style="list-style-type: none"> <li>■ Assistance channelled to ICCs reduces assistance available to families and communities</li> </ul> |
| <ul style="list-style-type: none"> <li>■ Allow for medical treatment and the identification of other specific needs</li> </ul>                 | <ul style="list-style-type: none"> <li>■ The impact on the child (positive or negative) has not been definitively proved</li> </ul>        |
| <ul style="list-style-type: none"> <li>■ Provide first steps in breaking ties to a military hierarchy</li> </ul>                               | <ul style="list-style-type: none"> <li>■ May discourage a family from assuming responsibility for a child</li> </ul>                       |
| <ul style="list-style-type: none"> <li>■ Provide time for family tracing, verification, and community sensitization and preparation</li> </ul> | <ul style="list-style-type: none"> <li>■ May unnecessarily delay family or community reunification and reintegration</li> </ul>            |
| <ul style="list-style-type: none"> <li>■ Allow for in-depth reintegration planning</li> </ul>  | <ul style="list-style-type: none"> <li>■ Create the temptation to provide longer-term support, which delays reintegration</li> </ul>       |

### 8.3. Transition from military to civilian life

Transition from military to civilian life may be difficult for children, because in spite of the difficulties they encountered, they may have found a defined role, responsibility, purpose and power in an armed force or group. For children who have been in an armed force or group for many years, it may at first seem impossible to conceive of a new life; this is parti-



A man instructor teaches girls to prepare straw for weaving in a vocational training workshop at a centre run by the Christian Brothers, a local NGO that works with unaccompanied, abused and street children, as well as former child soldiers, in the southern town of Bo, Sierra Leone, 1998. Photo: G. Pirozzi, UNICEF

cularly true of younger children or children in armed forces or groups that have been indoctrinated to believe that the military life is best for them.

Agencies must work together to give priority to physically removing children from contact with adult combatants, and a quick and clear-cut break with the military must take place, which can be made real to the child concerned by symbolic actions such as the removal of military clothing. Providing civilian documentation such as identity papers is also symbolic, and may in some circumstances help the child reintegrate more easily. Children, especially girls, need immediate reassurance that there are fair and realistic alternatives to military life and should receive information that they can understand about the programmes, benefits and entitlements of DDR, as well as the different steps of the DDR process.

Programmes aimed at children associated with armed forces and groups cannot deal with the needs of adults who have been recruited during their childhood, though it is important to recognize the harmful effect that recruitment had on their development. Those who are near 18, especially young adults with infants, need special assistance (also see IDDRS 5.20 on Youth and DDR).

◀ ▶ 5.20

#### **8.4. Spontaneous demobilization**

An estimated 30 percent of child combatants never enter formal DDR, either because they are not aware of their rights, or choose to go to places that they recognize as providing safety, or because they are deliberately excluded — as is often the case with girls who are

victims of forced marriages, children who have fled the armed force or group, and those who went through a demobilization process, but did not receive any support for reintegration. Flexible systems should be put in place to link to other reintegration and recovery procedures and activities, so that children who demobilize spontaneously can also benefit from the care and protection services they need.

Children who have already found their way back home to their families and communities should under no circumstances be removed in order to enter cantonment sites and join a formal demobilization process. Instead, these children must be helped through alternative community-wide reintegration programmes that are designed both to reduce disruption in the lives of children previously associated with armed groups and forces and to benefit other war-affected children around them.

### **8.5. Cash payments and benefits packages**

Whereas DDR programmes have, in the past, concentrated mainly on providing immediate transition benefits for adults, child-focused programmes make a longer-term commitment to reintegration. When adult compensation packages were provided to children in the same way as to adults, these longer-term reintegration objectives were not achieved. Indeed, the general population — who themselves were in need of assistance — regarded with hostility and suspicion children who received adult compensation packages, and thought that they were being rewarded for the time they had spent with an armed force or group. In some cases, the promise of demobilization payments and benefits has actually acted as an incentive for children to join armed groups and forces, or led to other forms of corruption such as commanders forcing children to share their transitional allowance, taking a child's weapon to give to family members so they can claim benefits, or selling weapons to children to get them into DDR programmes for a share of the benefits.

To avoid situations like these, no monetary payments should be given to children during the demobilization phase. Children, families and communities should be clearly informed about the benefits provided by programmes during the reintegration phase, and they should understand who these benefits are for, and why. All benefits and services should support the development of the child within the community.

### **8.6. Documentation**

Official documentation marking their demobilization may help to protect children from abuse by authorities or armed forces and groups that are still active. However, staff should ensure that such documents cannot be wrongly seen as an admission of guilt or wrongdoing, especially in situations of ongoing conflict or self-demobilization. Official identification documents certifying their demobilization can be provided to children when this protects them from re-recruitment and assures them access to reintegration programmes. Civilian documents proving the identity of the child with no mention of his/her participation in an armed force and group should be made available as soon as possible.

### **8.7. Transport**

Children are particularly vulnerable when their physical protection is no longer secured, mainly during troop movements between camps and cantonment sites or between cantonment sites and transitional structures. Sufficient, appropriate and secured means of transportation

Jean, 16, the first of seven children, was forcibly recruited into a rebel faction army when he was 14, serving five months before he escaped. "One week later, the military came to fetch me, saying that I was a deserter", Jean reports. Escaping again, he went to Goma to secure a demobilization order so he could return home. Democratic Republic of Congo, 2003. Photo: C. Nesbitt, UNICEF



should be planned in order to transport them in the shortest time possible, and they should be attended by civilian child protection staff. Children should be informed, clearly and in advance, of all movements arranged for them.

### **8.8. Data management**

Information on children's identity, their family, the history of their recruitment and their special needs should be collected as early as possible and safely stored. Standards of information management and common procedures should be developed for all actors involved with data-gathering from children, including strict rules of confidentiality to ensure their protection. All children should be informed in their mother tongue about why information is being collected, of its confidentiality, and about what will happen to them at each stage of the process, and they should give their consent for the use of information they give. Female staff should hold individual interviews with girls away from their superiors, peers or 'husbands'.

Some information can be sensitive, and children who provide it might be subjected to threats or pressures. Since they are usually fully aware of the threats they face, they may provide misleading information to try and protect themselves. Their fears should be identified and measures developed to deal with them, and staff should pay attention to, and have plans to safeguard children from, anyone who might intimidate or threaten them.

Information collected from children should be used only for counselling and family tracing activities carried out by specialized agencies, with the child participating in the research as much as possible. No information should be extracted from them regarding their stay in the ranks of armed forces or groups, and no authority (whether governmental or not) should be allowed to obtain from any child military intelligence relating to military movements, location of weapons or any similar matters.

## 8.9. Family tracing and reunification

Family tracing should be started at the earliest possible stage and can be carried out at the same time as other activities. Family reunification will follow after mediation and an assessment of the situation to ensure that it is quick, but thorough enough not to threaten or cause discomfort to the child. Children can feel worried about returning to their family or community because of acts they might have committed during their time with fighting forces or armed groups, or for any number of other reasons, e.g. those who committed acts of violence against their families and/or communities; and girls who have been victims of sexual violence, abuse or exploitation, especially if they have children born from those experiences, are most at risk.

The approach to tracing and family reunification shall be based on the *Inter-agency Guiding Principles on Unaccompanied and Separated Children*.<sup>1</sup> Family reunification is not simply a matter of returning a child to its family, but requires mediation, including ceremonies of return if the people concerned want them to take place, to help the family recognize and deal with problems of alienation, addiction, aggression and resistance to civil forms of authority, and involve them in decisions regarding the child's readaptation, education, learning and training. Children need to be reassured that their families want them back and accept them as they are. Assistance should not only consist of money and other forms of material assistance, but also include social support and follow-up.

In some cases, family reunification may not be in the best interests of the child, because of difficult security or family conditions that do not provide the child with any protection. It should also be recognized that poor family conditions may have been the reason why the child left and joined the armed forces or groups in the first place. If these conditions remain unchanged, children are at risk of being re-recruited.

Children who have become heads of households may become afraid and feel abandoned; therefore, if possible and desirable, they should be reunited with a relative other than a parent or, if necessary, fostered by a member of the extended family or another reliable adult caregiver, to re-establish family ties and social links. Placing a child with a family is better than placing it in an institution, or, of course, losing children to street life. However, when children — and girls in particular — are placed outside their own families, they need more follow-up care and monitoring to ensure they are not being subjected to violence, abuse or exploitation.

Institutionalization is harmful for children, and this option should be a last resort, although for adolescents who find it difficult to reintegrate into a family other than their own, placement in a small group care situation, a live-in apprenticeship or supervised independent living can be the best thing for them.

### Finding out a child's age

#### What is the issue?

It is a serious breach of international humanitarian law, human rights law and international criminal law to use children as soldiers under the age of 15, and in most circumstances to use children under 18. The use of children as soldiers, and therefore also their demobilization, is as a result not only an issue of peace and security, but one of protecting children's human rights.

It is important to manage the identification and separation of children in a coordinated way. Failure to do so may lead to serious unintended consequences, such as the re-recruitment of children, recruitment of children not formerly associated with armed forces and groups, children claiming to be adults and adults claiming to be children.

### **The UN's advocacy position**

No person under 18 shall be recruited into or used in armed forces or groups. Plans for immediate and long-term reintegration of all persons must be made at the same time as the disarmament and demobilization process in order to avoid real or perceived fears arising that unequal benefits are provided to different age groups.

### **Local customs and traditions**

In accordance with the standards of international law, the age of a person must be the key factor in deciding whether he/she is considered to be a child or not, rather than what is considered to be the customary understanding of childhood or adulthood in his/her culture. Reintegration schemes shall be designed to ensure that appropriate support is provided to children as persons under the age of 18.

### **Implications and challenges**

Children may be tempted to claim to be older than they are if they believe this will lead to extra benefits and, similarly, some people aged over 18 may claim to be younger than this. Fairness in the handling of persons of different age groups reduces any tension surrounding the removal of children from armed groups or forces.

### **Principles**

Technical and operational leadership in relation to determining children's ages should be assigned to child protection agencies. children need a specialized approach:

- If in doubt, assume that the person is below 18;
- Identification of children should take place at the earliest possible moment. Processes established to distinguish combatants from non-combatants can be harmful for children. If children are not identified early on in the process they can be excluded from important reintegration and rehabilitation opportunities to which they are entitled, and which are suited to their age and circumstances;
- Identification must be carried out first, before disarmament. A child protection adviser or agency should be given access to the disarmament site to identify children.

### **Considerations**

It is important to plan the reintegration of all groups, children and adults very carefully, to ensure that the process of finding out ex-combatants' ages is not affected by false claims of age based on incorrect ideas about different reintegration benefit packages.

Questions about important stages/events in the child's development may provide evidence of his/her approximate age, e.g., "In what year did you leave school?" "Do you remember how old you were?" "Do you remember how old you were when XXX happened in the country?"

Starting the process of dealing with children early and informing them of the support they are entitled to receive will ensure that they do not claim to be adults because they hope to obtain the short-term demobilization packages provided to adults.

### **Dos and don'ts**

- Interviews should be confidential: the person being interviewed should be able to answer questions without fear of being overheard by others in his/her unit.
- The identification of children should be carried out before any other identification process. Children should not be required to show that they can use a weapon.
- Children should not be counted as part of the total number of armed forces in negotiations. Doing so may lead to more children being enlisted in order to increase the numbers serving in armed forces and groups before a demobilization agreement is finalized.
- The role that the individual has played in the armed force or group should not be used to decide whether he/she is a child.

## 9. Reintegration

The aim of child-based reintegration is to offer children a participatory support programme that has been specifically designed for their needs and gives them a viable, long-term alternative to military life.

Circumstances or an attempt to be fair often dictates that the same support is offered to all children, but programmes should be planned to take into account differences in age, sex, individual resilience, the capacity of the child to make informed decisions, the length of stay and individual experiences within the armed force or group, and reintegration opportunities in an environment that will inevitably have changed during the child's absence. Transitional or safety net allowances have sometimes been given to children in order to help them start a new life. This practice causes several problems and should never be considered as an alternative for sustainable reintegration programmes.

The aim of child-based reintegration is to offer children a participatory support programme that has been specifically designed for their needs and gives them a viable, long-term alternative to military life.

### 9.1. Psychosocial support and special care

Many children have serious psychological problems when they re-enter their communities, because of the tremendous effort required to adapt to the environment in which they used to live. The problems they experience result from anxiety and uncertainty, idleness, stigmatization, fear of being rejected, poverty, lack of livelihood, etc.

Psychosocial support should be offered instead of individual therapy to help children develop new patterns of behaviour, improve their self-esteem, develop their capacity to make decisions about the future and enable them to express emotions should they want to do so. Children and communities do, with support, have the capacity to cope with the distress caused by war. Psychosocial support activities build upon a child's natural resilience, and family and community support mechanisms, and encourage coping and positive development, despite the suffering children have experienced. The more children are supported within and through their new reintegration environment, the more reintegration is likely to succeed.

Children are the main actors in their reintegration. They have their own internal resources, or resilience, which helps them cope, confront difficult circumstances and recover after stressful experiences. To develop their resilience, children need reliable, positive adult role models outside of the military, and a sense of solidarity with and being useful to and responsible for others (e.g., by doing things that benefit the community). They also need to be capable of making important choices (e.g. they should participate in making decisions that affect them).

Communities also have resilience, and support programmes should take this capacity into account and reinforce it, in particular communities' capacity and desire to protect their children. Psychosocial reintegration is based on a community approach that does more than provide individual therapy by supporting families and communities, schooling or learning opportunities, integration in youth group activities, healing and reconciliation.

Some children may need specific assistance to overcome particularly negative or harmful experiences during their stay with an armed force or group. Injured and disabled children and the terminally ill, in particular, need care that is specifically adapted to their needs

and environment, which should include assistance for community-based rehabilitation and long-term care projects.

## **9.2. Inclusive programming for all war-affected children**

While it is obvious that children associated with armed forces and groups are victims of conflict, the needs of other war-affected children should also be identified and dealt with, in particular through the restoration of basic social services. An inclusive approach to support war-affected children allows their sustainable reintegration, prevents stigmatization and avoids the impression that joining an armed force or group brings rewards. It can take the form of assistance for existing schooling systems or vocational training institutions, health care systems, youth groups, apprenticeships or other work opportunities, etc. Reintegration efforts originally intended for demobilized children, such as accelerated learning programmes, may be adapted to help community development more broadly.

## **9.3. The role of communities**

Community acceptance is essential for a child's reintegration, but preconceived ideas and expectations about children coming out of armed forces or groups, or the scars of violence committed against families and/or communities could severely limit community support. To prevent reprisals, communities have to be prepared for returning children through awareness-raising and education, which can start with sensitization of community leaders, strengthening of local child protection networks, peace and reconciliation education, and events aimed at encouraging a lasting reintegration of the children.

Cultural, religious and traditional rituals can play an important role in the protection and reintegration of girls and boys into their communities, such as traditional healing, cleansing and forgiveness rituals; the development of solidarity mechanisms based on tradition; and the use of proverbs and sayings in sensitization and mediation activities. Care should be taken to ensure that religious beliefs serve the best interests of the child, especially in areas where religion or cultural values may have played an important role in recruitment.

Reconciliation ceremonies can offer forgiveness for acts committed, allow children to be 'cleansed' of the violence they have suffered, restore cultural links and demonstrate children's involvement in civilian life. Such ceremonies increase the commitment of communities to the children's reintegration process. Children should contribute to the creation of appropriate reintegration mechanisms to improve their sense of belonging and capacity. However, it is also essential to understand and neutralize community traditions that are physically or mentally harmful to a child.

Particular attention should be paid to the information that circulates among communities about returning boys and girls, so that harmful rumours, e.g., about real or presumed rates of HIV/AIDS among them, can be effectively countered and a nurturing environment created to receive children, especially those who really are terminally ill.

## **9.4. Education, training and livelihoods**

The higher a child's level of education, the more their reintegration is likely to succeed. It is therefore important for children to try to reach (or recover) as high a level of education as possible, often starting with basic literacy. However, returning to school is often difficult and even impossible, not only for financial reasons, but also because of the adjustments both teachers and learners have to make.

After a relatively long stay within armed forces or groups, or because of the difficulties they previously experienced in school, children may not be able to adapt to traditional teaching methods. Schooling programmes should be developed in liaison with the ministry of education that are specifically designed for such children, and that achieve the same results as other official programmes, and teachers should receive specific training in order to provide better support to children with learning difficulties.

Short-term accelerated learning classes and other remedial schooling programmes for children who have been out of school for long periods can provide catch-up education. However, even with the assistance of such programmes, some children may not be able to return to the regular school system. In such cases, programmes should be designed to include vocational training activities (skills training and apprenticeship) that are suited to local conditions (the type of jobs that are available, etc.). There should be a wide range of professional training options available to children to help them adapt successfully to civilian life, but income-generating activities for children should be in line with laws on child labour (minimum age, working conditions, etc.).

It will not be possible to deal with all children in the same way. There are important differences between children who are aged 10 and those aged 16; those who have voluntarily joined an armed force or group and those who have been forced to do so; those who have made decisions and been given responsibilities when they were members of armed forces and groups and those who have been slaves; and those who have a family waiting for them and those who cannot return. Not all children will require the same level of attention, the same approach, or the same support. Workable ways of dealing with each particular situation need to be developed. Programme options (formal education, non-formal education, vocational training and income generation) should therefore be planned to take differences in age into account (e.g., below 12, 12–14, and 14 and above). (Also see IDDRS 5.20 on Youth and DDR.)

5.20 ◀▶

Some children need to start earning a living immediately they return to their family and community, and should be helped to earn an income or receive benefits while they obtain professional training and/or an education. For example, the sale of things they have made during their training could allow them to buy the tools they need for their future work. Boys and girls, particularly those of legal working age, should benefit from an adapted version of socio-economic support programmes designed for demobilized adults. Families can be offered economic support through income-generating activities, which can be provided in such a way that the money they receive is not the main attraction of caring for children.

To make the transition from military to civilian life, children also need to receive training about their political rights and, eventually, responsibilities. They need to understand good citizenship, communication and teamwork, non-violent conflict resolution methods, etc. Such activities can prepare them to play a socially useful role that is acknowledged by the community. Special efforts should be made to include girls in this training.

## 9.5. Follow-up and monitoring

Family and community reunification is only the beginning of the reintegration process. Follow-up and monitoring are essential and require careful planning, enough funding, and the collaboration of key governmental bodies, UN agencies and NGOs. More staff are likely to be needed when large numbers of children are reunited with their families, because follow-up visiting and other support activities become more labour-intensive and time-consuming as children are dispersed from a few central locations to scattered communities. Regular

follow-up or monitoring activities by professional social workers should occur through visits to children's homes, schools and community, including meetings with families, peers, teachers, community leaders, etc. Regular monitoring of the living conditions of the child, the quality of his/her relationship with family members and the level of reintegration in the community will allow disputes to be resolved when necessary. Community-based child protection networks and community leaders, especially women, should be actively involved in monitoring the safety and well-being of reunited children, and should increasingly assume greater responsibility for ongoing monitoring to ensure a smooth takeover of this work by the community.

## Annex A: Terms, definitions and abbreviations

### Terms and definitions

**Children associated with armed forces and groups:** The definition commonly applied to children associated with armed forces and groups in prevention, demobilization and reintegration programmes derives from the *Cape Town Principles and Best Practices* (1997), in which the term ‘child soldier’ refers to:

“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.”

In his February 2000 report to the UN Security Council, the Secretary-General defined a child soldier “as any person under the age 18 years of age who forms part of an armed force in any capacity and those accompanying such groups, other than purely as family members, as well as girls recruited for sexual purposes and forced marriage”. The CRC specifies that a child is every human below the age of 18.

The term ‘children associated with armed forces and groups’, although more cumbersome, is now used to avoid the perception that the only children of concern are combatant boys. It points out that children eligible for release and reintegration programmes are both those associated with armed forces and groups and those who fled armed forces and groups (often considered as deserters and therefore requiring support and protection), children who were abducted, those forcibly married and those in detention.

Access to demobilization does not depend on a child’s level of involvement in armed forces and groups. No distinction is made between combatants and non-combatants for fear of unfair treatment, oversight or exclusion (mainly of girls). Nevertheless, the child’s personal history and activities in the armed conflict can help decide on the kind of support he/she needs in the reintegration phase.

**Child demobilization, release, exit from an armed force or group:** The term ‘demobilization’ refers to ending a child’s association with armed forces or groups. The terms ‘release’ or ‘exit from an armed force or group’ and ‘children coming or exiting from armed forces and groups’ rather than ‘demobilized children’ are preferred.

Child demobilization/release is very brief and involves removing a child from a military or armed group as swiftly as possible. This action may require official documentation (e.g., issuing a demobilization card or official registration in a database for ex-combatants) to confirm that the child has no military status, although formal documentation must be used carefully so that it does not stigmatize an already-vulnerable child.

The term ‘child soldier’ refers to: “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.”

**Prevention of recruitment, and demobilization and reintegration:** Child-focused agencies use the term ‘prevention of recruitment, and demobilization and reintegration’ (PDR) rather than DDR when referring to child-centred processes.

**Recruitment:** Includes compulsory, forced and voluntary recruitment or captivity into any kind of labour in any kind of regular or irregular armed force or armed group.

**Reintegration of children:** The provision of reintegration support is a right enshrined in article 39 of the CRC: “State Parties shall take all appropriate measures to promote . . . social reintegration of a child victim of . . . armed conflicts”. Child-centred reintegration is multi-layered and focuses on family reunification; mobilizing and enabling care systems in the community; medical screening and health care, including reproductive health services; schooling and/or vocational training; psychosocial support; and social, cultural and economic support. Socio-economic reintegration is often underestimated in DDR programmes, but should be included in all stages of programming and budgeting, and partner organizations should be involved at the start of the reintegration process to establish strong collaboration structures.

### **Abbreviations**

|              |   |
|--------------|---|
| <b>CRC</b>   | Convention on the Rights of the Child   |
| <b>DDR</b>   | disarmament, demobilization and reintegration                                   |
| <b>ICC</b>   | interim care centre   |
| <b>IDDRS</b> | integrated disarmament, demobilization and reintegration standard/<br>standards |
| <b>IRC</b>   | International Rescue Committee  |
| <b>OP</b>    | Optional Protocol (to the CRC)  |
| <b>PDR</b>   | prevention of recruitment, and demobilization and reintegration                 |
| <b>UN</b>    | United Nations  |

## Annex B: Legal and normative framework

International legal instruments exist to prevent the recruitment of children and ensure their demobilization and reintegration after release from armed groups and forces. These instruments are used to:

- protect children in armed conflicts;
- prevent the recruitment of children and secure their release from armed forces and groups;
- reintegrate children within their families and their communities;
- protect children within the judicial framework;
- prosecute those who are responsible for recruiting children for military purposes.

Global or regional instruments for protecting children such as the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child offer a framework for protecting children during conflicts and within the judicial system in order to prevent their recruitment. In addition, it should be noted that all human rights instruments also apply to children and that, in times of conflict, human rights law remains applicable, in addition to international humanitarian law.

There are a certain number of legal instruments and normative standards specifically regarding the prevention of the recruitment of children and their release:

### **The Convention on the Rights of the Child**

- According to article 38 of the CRC, governments shall take all feasible measures to ensure that children under the age of 15 do not take a direct part in hostilities. Article 39 calls on States Parties to take appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of armed conflict.
- Article 40 of the CRC states that, whenever appropriate and desirable, measures for dealing with children alleged as, accused of, or recognized as, having infringed the penal law should be sought without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected. According to article 37, the detention of a child shall be used only as a measure of last resort and for the shortest appropriate period of time.

### **Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict**

On 25 May 2000, the UN General Assembly unanimously adopted the Optional Protocol (OP) to the CRC on the involvement of children in armed conflict. The OP raises the age for direct participation in hostilities from 15 to 18 years. The OP prohibits conscription or forced recruitment and use by governments below the age of 18 and calls on States Parties to raise the minimum age for voluntary recruitment to 15 and above. It prohibits all recruitment — voluntary or compulsory — of children under 18 by armed forces and groups. Under article 6, States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilized or otherwise released from service. States Parties shall, when necessary, provide such persons with all appropriate assistance for their physical and psychological recovery and their social reintegration. The OP entered into force on 12 February 2002.

### **International Labour Organization Convention No. 182**

- Under International Labour Organization Convention No. 182, States Parties shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour, which includes the forced or compulsory recruitment of children for use in armed conflict (a child being defined as a person under the age of 18).

### **Additional Protocols I and II to the Geneva Conventions**

- The Additional Protocols I (arts. 77[2] and 77[3]) and II (art. 4-3 c) to the Geneva Conventions call for the protection of children in armed conflict, forbid the recruitment and use of children under the age of 15 in conflict, and provide special treatment for children in detention.

### **African Charter on the Rights and Welfare of the Child**

- The African Charter on the Rights and Welfare of the Child (1990) forbids the recruitment or the direct participation in combat of any person under the age of 18 (art. 22).

### **The Rome Statute of the International Criminal Court**

The Rome Statute of the International Criminal Court makes it a war crime, leading to individual criminal prosecution, to conscript or enlist children under the age of 15 years into armed forces or groups or use them to participate actively in hostilities, in both international and non-international armed conflicts.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice ('The Beijing Rules') adopted by General Assembly resolution 40/33 of 29 November 1985 provides guidance for the arrest or detention of children. Children retain all the rights already covered for adults if arrested. The rules contain a provision of 'Last Resort' whereby arrest, detention or imprisonment of children should be avoided whenever possible and is a measure of last resort. When children are arrested and detained, their cases are to be given the highest priority and handled as fast as possible to ensure the shortest possible period of detention prior to trial.

### **United Nations Security Council resolutions**

The UN Security Council has adopted six resolutions on children in armed conflict, with specific provisions about children associated with armed forces and groups: resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005).

#### **Resolution 1261 (1999) on the Protection of Children and Armed Conflict**

- Article 13 urges States and all relevant parts of the UN system to intensify their efforts to ensure an end to the recruitment and use of children in armed conflict in violation of international law through political and other efforts, including promotion of the availability of alternatives for children to their participation in armed conflict.

#### **Resolution 1314 (2000) on the Protection of Children in Armed Conflict**

- Article 3 urges all parties to armed conflict to respect fully international law applicable to the rights and protection of children in armed conflict, in particular the Geneva Con-

ventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977, the UN Convention on the Rights of the Child of 1989 and the Optional Protocol thereto of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court.

- Article 11 requests parties to armed conflict to include, where appropriate, provisions for the protection of children, including the disarmament, demobilization and reintegration of child combatants, in peace negotiations and in peace agreements and the involvement of children, where possible, in these processes.
- Article 13 underlines the importance of giving consideration to the special needs and particular vulnerabilities of girls affected by armed conflict, including, *inter alia*, those heading households, orphaned, sexually exploited and used as combatants, and urges that their human rights, protection and welfare be incorporated in the development of policies and programmes, including those for prevention, disarmament, demobilization and reintegration.
- Article 16 (f) urges Member States to consider declaring regional initiatives towards full implementation of the prohibition of the use of child soldiers in violation of international law.
- Article 17 encourages Member States, relevant parts of the UN system and regional organizations and arrangements to undertake efforts to obtain the release of children abducted during armed conflict and their family reunification.

#### Resolution 1379 (November 2001) Untitled

- Article 1 expresses its determination to give the fullest attention to the question of the protection of children in armed conflict when considering the matters of which it is seized.
- Article 8 calls upon all parties to armed conflicts to: (. . .) e) provide protection of children in peace agreements, including, where appropriate, provisions relating to the disarmament, demobilization, reintegration and rehabilitation of child soldiers and the reunification of families, and to consider, when possible, the views of children in those processes.
- Article 11 requests the agencies, funds and programmes of the UN to: (. . .) b) take account of ways of reducing child recruitment that is contrary to accepted international standards when formulating development assistance programmes; (c) devote particular attention and adequate resources to the rehabilitation of children affected by armed conflict, particularly their counselling, education and appropriate vocational opportunities, as a preventive measure and as a means of reintegrating them into society; (d) ensure that the special needs and particular vulnerabilities of girls affected by armed conflict, including those heading households, orphaned, sexually exploited and used as combatants, are duly taken into account in the design of development assistance programmes, and that adequate resources are allocated to such programmes.

#### Resolution 1460 (30 January 2003) Untitled

- Article 3 calls upon all parties to armed conflict, who are recruiting or using children in violation of the international obligations applicable to them, to immediately halt such recruitment or use of children.
- Article 4 expresses its intention to enter into dialogue, as appropriate, or to support the Secretary-General in entering into dialogue with parties to armed conflict in violation of the international obligations applicable to them on the recruitment or use of children

in armed conflict, in order to develop clear and time-bound action plans to end this practice.

- Article 5 notes with concern the list annexed to the Secretary-General's Report, and calls on the parties identified in this list to provide information on steps they have taken to halt their recruitment or use of children in armed conflict in violation of the international obligations applicable to them, to the Special Representative of the Secretary-General for Children and Armed Conflict, bearing in mind the provisions of paragraph 9 of its resolution 1379 (2001).
- Article 13 calls upon Member States and international organizations to ensure that children affected by armed conflict are involved in all disarmament, demobilization and reintegration processes, taking into account the specific needs and capacities of girls, and that the duration of these processes is sufficient for a successful transition to normal life, with a particular emphasis on education, including the monitoring, through, *inter alia*, schools, of children demobilized in order to prevent re-recruitment.

#### 1539 (20 April 2004) Untitled

- Article 1 strongly condemns the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them, killing and maiming of children, rape and other sexual violence mostly committed against girls, abduction and forced displacement, denial of humanitarian access to children, attacks against schools and hospitals as well as trafficking, forced labour and all forms of slavery and all other violations and abuses committed against children affected by armed conflict.
- Article 8 reiterates its requests to all parties concerned, including UN agencies, funds and programmes as well as financial institutions, to continue to ensure that all children associated with armed forces and groups, as well as issues related to children, are systematically included in every disarmament, demobilization and reintegration process, taking into account the specific needs and capacities of girls, with a particular emphasis on education, including the monitoring, through, *inter alia*, schools, of children demobilized in order to prevent re-recruitment and bearing in mind the assessment of best practices, including those contained in paragraph 65 of the Report of the Secretary-General.

#### Resolution 1612 (26 July 2005)

- Paragraph 3 of Security Council resolution 1612 (2005) requests the Secretary-General to establish a monitoring and reporting system for children affected by armed conflict. The mechanism requires both governments and armed groups to use time-bound plans of action to end the use and recruitment of child soldiers and requires the UN system to monitor and report on egregious violations against children, including the killing or maiming of children; recruitment or use of child soldiers; attacks against schools or hospitals; rape and other forms of sexual violence; abduction of children; and denial of humanitarian access. The resolution requires that such a mechanism operates with the participation of, and in cooperation with, national government and relevant UN and civil society actors. Application of the monitoring mechanism will begin with parties in situations of armed conflict listed in the annexes to Secretary-General's Report (S/2005/72) that are on the agenda of the Security Council: parties in Burundi, Côte

d'Ivoire, Democratic Republic of Congo, Liberia, Somalia and Sudan, and then, in close consultation with countries concerned, will apply to parties in other situations of armed conflict listed in the annexes to Secretary-General's Report (S/2005/72): Colombia, Myanmar, Nepal, Philippines, Sri Lanka and Uganda.

### **Additional relevant legislation and standards**

- In a recent decision, the Special Court in Sierra Leone affirmed that the recruitment of children under the age of 15 was a war crime entailing individual criminal responsibility under customary international law, even before this principle was codified with the adoption of the Rome Statute of the International Criminal Court in 1998.
- At the judicial level, juvenile justice rules are applied to children, in particular the UN Standard Minimum Rules for the Administration of Juvenile Justice (1995), UN Rules for the Protection of Juveniles deprived of their Liberty (1990), and the International Covenant on Civil and Political Rights (1976, arts. 6 and 10).
- Domestic legal instruments raising the age of recruitment into armed forces to the age of 18 years are the components making up national legal frameworks: the child protection code, family code, labour code or penal code.
- The *Cape Town Principles and Best Practices* was adopted in April 1997 at the symposium on the prevention of recruitment of children into armed forces and on demobilization and social reintegration of child soldiers in Africa. The Cape Town principles are most noted for reaching agreement on the definition of a child soldier: "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."

## Annex C: Situation analysis: Some key questions

- *Contextual analysis:* What are the social, political, economic, cultural origins of the conflict? Is it perceived as a struggle for liberation? Is it limited to a particular part of the country? Does it involve particular groups or people, or is it more generalized?
- *What is the ideology of the armed force or group?* Do its members have a political ideology? Do they have political, social or other goals? What means does the armed force/group use to pursue its ideology? Who supports the armed force/group? What is the armed force's/groups' level of legitimacy?
- *How is the armed force or group structured?* Where is the locus of power? How many levels of hierarchy exist? Does the leadership have tight control over its forces? Who do child soldiers report to? How is authority/rank established? Who makes decisions regarding the armed force's/group's movements? Has the armed force/group had foreign sponsors (companies, organizations)?
- *Does the armed force/group focus on particular ethnic, religious, geographic or socio-economic groups for recruitment?* Are girls and boys targeted equally? Where does the armed force/group do most of its recruitment? Is recruitment 'voluntary', forced or compulsory? Looking back over 3, 6 and 12 months, has recruitment been increasing or decreasing, and does it differ over the year? Are children promised anything when they join up (e.g., promises of protection for their families, money, goods, weapons, etc.)? What is the proportion of children in the armed force/group?
- *What living conditions did the children experience while in the armed force/group?* How do the children feel about their conditions? Was there exploitation or abuse, and if so, for how long and of what kind? How are boys and girls affected differently by their recruitment and use as child soldiers? What kind of work did children perform in the armed force/group? How has children's behaviour changed as a result of being recruited? Have their attitudes and values changed? What were the children's expectations of the armed force/group before recruitment? How do children recruited understand their role in the conflict? What are their expectations of the future? How can their experience be harnessed for productive purposes?
- *What do the communities feel about the impact of the conflict on children?* How do communities view the role of children in the armed groups and forces? What impact is this likely to have on the children's reintegration? How has the conflict affected perceptions of roles of girls and women? What is the people's understanding of children's responsibility in the conflict? What social, cultural and traditional practices exist to help children's reintegration into their communities? How familiar are children with these practices?

## Annex D: Management guidelines for interim care centres

Interim care centres (ICCs) are not a necessary step in all DDR situations. Indeed, it is a widely held view among protection agencies that children should be reunited with their families and communities as soon as possible, and it is feared that an ICC may delay this reunification. Nevertheless, while in some circumstances, immediate reunification and support can involve the families and communities without using a transit centre, in others, a centre can provide a protected temporary environment before family reunification.

Other advantages to ICCs include the following: they provide the necessary space and time to carry out family tracing and verification; they provide a secure space in an otherwise insecure context before reunification; they allow medical support to be provided; and they provide additional time to children to cut their links with the military.

### Guiding principles and implementation strategies

The decision to open a centre should be based on the following conditions:

- the level of insecurity in community of origin;
- the level of success in tracing the child's family or primary caregiver;
- the level of medical assistance and follow-up required before integration;
- the level of immediate psychosocial support required before reintegration.

### Management guidelines

The following management guidelines apply:

- child protection specialists should manage the centres;
- children should only stay a limited amount of time in interim care centres, and documentation and monitoring systems should be established to ensure that the length of stay is brief (weeks not months);
- at the end of their stay, if family reunification is not feasible, children should be cared for in different ways (such as in foster families, extended family networks, etc.);
- systems should be established to protect children from abuse, and a code of conduct should be drawn up and applied;
- an adequate number of male and female staff should be available to deal with the different needs of boys and girls;
- staff should be trained in child gender-based violence and exploitation, norms of confidentiality, child psychosocial development, tracing and reunification;
- ICCs should only accommodate children under 18. Some flexibility can be considered, based on the best interests of the child, e.g., in relation to girl mothers with infants and children or on medical grounds, on a case-by-case basis. In addition, young children (under 14) should be separated from adolescents in order to avoid any risk of older children abusing the younger ones;
- sanitation and accommodation facilities should separate girls from boys, and be sensitive to the needs of infants and girl mothers;
- ICCs should be located at a safe distance from conflict and recruitment areas;
- external access to the centre should be controlled (e.g., entry of adult combatants and fighters, and the media can be disruptive, and can expose children to additional risks);
- security should be provided by peacekeepers or neutral forces.

### Activity guidelines

- tracing, verification, reunification and monitoring should be carried out;
- temporary care should take place within a community-based tracing and reintegration programme to assist the return of children to their communities (including community outreach), and to encourage the protection and development of war-affected children in general. Experience has showed that when only care is offered, centres present a risk of children becoming 'institutionalized' and dependent;
- health check-ups and specialized health services should be provided when necessary, e.g., reproductive health and antenatal services, diagnosis of sexually transmitted infections, voluntary and confidential HIV testing with appropriate psychosocial support, and health care for nutritional deficiencies and war-related injuries;
- basic psychosocial counselling should be provided, including help to overcome trauma and develop self-esteem and life skills;
- information and guidance should be provided on the reintegration opportunities available;
- activities should focus on restoring the social norms and routines of civilian life;
- age- and gender-appropriate sports, cultural and recreational activities should be provided;
- community sensitization should be carried out before the child's arrival;
- formal education or training activities should not be provided at the ICC; however, literacy testing can be conducted;
- communities near the ICC should be sensitized about the ICC's role. Children in the centres should be encouraged to participate in community activities to encourage trust;
- peace education should be part of the everyday life during temporary care. It should also be part of the formal programmes, and cover principles and objectives of peace education, and values related to the non-violent resolution of conflicts.

## Annex E: Select further reading and tools

Government of Sierra Leone, National Commission on DDR and United Nations Children's Fund (UNICEF), *Guidelines for Assisting Children from the Fighting Forces in the Disarmament, Demobilization and Reintegration Programme*, Freetown, 2000.

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—, *Guidelines on Ethical Reporting; Protecting Children at Risk: Child Soldiers; Principles for Ethical Reporting on Children*, [http://www.unicef.org/media/media\\_tools\\_guidelines.html](http://www.unicef.org/media/media_tools_guidelines.html).

— and the Coalition to Stop the Use of Child Soldiers, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, [http://www.unicef.org/publications/index\\_19025.html](http://www.unicef.org/publications/index_19025.html).

Verhey, B., *Reaching the Girls: Study on Girls Associated with Armed Forces and Groups in the Democratic Republic of Congo*, Save the Children and the NGO group, November 2004.

## Endnotes

- 1 International Committee of the Red Cross, *Inter-agency Guiding Principles on Unaccompanied and Separated Children*, Geneva, 2004.