

# intersections online

Volume 10, Number 1 (Winter 2009)

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Mary Jonasen, "Child Soldiers in Chad: A Policy Window for Change," *intersections* 10, no. 1 (2009): 309-329.

## ABSTRACT

The post-Cold War period has experienced a rise in the use of child soldiers fighting in conflicts worldwide to numbers exceeding a quarter of a million. This research focuses on child soldiers in Chad, and how the worsening regional instability in Central and Western Africa forces more children into both Internally Displaced Persons camps and refugee camps, creating a vicious cycle of violence in which children are vulnerable to being used as soldiers. Although most of the countries perpetuating this practice have signed and ratified the International Convention on the Rights of the Child, children continue to be caught up in soldiering while protection of their human rights remains largely unenforceable. The current debate involving the age of accountability and appropriate punitive measures draws attention away from potential solutions. The policy proposals made in this paper support incentives to create compliance within the Chadian government, but the most significant proposal favors a long-term solution of regional grass roots peace building and human rights education.

[http://depts.washington.edu/chid/intersections\\_Winter\\_2009/Mary\\_Jonasen\\_Child\\_Soliders\\_in\\_Chad.pdf](http://depts.washington.edu/chid/intersections_Winter_2009/Mary_Jonasen_Child_Soliders_in_Chad.pdf)

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# Child Soldiers in Chad

## A Policy Window for Change

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Child Soldiers and the Civil War in Chad

In recent years, the number of child soldiers fighting in conflicts worldwide has escalated to 300,000.<sup>1</sup> This is a human rights crisis of epic proportion in which countless lives are devastated, and victims are created in many facets of this complex problem. Most of us see children as needing protection and nurturing, and the image of them as fighters, often ruthless and brutal, is deeply disturbing. The inherent nature of children—easily influenced, readily obedient, fearful of authority and lacking the maturity to make sound judgments—positions them as one of the most vulnerable groups within any society. Their status as minors restricts access to their own autonomy leaving them additionally susceptible to becoming child soldiers.

What is the best policy to protect the human rights of children recruited into military service in Chad? This paper will explore the historical background on the use of child soldiers as well as current issues specific to Chad. Child soldiering is impacted by many issues, including perspectives from international human rights law, the agency of childhood and child development, defining the age of majority across cultural boundaries, gender specific problems, the impact of globalization, as well as current and historical geo-political conflicts with state and non-state actors, the rehabilitation and reintegration of children back into their communities and the culpability of criminal behavior and determination of victim status for both child soldiers and civilian populations violated by child soldiers. We must have due diligence in examining all facets of this complex issue in order to find sustainable, effective solutions.

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<sup>1</sup> Vera Achvarina and Simon F. Reich, “No Place to Hide: Refugees, Displaced Persons, and the Recruitment of Child Soldiers”, *International Security* 31, no. 1 (2006): 128; Sabine Collmer, “Child Soldiers - an Integral Element in New, Irregular Wars?” *The Quarterly Journal* 3, no. 3 (2004): 1.

## Child Soldiering in Context

Children have been used in military service for the past several hundred years. Prior to the development of a formalized universal education system in pre-industrial Western culture, military apprenticeship or service was often a desirable “vocation.” In the Seventeenth century, children as young as eleven years old were documented as having been engaged in formal training and serving in active ranks alongside adults. In more recent cases, children and youth represented the core of the Nazi resistance in Warsaw ghettos.<sup>2</sup> In response, some critics ask how contemporary child soldiering differs in the current context from past comparisons.

One critical distinction between the use of child soldiers in Warsaw was that these children were not plucked from what was considered a normal childhood to fight in a conflict they neither wanted nor understood, but were compelled to fight to preserve the lives of their families, community, and culture. The difference in the use of child soldiers in pre-versus post-Cold War periods appears to be focused around a central point. Collmer attributes the current success in the use of child soldiers to the calculated exploitation of the specific traits of childhood that are used to manipulate children into unquestioningly obedient, fearless and brutal killing forces.<sup>3</sup>

Although some children join voluntarily, the majority appear to have been abducted or otherwise coerced. The following excerpts illustrate the brutality and manipulation targeted toward children:

That night the LRA [Lord’s Resistance Army, Uganda] came abducting people from our village, and some neighbors led them to our house. They abducted all five of us boys at the same time... They told us not to think of our mother or father. If we did, then they would kill us. Better to think now that I am a soldier fighting to liberate the country. There were twenty-eight abducted from our village that night... After we were tied up, they started to beat us randomly; they beat us up with sticks<sup>4</sup>

Martin P., abducted February 2002 at age 12

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<sup>2</sup> David M. Rosen, *Armies of the young: child soldiers in war and terrorism* (New Brunswick: Rutgers University Press, 2005), 2-8.

<sup>3</sup> Collmer, 8.

<sup>4</sup> J. Becker, “Stolen Children: Abduction and Recruitment in Northern Uganda”, *Human Rights Watch* 15, no. 7 (March 2003): 2. The LRA is the Lord’s Resistance Army in Uganda.

[O]ne eighteen-year-old male tried to escape but was soon captured. Soldiers laid him on the ground and told us to step on him. All the new recruits participated –we trampled him to death. During my time with the LRA, there were other children who escaped and seven of these were caught. Of them, two were hacked to death with machetes and five were clubbed or trampled. We were either made to participate or watch the killings. The youngest recruit was maybe nine or ten years old.<sup>5</sup>

Mark T., seventeen year-old

The rebels attacked my village – all the huts were burned and many people were killed. The RUF [Revolutionary United Front, Sierra Leone] rounded up those who lived. Then they took some young boys to go with them. They said they would kill us if we did not go. They gave me a rifle and told me to kill this woman... She was my relative [aunt] and I didn't want to hurt her. They told me to shoot her or I would be shot. So I shot her ... I did it to survive.<sup>6</sup>

16 year-old boy

These accounts illustrate the abuses children have endured when being abducted and terrorized into compliance. In a 2007 interview, a senior Chadian National Army (ANT) officer on the frontline in eastern Chad stated to Human Rights Watch that children make the most desirable soldiers, “because they don’t complain, they don’t expect to be paid, and if you tell them to kill, they kill. [President] Deby had trouble finding soldiers who are willing to fight for him, but children will do what they are told.”<sup>7</sup> Although this paper will discuss issues surrounding whether children make a choice to participate in soldiering, the context of the discussion examines the reasons children are vulnerable, with less emphasis on the issue of choice, and more on uncovering why children fight in wars.

In 1990 the Convention on the Rights of the Child (CRC) was adopted by the United Nations.<sup>8</sup> Chad signed and ratified this convention in the same year, and in 2002, signed the Optional Protocol to the CRC on the involvement of children in armed conflicts. Despite numerous agreements to abide by these conventions Human Rights Watch has evidence that both the Chadian

<sup>5</sup> Ibid., 10.

<sup>6</sup> Michael G. Wessells, *Child soldiers: from violence to protection* (Cambridge: Harvard University Press, 2006), 59. The RUF is the Revolutionary United Front, Sierra Leone.

<sup>7</sup> “Early to War: Child Soldiers in the Chad Conflict”, *Human Rights Watch* 19, no. 9 (July 2007): 20. The ANT is the Armée Nationale Tchadienne, Chad.

<sup>8</sup> It is noteworthy to this study that the United States has signed both of these documents but has only ratified the later (Honawa 35). See note 32.

government and rebel forces continue to actively recruit children both forcibly and voluntarily.<sup>9</sup>

#### Civil War in Chad

Chad's history of post-colonial independence from France has been one of conflict, within which change has ordinarily occurred by means of coup d'état. Rebel forces have made numerous attempts to overthrow Idriss Deby, who rose to power in 1989 and remains the current president. Varying degrees of conflict have occurred during Deby's tenure. In 2005, and early 2006, rebel forces located in Sudan's Darfur region gained strength as well as sponsorship from the Sudanese government and launched successful cross-border attacks against the Chadian government troops (ANT). In response, the Chadian government provided support to anti-government Sudanese rebels who retaliated against the government of Sudan. The situation rapidly escalated into a deeper proxy war, which in turn significantly contributed to swelling numbers of refugees in the northeastern portion of Chad.<sup>10</sup>

In May 2007, the Chadian government pledged cooperation with the United Nations Children's Fund (UNICEF) to demobilize all child soldiers in their ranks and by mid-July 2007 had produced several hundred children, some as young as eight years old. However, these represented only child soldiers from the allied non-state forces. The ANT has not turned over any child soldiers from their own ranks, and there is evidence, through interviews with Human Rights Watch with internal commanders, that the ANT is hiding children within their ranks and intentionally withholding them from demobilization.<sup>11</sup>

Chad remains in a volatile state of instability with the latest coup attempt against President Idriss Deby, which occurred on February 2008 according to news reports from Human Rights Watch.<sup>12</sup> During this outbreak of violence, 20,000 Chadians fled to Cameroon to seek immediate safety. The Chadian government accused Sudan of backing the coup and forcing more Sudanese refugees into Chad. In addition to the 180,000 Internally Displaced Persons (IDPs) within the country, the number of refugees from Sudan's Darfur region is nearing 250,000.

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<sup>9</sup> Ibid., 14-18; 23-24.

<sup>10</sup> Ibid., 10-18.

<sup>11</sup> Ibid., 21.

<sup>12</sup> "EU Must Agree Strong Mandate for Peacekeepers to Chad, Experts Say", *Global News Bank*, <http://infoweb.newsbank.com>, (accessed October 13, 2007); See also Sarah Simpson, "Chad Refugees Head Home After Failed Coup", *Christian Science Monitor*, February 14, 2008, <http://www.csmonitor.com/2008/0214/p07s03-woaf.html> (accessed October 13, 2007).

In February 2008, internal fighting in Chad cut off humanitarian aid to nearly 400,000 refugees, while international peacekeeping forces from the U.N. and the European and African Unions continued to press for access into Darfur to help stabilize the region.<sup>13</sup> Simpson reported further that Deby threatened to forcibly expel Sudanese refugees from the country.<sup>14</sup> Refugees and IDPs are caught in a worsening cycle of violence that leaves large numbers of unprotected children and adults essentially defenseless against forcible recruitment.<sup>15</sup>

Agency of the Child and the Age of Minority/Majority

Human rights, Ignatieff writes, is the, “language of individual empowerment, and empowerment for individuals is desirable because when individuals have agency they can protect themselves against injustice.”<sup>16</sup> The inability of children to manage their own rights and to self-advocate puts them in a place of particular powerlessness. Children are forcibly and voluntarily recruited into military service, by both state and non-state actors, fighting in intrastate conflicts or internal power struggles in developing countries. The most common objective in these irregular conflicts is persecution, expulsion and the extermination of an ethnic group.<sup>17</sup>

The degree to which children actually choose to join military service and the degree to which they are coerced is the subject of debate. Wessells provides evidence through first hand interviews and field observations of children who are reported to have joined voluntarily and claim to have done so because they feel safer in a military group, especially if they are issued a weapon and seek revenge for crimes committed against their families and communities. They desire respect and access to resources, which have been denied them through internal family struggles or extreme socio-economic poverty. Wessells also documents the higher prevalence of children who are orphaned or separated from families due to war to be forcibly recruited. Age is a factor in the successful recruitment of children who have been enlisted both forcibly and voluntarily because of their

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<sup>13</sup> “Chad Making No Effort to Demobilise Child Soldiers: HRW”, *Global NewsBank*, July 16, 2007, <http://infoweb.newsbank.com> (accessed October 13, 2007).

<sup>14</sup> Simpson.

<sup>15</sup> A Human Rights Watch fact-finding mission in June 2008 documented forced child recruitment still routinely practiced by state and non-state actors at one of the large IDP camps in Goz Beida, Chad. See “Letter to UN Security Council members on Child Soldiers in Chad”, *Human Rights Watch*, September 2, 2008, <http://www.hrw.org/en/2008/09/02/letter-un-security-council-members-child-soldiers-chad> (accessed 1/18/09).

<sup>16</sup> Michael Ignatieff, *Human rights as politics and idolatry* (Princeton, New Jersey: Princeton University Press, 2001), 57.

<sup>17</sup> Collmer, 1-2.

lack of agency, inability to exercise their human rights, underdeveloped self-determination, and their malleability.<sup>18</sup>

This malleability and lack of self-determination in children creates highly desirable qualities for making them ideal soldiers, as compared to their adult counterparts. Children are a readily available and expendable source of new soldiers, whose young age, social and moral underdevelopment results in unthinking obedience. They do not form factions to rise up against their commanders; they do not take bribes or negotiate; they often do not understand the leverage of terror that they wield, but are able to exact it upon others they have a very high need for acceptance; and they do not expect to be paid.<sup>19</sup>

Although public outcry has risen against the use of child soldiers, Achvarina and Reich claim that there is a lack of scholarly work resulting in inadequate critical analysis. The authors point out that, “[t]he value of scholarly work may therefore be that it contributes to a more systematic formulation of the arguments and a more rigorous comparison of their explanatory power” and significantly impacts viable options to policy makers.<sup>20</sup> Commonly cited reasons for voluntary recruitment are poverty and orphan rates. Singer attributes the rise in child soldiering rates, especially since 1990, to three related factors: the flood of small affordable arms into the global market after the end of the Cold War, technological improvements to weaponry, making them more manageable for a child to use, and increased intrastate conflicts that have become more brutal and criminalized.<sup>21</sup>

In the same study, Achvarina and Reich present the primary causal factor of participation rates of children in conflicts, as directly related to the degree of access combat forces have to refugee and Internally Displaced Persons (IDP) camps. Using data collected in the Liberian conflicts of 1989-96 and 1999-2003, Achvarina and Reich argue their case by determining the given proximity of access to refugee and IDP camps as the dependent variable. In the first study group the combat forces had little access to IDP and refugee camps, and in the later group there was high access to the IDP and refugee camps. The authors

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<sup>18</sup> Michael G. Wessells, *Child Soldiers: From Violence to Protection* (Cambridge: Harvard University Press, 2006), 43-56.

<sup>19</sup> Barbara Crossette, “Sierra Leone is No Place to be Young”, *New York Times*, February 14, 1999, A1 [cited in Monique Ramgoolie, “Prosecution of Sierra Leone's child soldiers: What message is the UN trying to send?” *Journal of Public and International Affairs* 12 (2001): 148]; Wessells, 31-37.

<sup>20</sup> Achvarina and Reich, 163.

<sup>21</sup> P.W. Singer, *Children at war*, (New York: Pantheon Books, 2005), cited in Achvarina and Reich, 136.

found that the increase in child soldiers between their two study groups was dramatic and offer this evidence to support their theory:

The rates of child soldier involvement in Liberia's two wars are very high by historical standards, at 29 percent and 53 percent respectively. Yet the degree of protection provided to children in the two conflicts varied significantly... But it was not the demand for children that was the key factor; it was the supply of children that distinguished the two cases. Children were available in far greater numbers in the second conflict as unprotected IDPs and refugees had nowhere to seek safety.<sup>22</sup>

This study does not diminish the contributive impact of poverty, lack of resources, and the vulnerability inherent in children, but it re-focuses attention on IDP and refugee camps, which could have significant implications for policy change.

#### Cultural Relativism and the Concept of Childhood

The cultural construct of childhood creates challenges to the adoption of, and adherence to, universal standards in the prevention of child soldiers. Historic and ethnographic accounts of children emphasize their duality as victims and perpetrators, creating a point of divergence between the agency of the child as being accountable and competent versus dependent and vulnerable. Although child development theories are broadly accepted across many different cultures, the relevance of chronological age in determining adulthood is not universal. There is no clear standard that crosses cultural boundaries defining the capacity of a child to become fully responsible or emancipated with relation to age. Rosen argues that in many societies children and youth are granted substantial autonomy in health care decisions, participation in child custody hearings, and in judicial proceedings.<sup>23</sup> Rosen cites an example from the Warsaw Ghettos in World War II Poland, where over 2,000 youth and children self-selected to fight Nazi occupation. Many of these children did so against the wishes of their parents.<sup>24</sup> Children, particularly teens, are receptive to new ideologies, as they define new belief systems, form their own identity and gain autonomy.<sup>25</sup> The degree to which children are perceived as having the capacity for adult level cognition and actions varies across cultures and specific situations. Therefore, the question of their responsibility as adults becomes a divisive issue. Even if children

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<sup>22</sup> Achvarina and Reich, 161-62.

<sup>23</sup> Rosen, 132-38.

<sup>24</sup> *Ibid.*, 137.

<sup>25</sup> *Ibid.*, 132-38; Wessells, 53.



are exhibiting adult behaviors, they are not necessarily capable of the abstract thinking or cognition of an adult.

It remains undisputed that all children across cultural boundaries are at one point innocent and in need of protection, but the point of contestation is in determining the age at which responsibility begins. Wessells illustrates this point when he quotes an Afghan commander, “[t]his soldier – he’s 14 but he’s not a child anymore. In our culture, he is expected to do the work of a man, and this includes fighting.”<sup>26</sup> The author further states that this viewpoint is shared by many African societies, as youth of the same or similar ages are responsible to help support the family and contribute on an adult level.

Rosen points out that the Western legal system frequently reclassifies children as adults, and the prosecutorial results rarely benefit children.<sup>27</sup> Approximately 200,000 offenders under the age of 18 are prosecuted as adults each year in the United States, with the purpose of punishing them to the fullest extent of the law. Rosen cites the case of a twelve year old convicted of murder, who is currently serving a term of life imprisonment due to his prosecution as an adult. Even in issues of lesser severity, minors are held liable for things that are fully lawful for adults, such as the use of alcohol and sexual activity.<sup>28</sup>

If children are viewed as either fully culpable or fully innocent, it becomes problematic not only in the duality of child soldiers to be both victim and perpetrator, but also in their capacity to contribute to political discourse. The Children’s Movement for Peace in Columbia has been nominated for a Nobel Prize for their outstanding work in peace building efforts. In 1999, UNICEF’s Executive Director, Carol Bellamy spoke at the Hague Appeal Peace Conference and argued that, “broad acceptance of the child’s role in peacemaking could help generate new ideas and fresh vision for breaking inter-generational patterns of violence, discrimination and failure.”<sup>29</sup> Wessells also emphasizes this point with a UNICEF report on the contributions of youth worldwide in conflict prevention activities. A young person comments on their own involvement in advocacy for peace: “we are tired of only being the victims; we want to be the ones who make a difference.”<sup>30</sup> If we assume that the child’s underdeveloped cognitive and

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<sup>26</sup> Wessells, 35.

<sup>27</sup> Rosen, 136.

<sup>28</sup> Idid., 136-37.

<sup>29</sup> “Children should lead world peace campaign”, *UNICEF Information Newslines*, May 12, 1999, <http://unicef.org/newslines> (accessed February 22, 2008), paragraph 3.

<sup>30</sup> Wessells, 245-46.

emotional skills deserve impunity, does this cost them the ability to contribute to political discourse and peace building efforts? The failure to examine these two issues in the same light threatens to drive them into mutual exclusivity, and as a result children lose their voice at the cost of protection.

#### Duality of Child Soldiers and Human Rights and International Law

Human rights and international law provide points of reference for accountability in three main areas: first, for child soldiers as perpetrators of criminal acts; second, for children as victims who should be protected against becoming child soldiers; and third, for adults who recruit child soldiers. Arts & Popovski discuss several documents pertinent in the examination of the human rights of children and youth as soldiers: The African Charter on Human and People's Rights, the European Convention on Human Rights, the fourth Geneva Convention and the Convention on the Rights of the Child (CRC), to name a few.<sup>31</sup> The most significant among these is the CRC, adopted by the U.N. in 1989, which was signed and ratified by Chad in 1990. It speaks broadly to the human rights of the child with articles 35 through 41 applying most directly.<sup>32</sup> Honawa elaborates on the Optional Protocol to the CRC drafted in 2002, which provides specific guidelines regarding the involvement of children in war and armed conflicts in Article 38:

[The Convention on the rights of the Child states that] governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in war or join the armed forces. The Convention's Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing a ban on compulsory recruitment for children under 18.<sup>33</sup>

Can children be seen as either fully innocent or fully culpable as they participate in the acts of warfare? They occupy a unique duality as both victim and perpetrator, which human rights and international law attempt to address. In 2002, the government of Sierra Leone created the Sierra Leone Special Court (SLSC), to prosecute those most responsible for war crimes committed after

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<sup>31</sup> Karin Arts and Vesselin Popovski, *International criminal accountability and the rights of children*, From peace to justice series (The Hague: Hague Academic Press, 2006), 10-16; 38.

<sup>32</sup> Columbia University, *Twenty-five human rights documents*. (New York: Center for the Study of Human Rights, Columbia University, 2001), 80-92.

<sup>33</sup> Alcinda Manuel Honwana, *Child soldiers in Africa*, The ethnography of political violence (Philadelphia: University of Pennsylvania Press, 2006), 36.

1997. The establishment of the SLSC provides a context and framework for discussion of the duality of children as perpetrators and victims, as well as other legal and humanitarian concerns. Desmond Tutu addresses this issue when he writes:

We must not close our eyes to the fact that child soldiers are both victims and perpetrators. They sometimes carry out the most barbaric acts of violence. But no matter what the child is guilty of, the main responsibility lies with us, the adults. There is simply no excuse, no acceptable argument for arming children.<sup>34</sup>

Human Rights Watch reports three former commanders were found guilty of war crimes by the SLSC for the recruitment and use of child soldiers under the age of fifteen.<sup>35</sup> Both the ruling and the formation of the court itself have broader implications, setting legal precedent in the accountability of those who bring children into war, as well as justifying prosecution of former child soldiers.<sup>36</sup> In 2000, when the establishment of the court and its guidelines were announced, human rights organizations supported protection for children under the age of 15 at the end of the war, ensuring they would not be subject to any potential prosecution, while at the same time criticizing the guidelines' inclusion for prosecution for children who were ages 15 to 18 years of age.<sup>37</sup>

There is ample evidence that children have committed many atrocities, seemingly of their own volition, without having been drugged or coerced, but their culpability is subject to debate. Rosen disagrees with the international consensus, which has existed since the mid-1970s, that children under fifteen years of age should be immune from accountability. He is critical of humanitarian organizations, which he claims vilify military life, as they enjoy favored status by the U.N., and become the self-appointed definers of 'civil society'.<sup>38</sup> It is important to consider the implications of Rosen's viewpoint of accountability for two main reasons.

First, is that if children are moral agents, they must be held accountable. Rosen uses the Sierra Leone Special Court's (SLSC) prosecutorial guidelines as evidence

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<sup>34</sup> Arts and Popovski, 103.

<sup>35</sup> The 1998 Rome Statute of the International Criminal Court (ICC) established a permanent court for the prosecution of genocide, war crimes and crimes against humanity. A significant accomplishment of this body was defining the recruitment and use of children under fifteen as a war crime (Wessells 237-40).

<sup>36</sup> "Sierra Leone: Landmark convictions for use of child soldiers", *Human Rights Watch*, June 20, 2007, <http://hrw.org/english/docs/2007/06/20/sierra16214.htm> (accessed November 3, 2007).

<sup>37</sup> Arts and Popovski, 26-27; Ramgoolie, 151-53.

<sup>38</sup> Rosen, 134-36.

that justice cannot be served for the innumerable Sierra Leoneans who suffered greatly at the hands of children who perpetrated heinous crimes, unless these children are punished.<sup>39</sup> Secondly, if the capacity for a child's self-sufficiency and resilience is not recognized, even though these traits may have been subverted for devious purposes while children were at war, it will preclude them from meaningful contributions to solution building and political discourse after the war. Rosen objects to the notion that children should be immune from any prosecution, and yet still be allowed to be, "active players in the social order and shape the dynamics of the world around them."<sup>40</sup>

Arts and Popovski support the idea that holding children accountable for crimes of war does not necessarily require criminal prosecution. The CRC, article 12 states that a child shall be provided, "the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly or through a representative or an appropriate body."<sup>41</sup> The Sierra Leone Truth and Reconciliation Commission (TRC) was established to provide an alternative to criminal prosecution through a formal process of redress for victims and perpetrators and creates a forum for reconciliation.<sup>42</sup> The TRC bore the lion's share of cases when the SLSC turned its focus to prosecution of only those with the greatest responsibility for the commission of war crimes.<sup>43</sup> The SLSC is the only international court that has the authority to prosecute children, and although no children of any age were tried in the SLSC, international legal precedent was set with this establishment of the guidelines.<sup>44</sup>

If children are acting, whether primarily or exclusively, on the commands of adults, the argument seems justified in excluding them from prosecution, but in doing so, an unexpected paradox arises. Removing children entirely from accountability may not only preclude them from the benefits of reconciliation and healing, but it may also unintentionally jeopardize them further. According to Arts & Popovski, there is fear that total impunity for children could effectively escalate the commission of the most heinous crimes. By forcing the un-prosecutable to commit the most serious crimes, the youngest of soldiers become the logical perpetrators. Accountability is diverted away from adults

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<sup>39</sup> Ibid., 146-49.

<sup>40</sup> Ibid., 55-56, 132-35.

<sup>41</sup> Arts and Popovski, 3.

<sup>42</sup> Ramgoolie, 159.

<sup>43</sup> Rosen, 149.

<sup>44</sup> Arts and Popovski, 5.

who use children as their proxy, and children, perhaps, become the exclusive participants of atrocious acts.<sup>45</sup>

#### Female Child Soldiers

According to Wessells the stereotypical image of a young rifle-toting boy has become the popular icon of the child soldier and has further marginalized female child soldiers. From 1900 to 2003, girls were involved in fighting conflicts in 38 countries and were found in the ranks of state and non-state forces. In Columbia up to 50 percent of opposition forces are girls, some as young as eight years of age. In Sri Lanka up to 42 percent of Liberation Tigers of Tamil Elam (LTTE) are girls, and in the Sierra Leone conflict, up to 35 percent of soldiers were girls.<sup>46</sup>

Dye points out that girls often suffer a dual trauma as children and as women because they fight alongside boys or men during the day and are subjected to sexual violence at night. Girls may become the sex slaves of commanders and are often referred to as bush wives. These relationships may provide additional privileges and protection for girls but are generally founded on abuse and subservience; although there have been cases where girls claim to have been voluntary participants.<sup>47</sup>

It is not uncommon for girl soldiers to have a child or children while they are in the bush. They often become mothers at a very young age and frequently contract sexually transmitted diseases. Culturally conceived ideas about sexual activity may lead these girls to withdraw from any former community or family for fear of rejection.<sup>48</sup> Wessells, in a U.S. State department report, quotes a girl from the Republic of Congo, as she describes her ordeal after joining a rebel group at 12 years of age:

One day rebels attacked my village where I lived. I hid and watched as they killed my relatives and raped my mother and sisters. I thought if I joined I would be safe...I was trained to use a gun and I performed guard duty. I was often beaten and raped by the other soldiers. One day the commander wanted me to become

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<sup>45</sup> Ibid., 7.

<sup>46</sup> Wessells, 86,

<sup>47</sup> Sarah Dye, "Child Soldiers: New Evidence, New Advocacy Approaches" (United States Institute of Peace, August 2007): 3-5. <http://www.ciaonet.org/pbei/usip/usip10161.html> (accessed October 20, 2007). Although there is no consensus about whether girls choose freely to become soldiers, humanitarian organizations support the belief that this is a 'choice' only in the sense that it may be the least detrimental option available to a girl in their current circumstances.

<sup>48</sup> Dye, 1-5; I. Specht & L. Attree, "The Reintegration of Teenage Girls and Young Women", *Intervention -Amstelveen-* 4, no. 3 (2006): 219-223; Wessells, 94-97.

his wife so I tried to escape. They caught me, whipped me, and raped me every night for many days. When I was just 14, I had a baby. I don't even know who his father is. I ran away again but I have nowhere to go and no food for the baby. I am afraid to go home.<sup>49</sup>

Ethnographic interviews reveal multiple reasons girls may join military groups. Girls and women are often relegated to the position of a second-class citizen in their respective cultures, and the opportunity to escape into the life of soldiering appears to be the better of the options available. They have often been victims of abuse in their civilian life. Although most accounts portray the life of girl soldiers as filled with sexual and physical abuse, premature motherhood, sexually transmitted diseases and ostracism from their communities of origin, there are also credible accounts of girls who claimed that their life was comparatively improved.<sup>50</sup> For example, Wessells quotes an Ethiopian girl soldier describes her experience:

It was a cooperative life. The male does not behave like the others do in the civil society. They respect us. Even they advise those males who do not respect females. There was no forced sexual relationship with males. The male fighters did not force us to do anything without our interest. The male had no feeling of superiority over the female.<sup>51</sup>

The potential for autonomy, coupled with an alternative to a traditional or sub-class role in their civilian culture, appears to impact girls' decisions to join the military. Wessells affirms that it is incomplete to view all girl soldiers as strictly passive victims. They are just as likely to embrace revolutionary ideologies as their male counterparts.<sup>52</sup>

Gislesen cites a consensus among experts that girls and women are the least likely to participate in post-conflict rehabilitation and reintegration programs, known as Disarmament, Demobilization and Reintegration (DDR). Although girls represented 30 to 35 percent of combatants in Sierra Leone and Liberia, their estimated participation level in DDR programs was approximately eight percent. Some of the reasons for lack of participation are due to the structure of the

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<sup>49</sup> Wessells, 94.

<sup>50</sup> Sprecht and Attree, 221-23; Wessells, 99-106.

<sup>51</sup> Wessells, 99.

<sup>52</sup> Ibid.

program in defining eligibility of age at time of demobilization and the degree to which the female soldier engaged in combat.<sup>53</sup>

Girls often develop a connection with their captors, which lead to a lack of participation in DDR programs. Those who bore children with commanders often see these men as their “de-facto” husbands and they opt to stay connected. These girls fear stigmatization and rejection from their families and former communities, yet needing to care for their children, they often remain with their “bush husband” after the conflict ends.<sup>54</sup>

Dye and Gislesen also propose that the lack of participation by girls in DDR programs indicates that some girls believe that demobilization is only available for those who carried—and surrendered—a weapon, or those who are still children.<sup>55</sup> Being a child does not align with the image of reality for these girls, who are already mothers with adult responsibilities to care for their own children. The children of former girl soldiers may be at an even higher risk for new recruitment. Branded “rebel children”, they are often the result of rape and are likely to suffer the stigmatization and rejection by the community.<sup>56</sup>

#### Issues Affecting Child Soldiering in Chad

Chad is not unique in its use of child soldiers but the particularities of this case, because they appear less extreme than experiences of child soldiers in Sierra Leone, Uganda, or Liberia are effectively driving this practice into a normative realm; the treatment of child soldiers in Chad does not appear to involve atrocities, and the recruitment—and re-recruitment—of children has become very commonplace. Child soldiers in Chad may not have suffered from the most serious brutality and manipulation when compared with their counterparts in Sierra Leone or Uganda, however, the situation in Chad may create problems of a different complexity.<sup>57</sup> The continual and long-term use of

<sup>53</sup> K. Gislesen, “A childhood lost? The challenges of successful disarmament, demobilisation and reintegration of child soldiers: The case of West Africa”, *Norwegian Institute of International Affairs* 71, no. 2 (2006): 15-17.

<sup>54</sup> Dye, 3; Gislesen, 15-16; Sprecht and Attree, 222-24.

<sup>55</sup> Some early DDR programs were set up with these types of guidelines, but improvements are being supported to enact change that specifically targets cultural and gender-sensitive issues (Dye 16-17).

<sup>56</sup> Dye, 3; Gislesen, 16-17. Gislesen states that girl ex-combatants in Sierra Leone and Liberia feared that “they would be labeled as ‘used goods’ with no prospects of getting married. Their children, usually conceived as the result of rape, have often been branded as ‘rebel children’ and have been likely to suffer from stigmatization and rejection similar to that experienced by their teenage mothers” (17).

<sup>57</sup> This research did not uncover evidence of severe atrocities being committed by children that emerged from field studies in Chad by human rights organizations, but this does not reduce the detrimental effect on these children.

child soldiers in Chad, by conventional standards in a sensationalistic context, paradoxically helps to make child soldiering more difficult to eradicate. The sensibilities of civil societies are outraged when children are perceived as being drugged, coerced and brainwashed into terrorizing war-torn civilian populations. The revelation of these acts has served to desensitize civil society when comparing this to the treatment of child soldiers in Chad. When children are recruited as foot soldiers and employed in the services of the military sans the sensational atrocities, it may be seen as not only more palatable, but even defensible in the minds of some critics. These factors contribute to driving child soldiering into a normative practice, and the danger—especially in Western perception—is that when the use of child soldiers loses its most glaring offensiveness, it will be perceived as acceptable.

The accountability of children in war crimes is an important part of the current discussion in Chad, and will be highly relevant in the post conflict period. It is impossible to predict the impact in Chad if children are segregated into age-related levels of accountability, but this could potentially further jeopardize the human rights of child soldiers. The Sierra Leone Special Court (SLSC) set a precedent in the prosecutorial considerations of 15 to 18 year old ex-combatants. Although criminal accountability must focus on war crimes and atrocities, youth may be encouraged to operate underground if they perceive themselves as criminalized or fear prosecution of any kind. If 15 to 18 year olds are culpable for crimes committed as combatants, they will be highly unlikely to expose themselves to prosecution by laying down weapons and participating in government or U.N. sponsored rehabilitation. Gislesen observed in studies of West Africa that participation in effective Disarmament, Demobilization and Reintegration (DDR) programs has been key to the cessation of hostilities, the recovery of ex-combatants, and the return to normalcy—not only in local communities—but also in the greater region.<sup>58</sup>

The typical DDR process involves the surrendering of children by armed forces to a humanitarian agency or non-governmental organization,<sup>59</sup> the collection of weapons, and relocation of children away from war zones and into self-contained programs. In these programs, children receive psychosocial counseling rehabilitation, medical assistance, skills training, education and reintegration with their communities. Gislesen states that the ultimate goal of DDR is to reunite former child soldiers with their community of origin, and move them

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<sup>58</sup> Gislesen, 3-6; 40.

<sup>59</sup> UNICEF and World Vision are the primary agencies to demobilize child soldiers.



into a productive and healthy adult life.<sup>60</sup> Many children who enter into, and even complete DDR programs, do not achieve this goal and find themselves back in the ranks of the military either by opportunity or force. In Chad many ex-combatants have no safe community to which they can return.

Regional dynamics, political instability and continued war in Chad make it easy for the re-recruitment of children who are demobilized. The infusion of re-recruited child soldiers into a conflict can have the effect of prolonging fighting as trained forces rejoin ranks, which helps to perpetuate both the conflict itself and child soldiering. Gislesen reports that in 2002 and 2003, when fighting in Liberia escalated into full-blown war, it was not uncommon to find demobilized Sierra Leonean child soldiers in their forces. “Successful reintegration of combatants is essential—not only to ensure national stability and security, but also to ensure regional stability.”<sup>61</sup> If child soldiers in Chad do not participate in DDR, for any number of reasons, it not only jeopardizes their future, but also that of their local and regional community.<sup>62</sup>

Chad is at high risk for the re-recruitment of child soldiers threatening to perpetuate the conflict indefinitely. The regional instability created by the proximity of Darfur to the east and Central African Republic to the south provides not only a plentiful supply of former child soldiers, but there is no safe way for demobilized child soldiers to be reintegrated into the communities that are still suffering from constant attacks. Reunification with community and family is unlikely in Chad because so many communities have disintegrated into Internally Displaced Persons (IDP) and refugee camps. Without a safe place to return for reintegration the Disarmament, Demobilization and Reintegration (DDR) process cannot be effective, and this is possibly worse than no process at all. If the end goal of DDR is forgiveness from, and reunification with, their community of origin, and this cannot be achieved due to continuing warfare—ex-combatants have no closure, no home and are highly vulnerable to becoming re-engaged in conflict and falling deeper into a cycle of hopelessness.<sup>63</sup>

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<sup>60</sup> Gislesen, 3-7. Gislesen believes that the child’s reintegration must occur in the community of origin because one of the most critical elements of reintegration is reconciliation with former victims, which often include culturally based cleansing and forgiveness ceremonies (33).

<sup>61</sup> *Ibid.*, 20.

<sup>62</sup> Girls are particularly vulnerable to re-recruitment since they participate in DDR in such low numbers.

<sup>63</sup> Dodge and Ranudalen, quoted in Gislesen, state that there is “a belief that re-attachment to families will assist in the rehabilitation and reintegration of a child into civil society. After all, it is believed that the initial separation from family at the inception of violence is at the heart of the ‘trauma’ suffered by a child soldier” (33).

## IDP and Refugee Camps as Sources for Child Soldiers

The study by Achvarina and Reich reveals a direct correlation between child participation rates in soldiering and proximity of access for combat forces to IDP and refugee camps. This becomes one of the most important considerations for Chad. Recent events have escalated the number of IDPs and refugees in Chad, and although peacekeeping forces had been initially cleared to enter Chad in early 2008, there are no signs that this will bring immediate relief for those displaced and living in camps. The potential exists for the number of child combatants to rise in proportion to the increase in population of IDPs and refugees. Achvarina and Reich conclude that:

Our principal finding is that access to these camps (and the level of their protection) is the greatest determinant of child soldier rates, and if those rates are to fall, then children need to be both fed and protected. How to do so effectively therefore becomes a central logistical and military conundrum.<sup>64</sup>

If proximity is a key factor, as it appears to be, then focused efforts must be made to mitigate the root causes for these growing sources of recruitment of child soldiers.<sup>65</sup>

## Policy recommendations for the U.S. Government

I recommend that the United States establish and jointly fund a multi-national Regional Peace and Human Rights Education Program in Central and Western Africa. Grassroots organizations such as Tostan,<sup>66</sup> have been successful in Africa in promoting education which led to voluntary abandonment of Female Genital Cutting (FGC) and provide a model for success. When people are provided with education and empowerment to resolve their own issues, it allows for sustainable solutions to emerge from within the community. The greatest challenge with this proposal will be to find a receptive host country, but economic and development incentives for host countries, supported by the U.S. and Western governments could be a strong incentive.

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<sup>64</sup> Achvarina and Reich, 164

<sup>65</sup> In first hand interviews, Human Rights Watch verified that child recruitment by the ANT forces from IDP camps increased during the period directly following the coup d'etat attempt in February 2008, *Human Rights Watch*, "Briefing to the UN Security Council on the Situation in Chad and the Central African Republic", <http://www.hrw.org/en/news/2008/12/08/briefing-un-security-council-situation-chad-and-central-african-republic> (accessed 1/18/2009).

<sup>66</sup> Tostan is an NGO currently working in nine African countries whose mission is "to empower African communities to bring about sustainable development and positive social transformation based on respect for human rights" (<http://www.tostan.org>).

The U.S. should strengthen current policies and increase funding of multi-lateral voluntary refugee relocation programs. The U.S. needs to take a leadership role in establishing long and short-term solutions to the explosive population growth of Internally Displaced Persons (IDP) and refugee camps in Chad. Short term, immediate relief could be provided by a multi-lateral effort to fast-track the voluntarily relocation of refugees. This would not only provide some relief to individual refugees and IDPs, but it would lighten the burden for Chad as well. Also, the U.S. must loosen its restrictions on immigration from Chad. Additionally, the U.S. should provide support for referrals of war crimes to the ICC. Those adults most responsible for war crimes must be held accountable. Although the U.S. does not currently support the ICC, it must, at the very least, support referrals to this body. Without an international mechanism for justice and accountability, any peace that is achieved may be undermined without a shared perception of enforcement of the rule of law.

Further, the U.S. needs to provide economic and limited military assistance if Chad demonstrates and sustains progress toward child soldier demobilization and recruitment prevention and agrees to the monitoring of these issues by outside agencies. A self-sustaining economy is fundamental to long lasting peace. Chadians must be the participants who drive their country's resource development plans with comprehensive and robust support from Western countries. In the past, management of African natural resources by outside powers has left significant scars throughout the continent from decades of colonial rule. Self-management of resources will lead to economic success and peace. Chad has requested military assistance, and this would clearly be a leverage point to help promote human rights and discontinue the recruitment of child soldiers

In October 2008, President Bush signed into law the Child Soldiers Accountability Act, making it a felony offense to recruit children under 15 years of age into military service. This will allow persons to be prosecuted while on U.S. soil, regardless of the citizenship status.<sup>67</sup> Finally, I recommend that the United States adopt two recommendations of Human Rights Watch to pass and enforce additional legislation to discontinue military aid to countries using child soldiers, and appoint a special envoy to monitor and ensure that aid to Darfur

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<sup>67</sup> "United States: Bush Signs Law on Child Soldiers", *Human Rights Watch*, October 3, 2008, <http://www.hrw.org/en/news/2008/10/03/united-states-bush-signs-law-child-soldiers> (accessed 1/18/09).

neither ignores nor contributes to violations in Chad.<sup>68</sup> By failing to ratify the Convention on the Rights of the Child (CRC), the U.S. has given the perception to most of the world that it is not fully supportive of the human rights of children. The U.S. has an opportunity to show its support of the rights of children worldwide by passing the Child Soldiers Prevention Act into law. Heightened awareness of the plight of children in war-torn developing countries has created public support for additional legislation and provides an opportunity to change negative perceptions and gives meaningful support to children. As the crisis in Darfur continues without any signs of abatement, coordinated efforts in Darfur, with the appointment of a special envoy will ensure that no unintended negative consequences occur in Chad as war rages on in Darfur.

#### Conclusions

Ultimately, all issues concerning human rights focus on the alleviation of human suffering. Stakes are high for child soldiers in Chad, and for the victims of violence in warfare, especially as the number of intrastate conflicts increase. Gislesen articulates the potential for the legacy of child soldiering to produce “a scarred generation among those who would be expected to become the leaders [and] drivers of economic well-being and the future of the continent [of Africa].”<sup>69</sup> Wessells, however, cautions against such a sweeping view of child soldiers, and Dye states that the “majority of child soldiers are not ‘damaged goods’. They are not a lost generation.”<sup>70</sup> Paradoxically, these two positions exist in tension with one another.

Strategic planning must drive the solutions. We are currently overlooking the “bigger picture” in Chad. As the factionalized fighting worsens, the IDP and refugee camps swell daily, and, in turn, produce a continual source of child soldiers. If this cycle is not broken, there is a high risk of increased instability and potential collapse of Chad’s government and economy, as well as that of numerous other countries in the region. A strategy for peace building is needed. Heightened security in the United States creates an opportunity for the argument to be made toward reducing security risks abroad by providing support in building long-term peaceful stability in volatile countries such as Chad and in the greater region. These actions would have a positive effect on global terrorism

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<sup>68</sup> In December 2008 the U.S. Congress passed legislation to limit military aid to any country using children in their military. This is pending signature by the U.S. President, “U.S. Limits Military Aid to Nations Using Child Soldiers”, *Human Rights Watch*, December 11, 2008, <http://www.hrw.org/en/news/2008/12/11/us-limits-military-aid-nations-using-child-soldiers> (accessed 1/18/09).

<sup>69</sup> Gislesen, 28-29.

<sup>70</sup> Wessells in Dye, 4.

concerns, but they must be undertaken with a high sense of urgency. According to the U.S. State Department Country Report, Chad has been a “valuable partner in the war on terror.”<sup>71</sup> Present opportunities may not last if instability reaches a critical mass in Chad and in the neighboring countries. The recent escalation of violence in February 2008 was a case-in-point that action must be taken quickly.

To date, peace in any single country has not been sustainable. Broader regional peace is the viable long-term solution. Imposition of peace from external forces has not been sustainable. Peace treaties legislated from outside—particularly from Western countries—have had a dismal history of failure in this region. The best hope for eradicating war is a grassroots peace building and human rights education program, and the best policy to protect child soldiers in Chad is to eliminate the need for them.

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<sup>71</sup> “Background Note: Chad”, *U.S. Department of State: Bureau of African Affairs*, June 2007, <http://www.state.gov/r/pa/ei/bgn/37992.htm> (accessed September 8, 2007).