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Using Military Assistance to Combat the Use of Child Soldiers

Are we doing enough to prevent the use of child soldiers? Rachel Stohl and Shannon Dick have their doubts. While UN resolutions and national legislation are a step in the right direction, they don't address the little stressed impact that military assistance has on the recruiting of child combatants.

By Rachel Stohl and Shannon Dick for ISN

It has been almost one year since Leila Zerrougui, the Special Representative of the U.N. Secretary-General for Children in Armed Conflict, launched the "[Children, Not Soldiers](#)" campaign. This two year effort "seeks to galvanize support to end and prevent the recruitment and use of children by national security forces" in countries like Afghanistan, Myanmar, and Yemen. Unfortunately, 2014 was a particularly devastating year for the millions of children around the world affected by violent conflict. As events in the Middle East, Ukraine and beyond amply demonstrate, protracted crises continue to uproot families, destroy homes and schools, and leave countless children vulnerable to armed violence.

One consequence of these conditions has been the increased recruitment and use of child soldiers by armed forces and militant groups. In 2013, the United Nations documented and verified more than 4,000 cases of child combatants worldwide. UNICEF also estimated that, as of December 2013, 6,000 child soldiers were actively involved in the armed conflict that continues to plague the Central African Republic (CAR). Consequently, children in some of the most fragile parts of the world remain vulnerable to forcible recruitment into national armies, paramilitaries, and militant groups. In this respect, the recruitment and use of child soldiers is tied to conflict and convenience, and even the most modest estimates suggest that tens of thousands of children are actively used as child soldiers today.

International Efforts

A range of international mechanisms exist that prohibit the use of child soldiers in armed conflict. The United Nations' [Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict](#) requires governments to take measures to ensure that persons under the age of 18 do not take part in hostilities and are not compulsorily recruited into armed forces. In March 2014, the U.N. Security Council adopted Resolution 2143, which condemns violations of relevant international law regarding the use of children by all parties to armed conflict. It also calls on member states to implement time-bound action plans to ensure that children are not

used in their armed forces or serve in hostilities. While 23 parties – both government and non-state armed groups alike – have signed such action plans, many have not consistently implemented these commitments, in part due to sustained armed violence.

While these measures represent significant steps to reduce and ultimately end the use of children in armed conflict, few approaches have substantially addressed the impact that arms transfers and military assistance have on the use of child soldiers. Though the connection between global arms transfers and child soldiers has been well-established, very few states have taken steps to condition the provision of military assistance to countries that use and recruit child soldiers.

Impact of Arms Transfers

The global arms trade – in its legitimate and illegitimate forms – continues to fuel the recruitment of child soldiers around the world. Indeed, the dynamics of this trade have made weapons more accessible to more actors, and despite the efforts of the international community to limit the flow of weapons to parties complicit in violations of international human rights and humanitarian law, both legal and illicit arms transfers continue to be made to human rights abusing governments and nefarious rebel groups. Many of these actors forcibly recruit children to undertake menial tasks or to serve as combatants. For years, civil society, national governments, and international organizations have recognized the links between arms transfers and the unlawful recruitment or use of children in armed conflict, and called upon states to abolish and criminalize arms transfers to state and non-state actors that have records of recruiting and using children in armed conflict. Yet, few countries have actually taken steps to limit transfers of weapons that could facilitate the use of children in armed conflict. Indeed, many countries with a proven track record of recruiting child soldiers rely on weapons and military assistance from some of the world's leading arms exporters.

China, for example, has exported millions of dollars in small arms and light weapons to South Sudan, where child soldier recruitment is rampant with more than 10,000 children believed to be fighting in government and rebel armies. Similarly, Germany and France – both among the top five weapons exporters in the world – have exported arms to the Democratic Republic of the Congo (DRC), where the national army and various rebel groups are known to forcibly recruit child soldiers. And the United States, the world's largest arms exporter, has consistently provided weapons and military assistance to Yemen to be used in counterterrorism operations, despite widespread international condemnation for its use of child soldiers.

The U.S. Response

The United States is one of the few countries to have taken steps to condition the provision of military assistance based upon on a country's record of child soldier use. Through the [Child Soldiers Prevention Act](#) (CSPA), the United States implemented national legislation to prohibit arms transfers and military training to countries identified by the State Department as having recruited and used child soldiers in national militaries or government-supported armed groups. In addition, the Act incentivizes U.S. military assistance by encouraging governments that use child soldiers to end the internationally condemned practice.

Though the CSPA does not provide complete prohibition against all U.S. military assistance, it does limit foreign military sales, direct commercial sales, excess defense articles, international military education and training, foreign military financing, and some peacekeeping operations assistance – which represent the largest U.S. arms sales and military assistance programs. Under the Act, governments can receive otherwise prohibited assistance to professionalize their militaries if the U.S.

president certifies that the country is taking reasonable steps to demobilize child soldiers as well as providing rehabilitation and reintegration assistance. Certification can lead to the waiving of the CSPA's restrictions and result in the provision of military education, training, and nonlethal supplies.

Although a potentially powerful tool, the United States has not consistently leveraged the Act's utility to send a strong and clear message against the use of child soldiers. Instead, Washington has invoked the Act's waiver authority more often than not to provide full and partial waivers to countries with known records of child soldier use. For example, between 2012 and 2014, the State Department identified the DRC, South Sudan, and Yemen as having recruited and used children in armed conflict. However, the administration has consistently provided waivers to the prohibitions warranted by the CSPA that would otherwise limit U.S. military assistance to these countries.

In some cases, these waivers amount to millions of dollars in military assistance. This year, Somalia might receive upwards of \$115 million in sanctionable assistance that would otherwise be prohibited by the CSPA. Yemen could have access to at least \$26 million that would also be prohibited under the terms of the Act. These provisions of assistance stand in contrast to conditions on the ground, where child recruitment by government-supported armed groups in Yemen has increased and 200 children are believed to have been recruited by the Somali national army and allied militias in 2013 alone.

Grounds for Optimism?

In other parts of the world, explicit action like the CSPA is even rarer. Belgium, for example, has [legislation](#) that prohibits the export and transit of arms to countries that use child soldiers in their national armies. However, most states have yet to develop regulations that respond to the established connection between arms transfers and the use of child soldiers. The new Arms Trade Treaty might be one vehicle that governments can use to fill that void. Because children are at risk of being recruited and used by government forces, paramilitaries, and other armed groups, efforts to condition arms transfers must be broader in scope.

Globally, measures like the CSPA could be used to mitigate and ultimately end the use of child soldiers in national militaries and government-supported armed groups. It, along with similar measures, should be considered within a larger, coordinated context to support sustainable institutions and security apparatuses in emerging democracies. The implementation of arms and assistance prohibitions should complement democracy promotion and security sector reform. Prohibitions can and should be linked to the signing and implementation of national action plans focused on demobilizing and ending recruitment of child soldiers. In short, these measures can be used to encourage changes in government behavior and to promote democratic norms within the military structure that do not rely on the use of child soldiers.

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