

# Putting Children First

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## Background Report

**Biting the bullet: Advancing the agenda for the UN 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects** is a joint project between BASIC, International Alert and Saferworld. The project seeks to facilitate a wide-ranging and well-informed debate among governments and between governments and civil society. We expect that such debate will help generate support among governments for the advancement of a progressive agenda during the UN 2001 negotiating process and for the pursuit of a comprehensive and integrated approach to the problems of small arms and light weapons. The project will publish a series of policy briefings between February 2000 and the UN conference in 2001. As well as focusing on those elements of the small arms and light weapons control agenda that are likely to be addressed by the conference (eg marking of small arms), the research papers will also address elements (eg security sector reform) which, while relevant, are less likely to feature on the UN 2001 agenda. In addition, we will hold regular seminars and maintain a website that will provide background information, event information and the published briefings. For more information on this project, please contact one of the three organisations.

BRITISH AMERICAN SECURITY INFORMATION COUNCIL

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**BASIC – INTERNATIONAL ALERT – SAFERWORLD**

# Putting Children First - Background Report

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## BRITISH AMERICAN SECURITY INFORMATION COUNCIL

The British American Security Information Council is an independent research organisation that analyses international security issues. BASIC works to promote awareness of security issues among the public, policy-makers and the media in order to foster informed debate on both sides of the Atlantic. BASIC has worked on small arms and light weapons issues since 1995. BASIC's Project on Light Weapons has facilitated a network of analysts and activists working on the issue around the world.

## INTERNATIONAL ALERT

International Alert is an independent non-governmental organisation which analyses the causes of conflicts within countries, enables mediation and dialogue to take place, sets standards of conduct that avoid violence, helps to develop the skills necessary to resolve conflict non-violently and advocates policy changes to promote sustainable peace. International Alert's Light Weapons and Peacebuilding Programme was established in 1994. It focuses on policy research, outreach and working with organisations in conflict regions to identify ways of controlling light weapons and small arms.



Saferworld is an independent foreign affairs think tank working to identify, develop and publicise more effective approaches to tackling and preventing armed conflicts. Saferworld's Arms Programme, initiated in 1991, aims to foster greater international restraint over transfers of arms – from light weapons to major conventional weaponry – and dual-use goods. At the same time, Saferworld aims to work with governments and non-government groups on the ground in regions of conflict in order to better control flows of, and reduce demand for, arms.

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## Introduction

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*"Guns made in the United States, Russia, and China. I used them all, I know them all...I have to go crazy to deal with what I saw."*<sup>3</sup>

Former child soldier from Cambodia

*"There is no work for me. I have few skills except using a gun and it's easy money...I used to be FRELIMO, then joined RENAMO, then joined FRELIMO. I have played war for both."*<sup>4</sup>

Former child soldier from Mozambique

*"In the organisation, you understand that your life is your weapon, it is your mother, it watches out for you day and night."*<sup>5</sup>

Former child soldier from Colombia

The purpose of this paper is to identify how the presence, proliferation, and misuse of small arms and light weapons (SALW) negatively impact children in conflict and post-conflict societies.<sup>6</sup> It examines the impact of these weapons on children's well-being, rights and development, drawing on primary research in Cambodia, Mozambique, and Colombia. It was prepared in the context of the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001 and the UN Special Session on Children. Both are key opportunities to examine fully the impact of SALW on children at the international level and to agree global action to prevent and reduce the spread and misuse of the weapons that endanger the safety and undermine the potential of children.

While UN agencies, international governmental organisations, human rights and development organisations have documented abuses committed against children, to date there has been no systematic analysis of the numerous ways in which SALW negatively affect the lives of children in conflict and post-conflict situations, let alone in societies at peace. However, the information that has been collected paints a terrible picture of devastation wrought by SALW. The use of small arms by and against children has both direct effects, which include death and injury, human rights abuses, displacement and psychosocial trauma, and indirect effects, which include insecurity, loss of health care, education and opportunities. These direct and indirect effects have both short and long-term impacts on the well-being, rights and development of children. This paper highlights these direct and indirect costs by drawing on the personal testimonies of youth affected by small arms in Cambodia, Mozambique, and Colombia - countries that have felt the devastating impacts of small arms and are currently at different phases of the recovery process.

"Children" is used to describe the group of people under the age of 18. To emphasise the situation for some groups of children, terms such as adolescents are used. "Adolescents" is used to describe the group of people over the age of 11.

## The Negative Impact of Small Arms on Children

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It is often extremely difficult to separate the impact of conflict from the impact of small arms on children but the human suffering caused by small arms is ultimately immeasurable. Indeed, the United Nations Secretary-General, Kofi Annan, has called small arms “weapons of mass destruction.”<sup>7</sup> These weapons often prolong and deepen the consequences of war and also impede post-conflict resolution and reconstruction. If many small arms remain behind after a conflict ends, they can promote insecurity, which in the extreme, may result in a return to conflict. Even in societies at peace, the presence of SALW can fuel crime and violence, and they can also be used by security forces for the facilitation of human rights violations against the civilian population. These weapons have several characteristics that make them ideal for contemporary conflicts and, in particular, the targeting and use of children in war. Many are so lightweight and simple that a child as young as eight can operate and repair them without difficulty. Equally, they can last over 40 years, meaning they can be exported from conflict to conflict through porous borders and lax national, regional, and international controls.

Children have long been afforded special protection in international treaties and increased efforts have been made in the last decade to improve the situation for children in conflict. Geneva Convention IV (1949) protects children and other civilians in times of war. Additional Protocols I and II (1977) also provide children with special protection and addresses the participation of children in hostilities. Article 70 of Protocol I affords children privileged treatment and special protection. Article 77 outlines the special protections afforded children with regard to the recruitment and the use of children in conflict. Protocol II further develops the special protection of children in hostilities. Article 4 prohibits the recruitment of children under the age of 15 for use in armed hostilities.<sup>8</sup> A body of human rights law, norms and standards has also been developed for the protection of children in both conflict and non-conflict situations. A major milestone in the strengthening and codification of these rights was the adoption, in 1989, of the UN Convention on the Rights of the Child (CRC).

Yet, while children have been recognised as needing special protection, their rights are often abused and their well-being frequently put at risk due to the availability, proliferation and misuse of SALW. It is difficult to ascertain the full extent to which children suffer from the presence, proliferation and misuse of these weapons since many of the short and long-term impacts have not yet been fully examined. However, as UNICEF Executive Director, Carol Bellamy, states: “More than tanks, missiles and mortars, light weapons have terrorized children during wars and after...they have probably extinguished more young lives than they have ever protected.”

### Direct impacts

#### Death and Injury

Estimates for civilian casualties of conflict vary considerably, having been put as high as 90 per cent.<sup>10</sup> The majority of these civilians are killed by small arms - one estimate puts civilian casualties of conflict at 80 per cent of which 90 per cent have been killed by small arms fire.<sup>11</sup> An Oxfam GB study in Uganda found that 63 per cent of civilians injured in conflict that reached hospital, died from gunshot wounds. In addition, 90 per cent of reported injuries among civilian casualties of conflict over the same period were from gunshot wounds.<sup>12</sup>

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The majority of the victims of small arms violence are women and children. The Under-Secretary-General for Disarmament, Jayantha Dhanapala, estimates that these groups represent more than 80 per cent of the victims of small arms fire.<sup>13</sup> During the last decade more than two million children have been killed and more than six million permanently disabled or seriously injured in armed conflict.<sup>14</sup> It is unclear, however, how many of these children have been killed, disabled or injured directly by small arms fire, because small arms fatalities or injuries to children are rarely reported and codified.<sup>15</sup> If civilian casualty data is available at all, it usually groups all civilians or non-combatants together. However, there are some indications of the horrifying threats to children, highlighted by the following observations by Red Cross workers in Chechnya: “In 1995 Red Cross workers in Chechnya found that the bodies of some children, who made up 40 per cent of the dead between February and May that year, bore the mark of systematic execution with a bullet through the temple.”<sup>16</sup> This cold targeting of children constitutes the gravest of war crimes.

#### Human Rights Abuses

Small arms are regularly used to commit human rights abuses: they are employed in extra-judicial executions, forced “disappearances” and torture. Such abuses are committed by both State security forces and by non-state actors such as armed opposition groups. They occur in conflict situations as well as in societies supposedly at peace.<sup>17</sup> In Brazil, a study published by the office of São Paulo’s police Ombudsman on the use of lethal force by the police in the State during 1999, found that 56 per cent of those killed had no previous criminal record, 51 per cent were shot in the back and 54 per cent were black.<sup>18</sup> The widespread availability and accessibility of SALW means that abusive forces and individuals have little difficulty acquiring the small arms necessary to terrorise and victimise. Furthermore, they are available to a growing number of actors with very little training, discipline or accountability.<sup>19</sup> Children are both the victims and perpetrators of human rights abuses committed with small arms. They have proven especially vulnerable to rape, sexual abuse, violence and exploitation, mutilation, abduction, slavery and forced prostitution. Most child victims of violence and sexual abuse are girls but boys are also affected. The harm inflicted by this violence “...often has a tragic ripple effect that extends far beyond the pain and degradation of the rape itself.”<sup>20</sup> It can have a devastating impact on children’s physical, as well as emotional development, particularly with the growing risk of exposure to sexually transmitted diseases and HIV/AIDS.

#### Displacement

The widespread use and misuse of small arms in conflict often causes massive population displacement. Children are especially vulnerable – they make up about half of the world’s refugee and internally displaced populations (IDPs).<sup>21</sup> Indeed more than 5,000 children become refugees each day.<sup>22</sup> Refugees and IDPs often share a common characteristic: “They are motivated by the fear that people with guns will use them on vulnerable communities.”<sup>23</sup> The immediate risks of displacement for children include death, injury, violence, abuse and military recruitment, threats that are most frequently perpetrated with SALW. In addition, however, children driven from their homes and communities are often left without adequate food, shelter or healthcare. Yet, at the same time, the insecurity generated by the prevalence of small arms often makes it difficult for humanitarian agencies to provide aid to those who are displaced. Even in refugee camps children are vulnerable, where SALW are used to intimidate, if not actually used to injure or kill.<sup>24</sup>

## The Negative Impact of Small Arms on Children

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Furthermore, the dangers of displacement may extend long after the conflict has ceased. For example, the continued availability of small arms in societies emerging from conflict often discourages refugees and internally displaced people from returning to their homes and communities because of the ongoing fear of armed violence. Some are afraid to leave the camps and return home because of the substantial amounts of weaponry that remain in areas through which they would travel.<sup>25</sup> There have also been cases where the communities that surround refugee camps live in fear because of the activities of the armed refugees within. This situation can cause antagonism between the host community and refugees, which may lead to further violence.

### Psychosocial Trauma<sup>26</sup>

Many children experience psychosocial trauma as a result of their exposure to and use of small arms but this trauma rarely ends when the child is removed from the immediate conflict situation. For some children, the traumas inflicted by small arms and light weapons manifest immediately, but for others it can take years for them to come to grips with the horrors they have experienced and witnessed. Experts have determined that the extent of the trauma can depend on age, gender, personality type, personal and family history, cultural background and experience, as well as the nature and duration of the event.<sup>27</sup> Small arms are often readily identifiable weapons for children suffering from trauma. For example, pictures drawn by child victims of war in northern Uganda portray the variety of weapons used by parties to the conflict including other children, Lord's Resistance Army troops, and Ugandan government forces. The weapons that permeate the memories and drawings of children range from automatic rifles, RPGs, and mortars to gun vehicles, tanks, and helicopters, while the images include soldiers terrorising and killing, massacring families in refugee camps, destroying schools, and attacking villages.<sup>28</sup>

### Indirect impacts

Small arms do enormous damage to children beyond their use to kill, injure, abuse and displace by diminishing the potential of, and opportunities offered to, children. The proliferation of small arms has resulted in:

*"Massive social disruption...fear of movement to schools and health clinics, loss of assets through armed robbery, lack of long-term planning as a reaction to unpredictable and volatile environments, changed social norms, and untold psychological scarring."<sup>29</sup>*

### Family and Community Breakdown

The presence, proliferation and misuse of small arms often weakens traditional family structures and support systems for children. Children who must take over care-giving responsibilities due to the death or physical incapacity of a parent or main caregiver often end their educational studies in order to earn money to support the remaining family members. The death of an economically active family member, particularly a father, makes the remaining family more susceptible to poverty.<sup>30</sup> In areas where the adult population has been diminished by conflict, adolescents are often required to undertake adult roles and responsibilities within the community.<sup>31</sup> Children must also cope with the psychological impact of losing a family member to small arms violence either through death or separation. More than one million children have been orphaned or separated from their families in recent years.<sup>32</sup> The presence of small arms in the post-conflict environment can continue to undermine family support structures because they can create environments of insecurity and cultures of violence which break down traditional support and conflict resolution mechanisms within the community.

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### Loss of Access to Healthcare

Children in impoverished areas often succumb to preventable and treatable ailments because of the lack of healthcare services available. Similarly, the presence of small arms can have the same effect, because the insecurity they generate can hinder access to health services. Therefore, medical conditions that should be successfully treated have resulted in fatalities. In some regions, the monitoring of treatable diseases, organisation and delivery of health care, and vaccination programmes have been episodic due to the insecurity that prevails with the presence of small arms. In some regions, non-fatal diseases, such as measles, have become a major killer.<sup>33</sup>

The sheer number of small arms fatalities and injuries have monopolised many health care resources. For example, the millions of victims of small arms violence who survive their injuries but are left with permanent physical disabilities and mental health consequences, often require significant treatment and rehabilitation. These treatments are very costly and, therefore, children may be neglected in receiving this treatment because of a lack of resources. Equally, providing this treatment may drain resources away from other health care requirements. A 1997 study estimated the cost of treating severe small arms injuries in one South African hospital at US\$2.5 million to US\$10 million per annum.<sup>34</sup>

### Loss of Access to Education

The presence of small arms in both conflict and post-conflict situations can impede the opportunities for children to receive an education. Schools are unable to open due to insecurity; parents are afraid to send their children to school for fear of abduction; and teachers are unable to do their jobs. Both during and after conflict the mass displacement of civilians can put immense strain on educational resources within towns and capitals. This often leads to a severe lack of classroom space, high pupil-to-teacher ratios, a lack of trained teaching staff and a shortage of learning and teaching materials. This can mean that even those children receiving an education are severely disadvantaged. Small arms can also impact on children's access to education in post-conflict situations because the presence of SALW can cause educational disruptions. Teachers are unable to do their jobs because of insecurity and the inability to impose discipline because of rampant gun possession.<sup>35</sup> In some cases, lack of security can lead schools to close or provide limited services.

The numbers of children who do not receive adequate schooling are substantial and have worrisome implications for the future. In Angola only 45 per cent of school age children were in formal education at the end of 2000.<sup>36</sup> The illiteracy rate is estimated at 42 per cent - among six to fourteen year olds this figure rises to 70 per cent.<sup>37</sup> This is a phenomenon that replicates across many conflict-ridden countries. A significant number of children in conflict areas will be illiterate as they reach adulthood. Without an education, these children face significant hurdles in becoming productive participants in the economic, social, and political sectors of society, which will severely undermine the potential for development in the country.

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### **Lack of Food Security**

Small arms proliferation can also affect children's access to food. Children in conflict areas already have difficulty obtaining enough food and water to meet minimum amounts necessary for survival because conflict areas often suffer a breakdown in the economic infrastructure. Markets are closed and foodstuffs are scarce as fields lie fallow and transportation links are cut, often due to the destabilisation and insecurity caused by the presence of small arms. Even when conflict subsides, "like landmines, the mere threat of arms use affects land-use patterns and harvesting, livestock production and grazing and local investment in commercial activities...the disruption of entitlements has profound implications for the social and economic development of communities."<sup>38</sup> In several countries, "homes, land, livestock are all being demanded from civilians at gunpoint."<sup>39</sup> In others, food shortages have been caused by the lack of available people to tend or harvest the land – many are dead, wounded or militarised.

### **Loss of Humanitarian Assistance**

Small arms have increased the duration, incidence, and lethality of many armed conflicts, which has resulted in growing humanitarian needs and related relief efforts to aid populations devastated by violence and war. However, concurrently, small arms proliferation and misuse has increasingly hindered the delivery of humanitarian assistance to vulnerable communities. A recent study highlighted that "humans with weapons...posed the greatest threat to aid workers" based on reports that intentional violence accounted for between 70 and 75 per cent of all deaths among humanitarian personnel between 1992 and 1995.<sup>40</sup> The International Committee of the Red Cross (ICRC), UN, and other aid agency workers are increasingly threatened and murdered, primarily with guns and grenades, as they attempt to undertake their work. Indeed "the current 'firearm' homicide rate for UN staff is 17-25 per 100,000 – homicide rates that are analogous to those experienced in the top ten most dangerous countries in the world."<sup>41</sup> Not only do small arms limit the access of aid workers to affected populations and make it difficult for them to carry out their relief efforts, but it is also costly for humanitarian actors in the fiscal sense. "Governments and aid agencies are forced to invest huge amounts in ensuring the security of humanitarian operations both for their staff and for the people they are assisting."<sup>42</sup>

### **Loss of Opportunities**

The presence of small arms can have a significant effect on future opportunities for children. The continued presence of these weapons in post-conflict societies "not only undermines a country's ability to sustain peace but represents a major stumbling block to sustainable human development."<sup>43</sup> Addressing the conflict, violence and insecurity associated with small arms often necessitates the reallocation of resources that would otherwise go to rebuilding or developing key infrastructure, including political, legal, educational, and healthcare institutions and systems. A 1998 report by the Office for the Coordination of Humanitarian Affairs in Latin America estimated the costs in terms of health and damage to person and property in Latin America, where SALW are easily available and the rates of weapon-related death and injury are high, at 14 per cent of gross domestic product (GDP).<sup>44</sup> The Inter-America Development Bank estimates the regional economic costs of violence in Latin America, since the mid-1990s, which includes the costs of health, policing and 'value of lost life' at US\$140-170 billion per year.<sup>45</sup> Small arms and light weapons make a significant contribution to these costs.

## The Negative Impact of Small Arms on Children

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Children are most severely affected by the undermining of sustainable development in both the short and long-term. Children suffer from the lack of economic investment and growth because basic needs, such as schooling and healthcare, are not met. The lack of economic opportunities denies children, especially adolescents, access to support services and skills training. With limited financial resources the special vocational needs of children may be secondary to adults and other social pressures. Furthermore, such economic instability limits job creation and sustainability in the medium and longer term.

### **Insecurity and the Culture of Violence**

The widespread availability of small arms often fuels environments of extreme insecurity and cultures of violence, which undermine reconstruction and development efforts. The presence of these weapons can stifle efforts to rebuild communities because they prevent the 'normalisation' of society. Children, although not always the direct targets of this violence, suffer in an environment of constant insecurity. For example, efforts to "nurture children in a safe environment that enables them to be physically healthy, mentally alert, emotionally secure, socially competent and able to learn" are completely undermined by the excessive and destabilising presence of SALW.<sup>46</sup> Children who experience this daily insecurity may consider these weapons as tools for survival or symbols of power, dominance, and worth. This can undermine the moral legitimacy of parents and community leaders, which makes it difficult for them to teach children how to seek peaceful opportunities and solutions.

The easy availability of small arms, especially to children, often results in a culture of impunity, as individuals and groups are not held accountable for their misuse of small arms and other socially disruptive actions. The result is a self-perpetuating cycle of crime and violence.<sup>47</sup> The crime and violence associated with small arms in affected societies often means that "vital infrastructure needed for development projects is damaged by arms-related insecurity and foreign-funded development projects are either cancelled or postponed to prevent the assets from being diverted toward criminal activities."<sup>48</sup>

## Child Soldiers<sup>49</sup>

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### The Use of Children in Conflict

Child soldiers are not a new phenomenon but the reliance on children to wage war has become a symptom of the massive proliferation and misuse of small arms and light weapons. The proliferation of these weapons, combined with the extended length of many of these conflicts, has made using children as combatants more widespread. Children often replace adult male combatant populations diminished from years of war. In some cases, it would be difficult for conflict to continue without the use of children as combatants. Amnesty International estimates that nearly 80 per cent of Lords Resistance Army combatants in Uganda are abducted children.<sup>50</sup> The Coalition to Stop the Use of Child Soldiers estimates that over 300,000 children under the age of 18 currently serve as combatants in more than 30 countries around the world.<sup>51</sup> These children serve alongside adults in government forces, rebel opposition groups, and guerrilla armies. While some children are forcibly recruited for service - through kidnapping, intimidation or threat - others are “voluntary” recruits who join to protect or provide for their families or to seek revenge for the loss of a family member. However, “voluntary” recruits often demonstrate just how vulnerable children are to recruitment, for many express the opinion that their personal security was greater inside armed movements than outside among the street children, refugees and displaced persons.<sup>52</sup>

### Small Arms and Child Soldiers

Greater examination of the link between small arms and the use of children in conflict has highlighted that the availability of small arms is clearly a contributing factor to the use of child soldiers.<sup>53</sup> Without small arms children are generally less useful to armed groups, although they may still be used as soldiers or in support roles. For example, in the Goma area of the Democratic Republic of Congo, rebels did not have enough arms for each soldier and so deployed children unarmed as a diversionary force. The children were instructed to take sticks and beat on trees to draw the fire of the opposition, allowing armed combatants to attack from a different direction.<sup>54</sup> However, children as young as eight years of age are being taught to fire assault rifles and machine guns, to throw grenades, and to carry and repair mortars and rocket-propelled grenade launchers. These weapons have made child combatants just as effective as adults, to a large extent erasing distinctions between child and adult combatants. Indeed, some adult combatants recognise that they can use children’s vulnerability and immature understanding of conflict to physically or emotionally coerce children into undertaking dangerous tasks. Child soldiers are often subjected to life threatening risks, even those beyond the normal dangers of war. For example, some have been made to walk across fields to clear the area of landmines.

### Consequences of the Use of Child Soldiers

Although not all child soldiers are actively engaged in fighting - many are used as cooks, couriers, porters, sexual slaves and spies - SALW form a distinct part of their experiences. The reliance on weapons as a means of survival in conflict situations has significant consequences for children later in life. Former child soldiers often have difficulty reintegrating into civil society and developing and utilising non-violent forms of conflict resolution. Some child soldiers have been forced to commit brutal acts of violence against family members, neighbours, friends or people from their own communities to sever their ties to home and family. While the purpose of such brutalisation is to alienate these children from their past, forcing them to enter and assimilate into the military or rebel group, it can also alienate them once conflict has ceased.

## Child Soldiers

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Some children are extremely reluctant to turn in their arms or leave the life of a soldier for fear of non-acceptance or retaliation when returning to their communities. Some may continue to view small arms as tools for survival, in particular those who have lost family members, and fear for their well-being.

### International Standards and Norms Concerning Child Soldiers

Children have long been afforded special protection in international treaties and increased efforts have been made in the last decade to improve the situation of those children in unstable, violent or conflict situations. The Geneva Conventions and Additional Protocols served as the basis for the protection of children in war and established the 15-year standard for the recruitment and use of children in armed conflict. These standards were reinforced in the UN Convention on the Rights of the Child (CRC) adopted in 1989. The CRC has been ratified more quickly and by more governments - all except the United States and Somalia - than any other human rights instrument. The Convention recognises that children must be allowed particular protection in light of their special needs and vulnerabilities. Reflecting earlier child rights standards, the CRC states that no one under the age of 15 should be used as a soldier.<sup>55</sup>

After the CRC, other international bodies developed standards and norms regarding the use of children in conflict. The International Criminal Court (ICC) statute, adopted in July 1998, makes it a war crime to conscript or enlist children under the age of 15 into the armed forces or armed groups, or to use them as active participants in hostilities.<sup>56</sup> International Labour Organization (ILO) Convention 182, adopted in June 1999, legally recognises the use of child soldiers as a worst form of child labour. However, the ILO Convention does not protect the thousands of children who are “voluntary” recruits because it only prohibits “forced or compulsory recruitment of children” for use in armed conflict.<sup>57</sup>

These developments reflected growing support for standards to protect children. However, throughout their creation many countries remained unsatisfied with the adoption of a 15-year standard. Indeed, this was addressed in the African Charter on the Rights and Welfare of the Child, adopted in 1990, which set 18 as the minimum age for recruitment and use in armed conflict. It was decided, therefore, an instrument was needed by which all children under the age of 18 would be protected from participation, conscription, and recruitment as combatants. Unable to reach consensus on this “Straight 18” position, the UN General Assembly adopted the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, in May 2000. The Protocol specifically:

- Requires States Parties to “take all feasible measures” to ensure that members of their armed forces under the age of 18 years do not participate in hostilities;
- Prohibits the conscription of anyone under the age of 18 into the armed forces;
- Requires States to raise the age of voluntary recruitment from 15 and to deposit a binding declaration on the minimum age for recruitment into its armed forces; and
- Prohibits the recruitment or use in hostilities of children under the age of 18 by rebel or other non-governmental armed groups, and requires States to criminalise such practices.<sup>58</sup>

The Protocol is now open for signature and ratification - it enters into force once ratified by ten countries. As of June 2001, 80 countries had signed the Protocol but only five have ratified it. Governments and NGOs are pushing for universal ratification and implementation of the Protocol.

## Case Studies - Cambodia

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### CAMBODIA - A LEGACY OF SMALL ARMS AND VIOLENCE

Written by Laura Barnitz, Heang Path and Rebecca F. Catalla with Rachel Stohl

#### Introduction

Small arms have left a lasting legacy in Cambodia - a country which has experienced civil unrest or political and social instability for more than 40 years. The reign of the Khmer Rouge regime from 1975 to 1979 imposed an extreme level of suffering on the entire civilian population and extinguished more than a fifth of the population, including hundreds of thousands of children.<sup>59</sup> Those who survived the brutality of the Pol Pot years experienced extreme deprivations as a result of the internal armed conflict and the resulting proliferation and use of small arms. Tens of thousands of Cambodian children were indoctrinated and trained to serve as child soldiers both during the reign of the Khmer Rouge and the conflict that continued until 1999.<sup>60</sup> The adult population of Cambodia is now made up of these children who suffered the violence and abuse. The juvenile population is made up of their children. This generation of children comprises approximately 47 per cent of the population.<sup>61</sup> It is not surprising, therefore, as one newspaper commented:

*"We can't see past the atrocities and the killing...the fighting has imposed an ideology of violence on everybody."*<sup>62</sup>

#### Children and the Legacy of Small Arms

During the reign of the Khmer Rouge, children were killed, tortured and suffered from extreme acts of violence, abuse and mistreatment from the use or threat of use of SALW. For example, children were often deliberately separated from their parents and used as forced labour.<sup>63</sup> Their tasks, imposed over ten to fourteen hour days, included tending gardens, washing and sewing clothes, working as porters, helping in construction work, cooking food, and cleaning the camps.<sup>64</sup> Intimidated by the armed violence they witnessed all around them, children could do little to resist, especially without the protection of their families. The entire national education system was closed down during Pol Pot's reign of terror.<sup>65</sup> The only formal instruction children were exposed to was the Khmer Rouge's indoctrination programmes. These programmes were conducted in the work camps, village meetings and military training camps. Children were "re-educated" to serve the purposes of the Khmer Rouge, which included activities from spying on parents and reporting them to the authorities, to learning how to use small arms and being trained to lay landmines.<sup>66</sup>

Children were also used as combatants, targeted in part, due to the predominant use of small arms to control civilians. Thousands of children continued to participate in armed conflict for the Khmer Rouge and government forces until 1999.<sup>67</sup> Cambodians interviewed in a survey conducted for a project of the International Committee of the Red Cross, explained why young children were sought out as armed combatants: "It is...easy for the commanders to give orders because the children did not have a conscience and are illiterate...they do not know what is good, what is bad. So they will simply follow the orders the commanders give them."<sup>68</sup>

## Case Studies - Cambodia

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### The Culture of Violence

The memory of conflict and violence in the country has been perpetuated by the insecurity generated by the continued prevalence of small arms. As there were few available records accounting for the purchase of SALW, the exact numbers of weapons circulating in the country remains unknown. Those weapons commonly cited include AK-47s, M-16s, carbine rifles, and mortars.<sup>69</sup> The lack of reliable information on the amounts of weaponry has made it extremely difficult to locate the numerous caches of weapons as Cambodia seeks a return to peace. Estimates of the numbers of weapons range from the Cambodian Ministry of Interior's official figure in 1999 of 10,130 weapons<sup>70</sup> (of which 8,937 were licensed) to a 1999 Reuters report of 100,000 guns in Phnom Penh alone.<sup>71</sup>

The easy accessibility and free use of guns has generated a culture of violence which has proven difficult to displace. This has been compounded by the corruption and impunity of the public servants, namely police and military personnel, who wield these weapons. Small arms are used for most violent crimes in Cambodia. The Ministry of Interior Chief of General Staff, Mao Chandara, in a 1999 interview stated: "The reality in Cambodia is that in 99 per cent of cases the robbers use guns...The perpetrators are so cruel and savage—even teenagers are incredibly violent, shooting and killing just to steal a motorcycle."<sup>72</sup> Civilian small arms violence is also a reaction to the misuse or excessive use of these weapons by those entrusted to provide security for civilians including the police and military. According to one public official:

*"Some are not disciplined soldiers or police – they just get the position but never go to work, or they work as a casino guard. When they need money they can use their gun; there's no way to control them... Even I myself don't trust the police who stop me along the road. Some are fake police. I give them some money because in the dark I don't know if they're real police or not. In any case, I can be sure they are armed."*<sup>73</sup>

In a country where a culture of violence is the norm, healing the psychological scars of the adult population who have grown up with violence, and refocusing the behaviour of their children, has been extremely difficult. Although there are few specific studies about the impact on war-affected children during this period, many Cambodians have commented on increased aggressive behaviour among the current generation of youth and the adults who lived through the Khmer Rouge years when they were children.<sup>74</sup> The current generation of children, although not always the direct targets of small arms, suffer the consequences of a culture of violence because of the willingness to use guns to resolve disputes. In 1998, bodyguards for the Kompong Speu provincial governor fatally shot a 16-year-old boy after he scaled the walls of the governor's compound to steal chickens.<sup>75</sup> Children who witness armed violence, or experience violence against a family member, are often influenced by the power of the gun which, in turn, raises the prospect of a cycle of violence and retribution. A Cambodian child, who along with his aunt was kidnapped and held for ransom by robbers brandishing a machine gun, and then threatened by armed soldiers told interviewers: "When I grow up and can get a gun, I will take revenge on these robbers and soldiers who intimidated my family and me."<sup>76</sup>

The continued prevalence of small arms and light weapons and the willingness to use and misuse these weapons means that many Cambodian children feel afraid and are unable to trust people in positions of authority. A child who witnessed his father's murder and robbery of his family's property found no assistance from the villagers because they were out-powered by the weapons possessed by the offenders. When his mother filed complaints with the district police



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she was asked, "Do you [have] the money to bribe the court?"<sup>77</sup> The child perceived no legitimate solution to the brutalisation his family experienced. This deliberate destruction of the family unit is cited over and over again by Cambodians as one of the most terrible acts. Many Cambodians perceive a connection between family destruction and negative child welfare indicators, including the increased number of street children, child abuse in the home, the increase in dangerous forms of child labour, and the increase of children in the sex trade.<sup>78</sup>

### Cambodian Responses to the Impact of Small Arms

In Cambodia the problem of child soldiers has largely been resolved. Last year the government took steps to demobilise all child combatants - although it has not yet ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict to which it is a signatory. However, children remain vulnerable to the impacts of small arms because of the significant numbers of weapons that remain in the country, which feeds a dangerous culture of violence. In April 1999, the Ministry of Interior established checkpoints in the capital to confiscate unlicensed weapons. Subsequently, officials made a public display of destroying approximately 4,000 weapons the next month.<sup>79</sup> In April 2001, thousands of Cambodians gathered to witness the destruction of 8,471 weapons in the stadium of Kampong Thom province.<sup>80</sup> The Working Group for Weapons Reduction in Cambodia reports that 107,689 weapons have been collected throughout the country since 1993 and 45,480 of those weapons have been destroyed - most of the destroyed weapons have been AK-47s, CKCs, AR-15s and M-16s.<sup>81</sup> However, despite these efforts significant numbers of weapons remain.

### Conclusion

The impact of conflict and violence on Cambodian children during the Pol Pot years continues to have negative consequences not only for those children who now make up the adult population, but also for the current generation of children. Cambodia remains a country struggling to improve the situation of its people. However, efforts to develop economically and maintain political stability are burdened by the prevalence and accessibility of small arms and light weapons. Weapons collection and destruction programmes are crucial for promoting alternatives to violent conflict resolution and crime to dismantle the cultures of violence, abuse and insecurity in Cambodia. Equally important are efforts to build integrated training and security sector reform programmes for the police and military and efforts to reform the justice system.

## Case Studies - Mozambique

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### MOZAMBIQUE - ARMING CHILDREN FOR WAR

**Written by Sarah Aird, Boia Efraime Junior, and Antoinette Errante with Rachel Stohl and Laura Barnitz**

#### Introduction

After independence in 1975 Mozambique was at war for more than 15 years. The government, led by the Frente de Libertação de Moçambique (FRELIMO), was engaged in a brutal war with the opposition movement, the Mozambique National Resistance Movement (RENAMO). Both FRELIMO and RENAMO were supported by regional and international governments particularly through the supply of small arms. The use of these weapons greatly intensified the ferocity of the conflict in Mozambique. The figures clearly demonstrate the impact on children: 600,000 children killed; 1.5 million refugees; 3 million internally displaced; 600,000 children deprived of regular education; 50 per cent of primary schools destroyed;<sup>82</sup> and medical facilities serving approximately five million people destroyed.<sup>83</sup> The impact on children was worsened by the prevalence of small arms because they facilitated the massive participation of child soldiers. A peace agreement, which laid the path for an end to the conflict, was brokered in 1992 but many of those children who had been participating in the conflict as soldiers were not officially recognised at the time of demobilisation. Many of these children suffer severe emotional and physical trauma, but because they were not officially demobilised, they have received little, if any, assistance. The long-term implications for Mozambican society are enormous as the experiences of these children now inform their choices, opinions and perspectives as they grow into adulthood.

#### Child Soldiers after the War

The presence and proliferation of SALW, as well as the extended length of the conflict, made the use of child soldiers more widespread. Children were targeted by both FRELIMO and RENAMO forces to serve as child soldiers. More than a quarter of the 90,000 officially demobilised soldiers during 1993 and 1994 were recruited below the age of 18. Children recruited below the age of 18 made up approximately 23 per cent of FRELIMO forces and 40 per cent of RENAMO forces. Of these 25,498 child soldiers:

- 4,678 were recruited under 13 years old;
- 6,289 were 14-15 years old;
- 13,982 were 16-17 years old; and
- the remaining under 18.<sup>84</sup>

Yet, although more than a quarter of all soldiers in Mozambique were child recruits, during demobilisation neither party admitted to having child soldiers in their ranks, and as a result, they were not included in the formal demobilisation process. Therefore, most former child soldiers returned to civilian life with virtually no systematic support.

The failure to recognise the special needs of former child soldiers has had significant societal repercussions. An unforeseen consequence of failing to systematically demobilise child soldiers, or acknowledge their official demobilisation, was that they were put at risk for military

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conscription. In 1997, Mozambique's parliament passed a controversial law on military service. All Mozambican citizens between the ages of 18 and 35 became subject to compulsory military service. Due to this new regulation, many former child soldiers became eligible for military conscription. To prevent the conscription of former child soldiers, child advocate organisations developed screening processes in order to weed out former child combatants. However, it remained difficult for former child soldiers to prove their earlier service because they were never formally recognised and demobilised.

The failure to address the needs of child recruits during the official demobilisation and reintegration process has meant that many former child soldiers suffer from health and psychological problems that impede their positive participation in post-conflict society. Some are permanently addicted to drugs and alcohol after routinely being supplied with these substances before being forced into violent activities.<sup>85</sup> Sexually transmitted diseases also are common among former child soldiers. By the end of 1996, an estimated 985,000 people aged 15-49 were HIV positive in Mozambique.<sup>86</sup> The provinces most affected by the spread of this disease include those that had been used as bases for large concentrations of troops.<sup>87</sup> Many former child soldiers suffer from emotional difficulties which include extreme pessimism regarding their future, feelings of isolation and depression, high levels of aggression, apathy, introversion, various phobias, a lack of adequate mechanisms to solve conflicts, and a limited capacity to accept frustration.<sup>88</sup> Psychotherapists have also noted disturbances in secondary capacities of intelligence, such as concentration, memory, and intellectual flexibility.<sup>89</sup> Some also suffer psychosomatic disturbances including constant exhaustion, dizziness, sleep disorders, frequent headaches and stomach pain.<sup>90</sup> Many of these conditions have not been treated, children have not received assistance in dealing with these problems, and many continue to suffer in silence.

Many former child soldiers have also suffered from the lack of opportunities. The official reintegration scheme for demobilised soldiers in Mozambique included cash payments, vocational training, promotion of small-scale economic activities, and credit facilities.<sup>91</sup> Since child soldiers were ignored in this process they did not enjoy these benefits. Many returned to their communities after the war with no formal education.<sup>92</sup> While the Mozambican government recognised the educational needs of former child soldiers, it determined that it was beyond the scope of the Ministry of Education to develop educational programmes for those former child soldiers beyond school age.<sup>93</sup> However, a significant number of those who had missed many years of education but were still of school age did not re-enter the education system upon returning to civilian life often due to social embarrassment.<sup>94</sup> During reintegration, programmes for former girl soldiers often failed to reflect their multiple roles in serving armies, and often reinforced traditional gender-based roles which trained them in skills traditionally associated with women that were often not suitable to their post-conflict situation. This approach has proved inadequate as these traditional jobs do not always provide sustainable self-employment and offer few economic opportunities for growth.<sup>95</sup>

The failure to provide socio-economic opportunities for former child soldiers has reinforced some of the feelings of frustration and anger that led some children to join armed groups voluntarily during the conflict. These feelings have led some to rebel against adults and those in positions of authority while others have engaged in juvenile delinquency.<sup>96</sup> The high levels of crime and violence in Mozambique are often attributed to the failure to implement an effective and well-funded demobilisation and reintegration policy. Without vocational training, job opportunities and psychological services, former child soldiers in Mozambique have not been given the

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opportunities to develop. As Alfredo, a 19-year-old former child soldier, explained: "There is no work for me. I have few skills except using a gun and it's easy money...I used to be FRELIMO, then joined RENAMO, then joined FRELIMO. I have played war for both. Now I work for myself and my group...We try not to kill people, but accidents can happen during confusion."<sup>97</sup> The situation of former child soldiers is often exacerbated by the widespread perception among employers that ex-combatants are potentially violent people likely to disrupt the workplace. This means that many have been reluctant to hire them. As another young man, Joao, explained: "What is there for people like me to do? Agun gives me a job! My family struggle on the land and they can't feed me. I need to help them. The police use guns all the time to make money. So can I! Everything around here is about money.... So I make money with a gun."<sup>98</sup>

Given the failures of the official reintegration process, a number of intergovernmental and non-governmental reintegration programmes have been established to specifically address the needs of former child soldiers. One such initiative is by a Mozambican non-governmental organisation called Rebuilding Hope which was founded in December 1996 for this purpose. Rebuilding Hope focuses on two kinds of initiatives: first, psychotherapy and second, the promotion of income-generating family and community-based activities. Similarly, Propaz, which grew out of two associations in Mozambique working with former combatants - the Demobilised Soldiers Association and the Disabled Veterans Association - was set up to address these issues. These organisations saw a need for conflict resolution in communities where former child soldiers were experiencing personal problems that were affecting the entire community. Propaz worked with these communities and with former child soldiers to establish small groups consisting equally of members from both political parties. Once these groups were formed, Propaz implemented leadership training. In this manner, such groups have been able to solve, collectively, many community problems, such as the location of planted landmines and hidden caches of small arms. Former child soldiers that have played a role in such activities have developed alternative conflict resolution mechanisms, and some have even become community leaders.<sup>99</sup> Another initiative grew out of a UNICEF, ICRC and Save the Children USA reunification and reintegration programme for former child soldiers. UNICEF and the Mozambique Ministry of Social Welfare organised home visiting programmes so that social workers could monitor the social reintegration of these children and identify areas of concern. The results of these efforts have been encouraging, as these children have received trauma counselling, basic education services, and technical apprenticeships.

### Small Arms after the War

Small arms were the most commonly used arms in the conflict in Mozambique - estimates of small arms imported during the conflict range from 500,000 to 6 million.<sup>100</sup> FRELIMO received the majority of its weapons from Russia and some from China. RENAMO received substantial weapons from Rhodesia and South Africa.<sup>101</sup> However, other countries also provided weaponry, including sources in Portugal, Germany, the United States and the Gulf States.<sup>102</sup> At the end of the conflict roughly six million AK-47s were thought to be in circulation.<sup>103</sup> Reducing the number of weapons after the conflict proved difficult, despite an official UN disarmament process. Both the FRELIMO and RENAMO forces impeded the collection and destruction of small arms which meant that neither did the UN destroy the bulk of weapons it collected nor locate vast caches of hidden weapons.<sup>104</sup> Many soldiers who were ordered to hide their weapons as insurance in case the peace broke down were, in any case, reluctant to surrender their high quality arms.<sup>105</sup> In some cases this was due to the real or perceived lack of credible commitments and resources for the process but for others it was seen as a means of maintaining security or building a livelihood. As a FRELIMO soldier explained: "We knew that guns make good business.

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So we kept the best for ourselves...FRELIMO was never going to pay us for the years we were made to fight. We have to look after ourselves."<sup>106</sup> ARENAMO soldier supported this view: "Guns can mean food...Before the elections we saw that we were being betrayed...Why give up the guns...? We handed in the bad ones. Business is good with a gun."<sup>107</sup> The dangers posed by massive arms caches in Mozambique are seen as an even bigger threat than landmines. As one official commented: "not necessarily for renewed war, but there are plenty of guns and thousands of rounds of ammunition to keep criminals...in business for decades. We are finding arms caches all the time...I am amazed that the UN didn't have these shown to it or hadn't destroyed them if they did. The weapons and ammunition around here are a time bomb."<sup>108</sup>

### Mozambican Responses to the Impact of Small Arms

The limited success of the UN disarmament process led governments in the region and civil society organisations in Mozambique to initiate projects to combat the problem of small arms themselves. Since 1995, Mozambique has worked with South Africa on Operation Rachel, a joint search-and-destroy operation created to locate arms caches within Mozambique. Rachel operations I-IV resulted in the destruction of approximately 450 tons of arms and ammunition, including over 11,000 submachine guns, over 1,400 rockets and mortar launchers, more than 14,000 mortar bombs, over 3.3 million rounds of ammunition and more than 6,200 anti-personnel landmines. The Mozambican churches have also initiated a programme which provides incentives to people to turn over their weapons. Rather than offering cash for the weapons, churches exchanged tools, sewing machines and other practical items. This programme facilitated the collection and destruction of over 100,000 weapons.<sup>109</sup> Despite these efforts, at the end of 1999, it was estimated that 10 million small arms remained dispersed among a population of only 15 million.<sup>110</sup>

### Conclusion

The lasting social cost associated with the war, fuelled by the prevalence of small arms and light weapons, is obvious in Mozambique. As the country struggles to reintegrate its young people, it remains one of the world's poorest countries, with a per capita income of about \$90.<sup>111</sup> This makes the process of collecting weapons, and combating the associated problems, years after the conflict has ended that much more difficult. In particular, convincing gun-holders who face a lack of opportunities, to turn in their weapons. While this demonstrates the importance of weapons collection and destruction programmes immediately after conflict has ceased, it also demonstrates the importance of effective disarmament, demobilisation and reintegration (DDR) programmes and individual and community peace-building initiatives to reduce insecurity and fear among those who are seen as victims and those who are seen as perpetrators of the conflict. Those initiatives and processes which seek to improve access to formal education, training, and skill-development should continue to be supported and developed for children, particularly former child soldiers, as a means of encouraging public-support for small arms control initiatives which will, in turn, reduce insecurity, free-up resources and promote development.

## Case Studies - Colombia

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### COLOMBIA - SMALL ARMS, CONFLICT AND CRIME

Written by Laura Bamitz, Jimmie Briggs and Frank Smyth with Rachel Stohl

#### Introduction

Colombia has experienced nearly four decades of protracted armed conflict. Since the 1960s major guerrilla movements such as the Fuerzas Armadas Revolucionarias de Colombia (FARC-EP) and the Ejército de Liberación Nacional (ELN) have emerged to challenge successive governments and the armed forces. Small arms have played a critical role in the conflict and violence in Colombia which has led to a militarisation of both urban and rural areas. These weapons have devastated the lives of children in Colombia. Throughout the country, children find themselves at both ends of the weapon – some as perpetrators of conflict, crime and violence, and many more as the victims of constant brutality. Raging conflict between government forces, paramilitary organisations, non-state armed opposition groups, and ordinary civilians has created an environment where no child is safe.

#### Small Arms Proliferation and Misuse

Small arms are insidious throughout Colombia. While the exact numbers of small arms in circulation are uncalculated, the widespread availability and use of these weapons is clear. The majority of violence in Colombia is conducted with small arms, and the Galil, AK-47 and M-16 serve as the weapons of choice for the warring parties.<sup>112</sup> Colombian military and police forces also carry many US-manufactured weapons that have been legally exported to Colombia under a variety of military aid programmes and government transfers. The most common include: 9mm pistols, M-4 carbines, M-14 and M-16 automatic rifles, fragmentation grenades, 40mm (launching) grenades, M60E3 machine guns, and both anti-personnel landmines and Claymore directional mines.<sup>113</sup> Colombian military forces are also equipped with Belgian arms including the FN-MAG machine gun and the G-3 automatic rifle.<sup>114</sup> The most common weapon in use by Colombian guerrillas, including both ELN and FARC combatants, is the AKM or the Kalashnikov automatic rifle.<sup>115</sup> They also carry Belgian FN-FAL automatic rifles, FN-CAL or carbine rifles as well as US-made M-60 machine guns, M-14, and M-16 automatic rifles.<sup>116</sup> Many ELN and FARC guerrillas also carry Galil rifles. The most common weapon used by the Colombian paramilitary forces of the United Self-Defence Forces (AUC) is the Galil.<sup>117</sup> Some paramilitary forces also carry AKM automatic rifles, Belgian G-3 automatic rifles, 9mm Uzi automatic sub-machine guns, US-manufactured AR-15 semi-automatic rifles and a variety of 38 calibre revolvers and 9mm semi-automatic pistols.<sup>118</sup>

The widespread availability of these weapons means that abusive State and non-state forces and individuals can gain access to them with little training, discipline or accountability. The most vulnerable targets are children. Children are victims of attacks by guerrillas, paramilitaries, government army forces, urban militias, drug cartels and their affiliated gangs, criminal gangs and common criminals. According to the Colombian Defence Ministry, approximately 200 children were killed because of the civil war in 2000 alone.<sup>119</sup> Children are often targeted with little regard or accountability. In August 2000, six children aged between six and fifteen were shot dead on a school outing by an army patrol, allegedly in the belief that they were guerrilla fighters. Fourteen soldiers were under investigation by a military court at the end of 2000 but none were arrested.<sup>120</sup> The impact of SALW cannot be measured in deaths alone, these weapons do enormous damage beyond their use to kill. For example, children have suffered from the kidnapping culture, which has

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been initiated by Colombia's guerrilla groups and paramilitary groups, most often under threat of small arms violence. In the first six months of 2000, 1,750 Colombians were reported kidnapped, 126 of these reported cases were child abductions.<sup>121</sup> However, this number is unlikely to be a true reflection of the situation on the ground, because many families fear endangering their relatives lives by publicising kidnappings. Small arms enable many abusive groups to keep up this practice in return for financial rewards. As the mother of a 3-year-old kidnapped by armed FARC guerrillas said: "I think that the life of a child has no price. But we can't leave the boy there or let them hurt him in any way. We will do anything to get him back. Unfortunately, in this country, the life of a child does have a price."<sup>122</sup>

The threat of small arms violence has forced many people from their homes and communities, most often from rural areas where the guerrillas and paramilitary factions, sometimes with the acknowledgement of the security forces, grapple over control of drug crops and land.<sup>123</sup> Since 1985, approximately two million people have been displaced from their homes and communities, more than 10 per cent of these in 2000 alone.<sup>124</sup> A common tactic of guerrillas and paramilitaries is to kill a small number of villagers and then force others out in order to gain territory. Most often these massacres are conducted publicly with small arms and light weapons.<sup>125</sup> This fear and insecurity has led almost every rural family that can afford to buy a gun to have one in their home.<sup>126</sup> Fleeing civilians often end up in larger urban areas such as Bogotá, Medellín, or Cali, which has put tremendous pressure on the services available to them, including drinking water, sanitation and electricity.<sup>127</sup> Children and adolescents often are left alone for long periods of time, particularly in single-parent families, where the socio-economic burdens are great. The poverty of many families is compounded by the fact that many of the displaced fear being identified by the armed factions or the State security forces and prefer to remain anonymous. A significant number of children do not attend formal education. UNICEF estimates that 20 per cent of Colombian children between the ages of 6 and 11 are not in school. More than 75 per cent of displaced youths who previously attended school do not go back after leaving their original homes.<sup>128</sup>

### Small Arms and the Use of Child Soldiers

Children have also been targeted for participation in the conflict and hostilities. All parties in the Colombian conflict have used children as soldiers.<sup>129</sup> Although most child soldiers are adolescents, children under the age of 10 have been reported to be among the armed combatants of several groups.<sup>130</sup> Estimates of the number of child soldiers in Colombia vary considerably. In 1996, the Colombian government's Human Rights Ombudsman reported that about 6,000 children under the age of 18 were armed and fighting in Colombia.<sup>131</sup> However, in 1998 Human Rights Watch reported that 15,000 children were being used by Colombia's national security forces.<sup>132</sup> Since November 1999, the Colombian government has prohibited children under age 18 from serving in official government forces, and the current number of children believed to be serving as combatants for the national security forces has decreased dramatically.<sup>133</sup> Most of the child combatants in Colombia have been recruited by the two largest guerrilla organisations – the ELN and FARC.<sup>134</sup> Although both groups have pledged not to recruit combatants under 18, they continue to do so.<sup>135</sup> It is estimated that at least 4,000 children were serving with the various guerrilla forces in 2000.<sup>136</sup> About one third of the children fighting for Colombia's irregular armed groups are girls.<sup>137</sup> A further 7,000 children are believed to be involved with urban militias linked to the various parties to the conflict.<sup>138</sup>

Child soldiers who try to leave armed groups are in particular danger. The International Coalition to Stop the Use of Child Soldiers has reported that children who attempt to escape guerrilla groups are considered deserters and may be executed immediately.<sup>139</sup> Child soldiers who are captured by

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the authorities and placed in juvenile detention centres are at risk of violence. The Office of the People's Advocate, an office of the Colombian government charged with safeguarding and promoting human rights and overseeing the official conduct of the agents of the State, estimated that between 1994 and 1996, 13 per cent of children who were placed in detention centres were killed.<sup>140</sup> In some cases, child soldiers who have wanted to leave an armed group have been instructed that if the child soldier "manages to kill a 'subversive', he is demobilised and returned to civilian life, 'as a form of payment'."<sup>141</sup>

### Small Arms, Crime and Insecurity

The prevalence of small arms impacts on the lives of children living outside the conflict areas. Indeed, the misuse and abuse of these weapons has meant that the distinction between armed violence carried out in the context of the political conflict and armed violence carried out for personal or criminal gain, has been largely lost. More than 30,000 Colombians are murdered each year for reasons other than politics or drugs.<sup>142</sup> The annual homicide rate is nearly 100 per 100,000 people.<sup>143</sup> A growing number of children have been perpetrators as well as victims of the violence. Colombia has witnessed a dramatic rise in the number of youth gangs involved in criminal activities on the streets of its major cities. The growth of the drug trade in Colombia appears to have been the primary source of arms for members of youth gangs.<sup>144</sup> Drug lords have created armies of adolescents to safeguard their territories and to carry out the violent confrontations with other drug lords, public officials and law enforcement.<sup>145</sup>

Youth gang members are also involved in armed violence carried out for reasons not related to the drug trade. These include the youth who become paid assassins for criminals – they are commonly known as *sicarios*.<sup>146</sup> The victims of this violence have included a former guerrilla who joined the electoral process and was running for president who was killed by a boy with an Uzi in 1990.<sup>147</sup> Public calls for officials and law enforcement officers to take action against youth gangs and the *sicarios* has led to a number of organised murders of youth gang members and street children, carried out, unofficially and illegally, by local law enforcement, urban militias and private citizens.<sup>148</sup>

### Colombia's Responses to the Impact of Small Arms

Although children are among the most vulnerable group in Colombia they have become the loudest and most ardent opponents of small arms proliferation and misuse. The Children's Movement for Peace, which has been nominated for a Nobel Peace Prize every year since 1998, has emerged as the most visible among many working to end the war.<sup>149</sup> The movement grew out of a UNICEF-sponsored workshop in 1996, which brought together youth leaders and children's groups from around Colombia, to raise awareness of the Convention on the International Rights of the Child and give Colombian children a greater voice in the peace process. The movement is supported by approximately 100,000 Colombian children and youth. One Colombian teenager who participates in the movement said: "If we are only a small group who talks about peace we can be killed. But no one can kill ten million Colombians who want peace."<sup>150</sup> A number of other important projects dealing with youth and peace have been undertaken. For example, the Peace and Co-Existence Project was created in 1995 to negotiate peace agreements between the opposing gang factions. The project offers small business support to gang leaders who have signed peace pacts to give them the opportunity to create legitimate businesses. These child and youth-focused initiatives have provided a source of hope for children throughout Colombia. The problem remains, however, that these programmes do not reach the much larger numbers of children who suffer the impacts of small arms daily.

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### Conclusion

The impact of small arms on children in Colombia is tragic. Colombian children remain targeted by small arms and exploited through their use as armed actors throughout the country. Arms will continue to flow to Colombia, either through State-to-State channels, such as the United States' "Plan Colombia", or through the variety of illicit channels that have increased the availability of small arms throughout the country for decades. The relative weakness of State authority across the country, and absence of effective arms controls, all but guarantees that many of these arms will either be misused or be diverted to unauthorised end-users that can be used against and by children. Without concerted domestic and international action, including controls for both the illicit and licit trade in small arms, the outlook for Colombia's children remains bleak.

## Current Initiatives and Standards

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A report prepared by Graça Machel on The Impact of Armed Conflict on Children brought the issue of small arms and children onto the international agenda. It has been followed by a range of international, regional, national and non-governmental organisation initiatives that have, to varying degrees, sought to address the small arms and children's agendas. However, to date, measures to protect children and measures to control the proliferation and misuse of small arms have remained largely separate. Policies at the international level on small arms have focused on trade and national security issues rather than on humanitarian effects, while policies to protect children have focused on addressing the impact of armed conflict on the rights and well-being of children – without reference to controlling SALW. Therefore, while these separate approaches have generated awareness on the issue of SALW and their impact on children, little concerted action has been taken to tackle these issues together. The challenge remains to develop a framework to improve coordination at all levels in order to develop and implement effective policies to protect children from the negative effects of SALW. The following section is not meant to be a comprehensive survey of all small arms and children's initiatives but rather is intended to highlight some areas where the two agendas have been complementary with a view to elucidating some of the areas for future cooperation.

### International Developments

#### Children

The United Nations Convention on the Rights of the Child (CRC) is considered the cornerstone for the international protection of children's rights, however, it does not contain any reference to small arms or other weapons. The Graça Machel Report established a growing movement to identify and reduce the conditions of conflict on children, which included reflections on the widespread availability of small arms and their use in the facilitation of child soldiering. The Report reads:

*"Involving children as soldiers has been made easier by the proliferation of inexpensive light weapons. Previously, the more dangerous weapons were either heavy or complex, but these guns are so light that children can use them and so simple that they can be stripped and reassembled by a child of 10. The poorest communities now have access to deadly weapons capable of transforming any local conflict into a bloody slaughter. In Uganda, an AK-47 automatic machine gun can be purchased for the cost of a chicken and, in northern Kenya, it can be bought for the price of a goat."<sup>151</sup>*

The Report also recognises the damaging legacy of small arms and highlights the specific dangers children face due to landmines and unexploded ordnance. It also provides some recommendations for dealing with these effects. The follow-up report, The Machel Review 1996-2000: A Critical Analysis of Progress Made and Obstacles Encountered in Increasing Protection for War-Affected Children, launched at the International Conference on War-Affected Children in Winnipeg in September 2000, goes further in drawing the links between children and small arms. It highlights specific dangers for children from small arms, including death and injury, psychosocial trauma, diminishment of food and healthcare, and loss of humanitarian assistance. It contains five recommendations on small arms, which include the strengthening of arms embargoes and international instruments and legislation to address legal (or State sanctioned) and illegal arms flows, production and stockpiling, education programmes and awareness raising on small arms, and effective demobilisation and reintegration programmes for child soldiers.<sup>152</sup>

Following the initial Machel Report, the United Nations Secretary-General, Kofi Annan, appointed a Special Representative for Children and Armed Conflict, Olara Otunnu, to "promote urgent and resolute action on the part of the international community to redress the plight of children in situations of armed conflicts."<sup>153</sup> The Special Representative has frequently spoken of the

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dangers of small arms proliferation in diminishing the potential of children, including limiting access to health and education facilities and the growing culture of violence that is perpetuated through the widespread use of small arms. At the third preparatory committee meeting for the UN Small Arms Conference, Mr Otunnu, urged the delegates to protect the rights of States to provide security for their citizens but ensure that weapons do not go to those that abuse children.<sup>154</sup>

The UN Security Council has initiated further dialogue on the link between small arms and children.<sup>155</sup> After a debate on the issue of children in armed conflict in June 1998, the UN Security Council adopted two resolutions on children in conflict, 1261 (1999) and 1314 (2000), that make specific mention of the impact of small arms on the conditions for children in conflict. Resolution 1261 “recognizes the deleterious impact of the proliferation of arms, in particular small arms, on the security of civilians, including refugees and other populations, particularly children.” It encourages States to restrict arms transfers that “provoke or prolong armed conflicts or aggravate existing tension or armed conflicts” and calls for “international collaboration in combating illegal arms flows.”<sup>156</sup> Resolution 1314 highlights “the linkages between the illicit trafficking in small arms and light weapons and armed conflict, which can prolong armed conflict and intensify its impact on children.” It also expresses the intention of the Security Council to take appropriate steps to address these linkages.<sup>157</sup> Resolution 1261 requested the Secretary-General to issue a report on the implementation of the resolution. This report, presented in July 2000, makes specific reference to the impact of small arms on children in conflict and recommends that the 2001 Small Arms Conference adopt global codes of conduct that take the protection of children into consideration, and specifically urges the creation of a marking system for arms and ammunition.<sup>158</sup>

Agencies within the UN system have also been important for widening the debate on the issues associated with small arms. In particular, UNICEF, which has taken a leadership role on these issues, working on the demobilisation and reintegration of child soldiers, as well as urging and supporting the release of abducted children. UNICEF has been involved in demobilisation and reintegration programmes in the Democratic Republic of Congo and Sierra Leone for former child soldiers and other vulnerable children. It has also run peace education programmes that highlight the dangers of small arms and country specific programmes, including a recent programme in Albania that links landmine awareness with small arms issues. It has also advocated schools as zones of peace. UNICEF is currently conducting a study that examines the impact of small arms on children in conflict zones from sixty-five countries. This has encouraged other agencies to become more active on the issue, in particular United Nations Development Programme (UNDP), which is playing a larger role in combating the effects of the proliferation of small arms. UNDP has initiated, among others, a project to curb small arms proliferation and promote development in Niger.

### Small Arms

There is no single international treaty or convention that addresses the myriad of issues that result from the proliferation of small arms - indeed only a few international initiatives on small arms have been adopted. The Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, which is a supplement to the July 2000 UN Convention against Transnational Organized Crime, was adopted on 31 May 2001 and is the first international treaty on small arms. The Firearms Protocol promotes, facilitates and strengthens cooperation among States to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms. While the Protocol itself does not address the impact of small arms on children, the Convention's other protocols address the illicit trafficking in women and children.

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A report by the United Nations Panel of Governmental Experts on Small Arms, published in 1997, which details the causes and effects of the excessive and destabilising accumulation of small arms, includes reference to the use of child soldiers and children as victims and perpetrators of gun violence.<sup>159</sup> However, this report does not contain recommendations to address the impact of small arms on children in small arms-affected regions. The follow-up report in 1999 which refers to the hundreds of thousands of children that are victims of small arms and the widespread use of child soldiers using small arms in conflict, encourages UNICEF and other relevant organisations to enhance work on the special needs of children affected by small arms in post-conflict situations.<sup>160</sup>

The UN Co-ordinating Action on Small Arms (CASA), an interdepartmental effort to address small arms issues within the United Nations, includes agencies specifically responsible for child welfare. Under the auspices of the Department for Disarmament Affairs, UN agencies and departments, including UN Development Programme, UN High Commission for Refugees, Office for the Coordination of Humanitarian Affairs and UN Department for Peacekeeping Operations, join the Office for the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF, to coordinate UN communication and dialogue on small arms issues.

The Programme of Action (PoA), agreed at the UN Small Arms Conference in July 2001, recognises the “wide range of humanitarian and socio-economic consequences” caused by “the excessive accumulation and uncontrolled spread” of small arms and light weapons.<sup>161</sup> These weapons are considered “a serious threat to peace, reconciliation, safety, security, stability and sustainable development.”<sup>162</sup> In particular, the PoA expresses “grave concern” about the devastating consequences on children as victims in armed conflict and as child soldiers, and calls for special consideration of the needs of children in reintegration and rehabilitation programmes.<sup>163</sup> Furthermore, the PoA requires States to ensure that their national export regulations and procedures are consistent with existing obligations under relevant international law, which include those to protect children.<sup>164</sup> However, the PoA does not systematically address the risks of small arms to children - although these risks are implicit in the humanitarian and socio-economic consequences detailed in the preamble - and so the specific risks to children must be interpreted and addressed by States. Therefore, as the PoA suggests, greater consideration of the impact of small arms on children at the UN Special Session on Children will be crucial.

## Regional efforts

### Children

Regional efforts to stem the use of child soldiers have married the issue of small arms with the plight of children in conflict. Five regional conferences organised by the International Coalition to Stop the Use of Child Soldiers resulted in five political declarations on the use of children as soldiers - the Maputo, Montevideo, Berlin, Kathmandu and Amman Declarations. Each declaration, endorsed by the conference participants, referred to the damaging consequences of the trade in small arms on children and, to varying degrees, encouraged action to refrain from supplying groups that use child soldiers with arms. Indeed, the Kathmandu Declaration even goes so far as to call for the establishment of weapons free zones to protect children in conflict areas. While the implementation of this and other Declaration recommendations remains unclear, these initiatives clearly reflect a growing awareness of the need to address the broad spectrum of children's issues, including small arms. The Accra Declaration on War-Affected Children in West Africa reflects this sentiment by encouraging sub-regional efforts to reduce the flow of small arms.

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### Small Arms

Regional efforts have been most effective on the small arms issue. Indeed the majority of work on small arms proliferation and misuse has emanated from regional, rather than international, fora, and has proved most effective in pushing the small arms global agenda forward. The various regional measures to combat the proliferation of small arms include: the Economic Community of West African States (ECOWAS) Moratorium on the Importation, Exportation, and Manufacture of Light Weapons in West Africa renewed in July 2001 until 2004 and the implementing body PCASED; the Organisation of American States Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials of 1996; and the European Union Programme for Preventing and Combating Illicit Trafficking in Conventional Arms of 1997, the EU Code of Conduct on arms transfers also of 1997, and the Joint Action on Small Arms of 1998. In the lead up to the UN Small Arms Conference numerous regional SALW control initiatives were also developed, among them the OSCE Document on SALW, the Bamako Declaration and the Brasilia Declaration.

While these regional and inter-regional initiatives have provided comprehensive strategies to counter the proliferation and misuse of small arms, very few take any action with regard to the impact of small arms on children - although some make passing references to the use of child soldiers or acknowledge that small arms impact children negatively. Yet, although these initiatives do not provide specific recommendations for improving the conditions of children, they make a potentially important contribution by seeking to reduce small arms availability, proliferation and misuse.<sup>165</sup>

### National initiatives

#### Children

National initiatives have been important in tackling key issues associated with children and small arms and in building a constituency which promotes progressive action for children. For example, in September 2000, the Canadian government hosted the International Conference on War-Affected Children. The Conference brought together youth, non-governmental organisations, UN agencies and governments to develop an action plan to address the issues arising from children in war. The Conference included a panel discussion specifically on the impact of small arms on children. The proliferation of small arms was also one of ten items requiring follow-up and action at the Ministerial-level meeting. Although national initiatives have been important for linking small arms and children's issues, they have often suffered from a lack of coordination between agencies, and a lack of consensus on measures to be taken.

#### Small Arms

National initiatives to address the problems associated with small arms have arisen, as have inter-State initiatives. A number of countries have supported disarmament, demobilisation and reintegration (DDR) programmes for ex-combatants and have funded weapons collection and destruction programmes. For example, in Brazil on 24 June 2001, the Rio de Janeiro State government, in cooperation with the non-governmental organisation Viva Rio, destroyed 100,000 guns in front of a crowd of 20,000 people. Important inter-State initiatives include the Human Security Network, which draws governments together to combat threats to human security and initiate collective action on issues of emerging concern.<sup>166</sup> The Network has identified small arms proliferation as an area of concern and has been successful in combining small arms and children's issues when setting agenda items and assessing those areas that require immediate action. However, the problem remains that in many countries agencies responsible for small

## Current Initiatives and Standards

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### Non-governmental organisation initiatives

arms initiatives do not coordinate with each other or communicate with agencies that work on children's agendas. This impedes efforts to link initiatives and build upon existing agreements in different fora. One such example is the delegations participating in the UN Small Arms Conference who differ from the delegations participating in the UN Special Session on Children.

Non-governmental organisations have played a major role in putting children's rights and the issue of small arms on the international agenda, and providing essential information and recommendations to support these agendas. NGOs have pushed governments to go further and faster than they might have otherwise anticipated on many of these issues.

#### Children

The Coalition to Stop the Use of Child Soldiers, created in 1998 to research and monitor the use of child soldiers worldwide and to advocate measures to end the use of child soldiers, has been one of the most widely accepted and effective NGO initiatives. The coalition has established partners and national coalitions in nearly 40 countries comprising more than 500 organisations. These organisations have established national campaigns that promote ratification and implementation of the Optional Protocol, the development of programmes for rehabilitation and reintegration, and sustained assistance to children and their families in war-affected areas. National and international working groups on children in armed conflict have worked with governments to create policies that protect children in conflict, which have included measures to minimise the impact of small arms. Indeed, some developing countries have set up Child Rights Forums to promote children's rights and tackle the obstacles that inhibit their fulfilment. The Child Rights Information Network (CRIN)<sup>167</sup> is a global network that disseminates information about the Convention on the Rights of the Child and child rights in general. CRIN has more than 1,100 participating organisations in over 100 countries.

#### Small Arms

Many non-governmental organisations are working to combat the proliferation and misuse of small arms and light weapons. These organisations address the broad spectrum of issues including those of children and youth. Many of these organisations are members of the International Action Network on Small Arms (IANSA), which was established to combat the proliferation and misuse of small arms. IANSA includes a children's caucus which is working to bridge the children's rights and small arms communities and to foster coordinated approaches to conflict related issues. There are also a number of regional small arms networks that have been established to raise awareness and push for action on small arms issues. They include the Civil Society Network on Small Arms in South Asia (SASANet). The UN Small Arms Conference and the UN Special Session have proved to be important fora for bringing together new collaborations between small arms and children's organisations. For example, members of the IANSA children's caucus, the NGO working group on children and armed conflict, UNICEF, and the Office of the Special Representative for Children and Armed Conflict came together at the third preparatory committee meeting for the UN Small Arms Conference to develop language for inclusion in the Conference's Programme for Action. The groups developed strategies together for working with delegations to include the perspective of children in a discussion of small arms. Likewise, these groups developed a workshop at the third preparatory committee meeting for the UN Special Session to explain the damaging effects of small arms on children's well-being and development.

## Current Initiatives and Standards

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### Conclusion

Non-governmental, national, regional and international initiatives all suffer from the lack of coordination and communication between small arms and children's constituencies. On the one hand, this has meant that no systematic link has been made between small arms and their impact on children, and on the other, a lack of complementarity between those initiatives within the small arms and children's constituencies. Although international initiatives have brought together some of the diverse actors, departments and agencies concerned with small arms and children, initiatives have focused on encouraging awareness raising and debate on the issue and concrete action has not yet been taken. Regional initiatives have been important for setting a progressive international agenda but those standards established in regional initiatives need to be internationally codified for them to have any success in developing widely recognised and accepted norms and standards that will reduce the impact of small arms on children. National initiatives again suffer from a lack of coordination and complementarity between different government departments addressing the issues of small arms and children. Although these initiatives are important for promoting national dialogue, and establishing agenda's that address the specific problems of small arms within the country, governments need to participate in international efforts to address the issue of the impact of small arms on children, including ratifying and implementing existing treaties and agreements.

Although the UN Small Arms Conference and UN Special Session are proving important fora for new partnerships between small arms and children's organisations these partnerships need to be further developed to ensure consistent engagement between the two constituencies. International, regional, national and non-governmental initiatives all demonstrate the importance of establishing a comprehensive, coordinated framework for action to take forward the issue of the impact of small arms on children from the UN Small Arms Conference, to the UN Special Session and beyond.

## Building a Comprehensive Framework for Action

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Clearly the impacts of small arms and light weapons on children are complex. Therefore, it is imperative that these issues are considered in concert with discussions on armed conflict, post-conflict reconstruction and development and non-conflict related armed violence and crime. International organisations, regional groups, national governments, local agencies, NGOs and communities all have specific roles to play in implementing the necessary standards and regulations. Without a unified approach, which commands wide-ranging support and commitment, recommendations will do little to protect children around the world from the lasting legacy of small arms.

To this end, the issue of small arms and children needs to be addressed within a specific framework that is neither children's rights nor small arms specific. The key is to establish norms and standards, as well as to facilitate coordination and complementarity, for action on small arms and children. The following framework is based on this need - countries, international and regional organisations and NGOs all have specific areas to implement in the framework to develop policies that effectively reduce the proliferation of SALW and their resulting negative impact on children. The key areas for action are:

- Controlling the trade of small arms;
- Addressing the issue of child soldiers;
- Developing effective disarmament, demobilisation and reintegration (DDR) programmes that specifically take into account the situation of children and youth;
- Recognising the specific needs of girls and other gender concerns;
- Establishing norms and standards for the protection of children;
- Developing education and awareness building programmes; and
- Stimulating future action and research.

### The Trade in Small Arms

Reducing the illegal trade in SALW requires greater control of the legal trade. It is widely recognised that the vast majority of the weapons circulating in the illicit market originated as legally transferred weapons. This was highlighted by Mohamed Sahnoun, Special Envoy of the Secretary-General in Africa, and a member of the Eminent Persons Group on Curbing Illicit Trafficking in Small Arms and Light Weapons: "The permanent members of the UN Security Council alone account for 85 per cent of the global arms trade. With 40 per cent of the worldwide flow of small arms attributed to illicit trafficking and the majority of illicit weapons proven to originate in the licit trade, getting these governments to exercise restraint and to tighten national and international controls on small arms exports should lend itself to reducing supply significantly."<sup>168</sup> Children as the users and victims of SALW will be the beneficiaries of efforts to control the trade in small arms. Reducing weapons availability will decrease the incidence of child death and injury from small arms and will allow support services and local infrastructures to operate without an environment of fear. Specific measures that should form part of a framework on small arms and children should include measures that ensure States exercise responsible behaviour with regard to the transfer and management of small arms. They should include measures to:

- Promote transparency at the regional and international level, including provisions for information exchange;
  - Implement an international system for tracing and marking;
  - Improve stockpile management to prevent theft and implement policies to collect and destroy surplus weapons;
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## Building a Comprehensive Framework for Action

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- Develop international criteria on the export of arms based on States existing obligations under international law, specifically prohibiting transfers: if the transfers would violate the exporting State's direct obligations under international law, such as decisions of the UN Security Council or treaties to which the State is bound; if the weapons in question are likely to be used in violation of the prohibition on the threat or use of force; threat to peace; breach of peace or acts of aggression or unlawful interference in the internal affairs of another State; or if the weapons in question are likely to be used to perpetrate serious violations of human rights, to perpetrate serious violations of the law of war or to commit genocide or crimes against humanity.<sup>169</sup>
- Strengthen controls on the legal manufacture of SALW, including local production in conflict zones;
- Provide assistance to prevent and combat illicit manufacture, trafficking, possession or misuse of SALW and ammunition, including appropriate assistance in developing laws, regulations and procedures relating to the control of such weapons;
- Establish national minimum age requirements for small arm possession and use; and
- Establish strict controls on civilian possession of small arms, including a prohibition on the civilian possession of automatic weapons.

### Child Soldiers

International attention has focused on the use of children as combatants and resulted in advances in protecting children from participation in armed conflict. However as small arms fuel conflicts, children will continue to face recruitment into armed forces and groups. Measures must therefore be taken, in conjunction with small arms initiatives, to eliminate the use of child soldiers. These should include:

- Achieving universal ratification and full implementation of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict without reservation and declarations of 18 as the minimum age for voluntary recruitment;
- Eliminating military assistance (including arms and training) to governments and groups using child soldiers;
- Addressing the special needs of child soldiers as a distinct element of peace negotiations; and
- Supporting programmes dedicated to family reunification for former child soldiers or those that have been displaced due to conflict.

### Disarmament, Demobilisation and Reintegration

Children have special needs during disarmament, demobilisation and reintegration and these must be recognised. In particular, child soldiers should be treated separately from their adult counterparts. The impacts of small arms on children's development and well-being must be taken into consideration and alternatives to soldiering provided and strengthened. Children require special care and attention to address the psychological effects of being victims or perpetrators of small arms-related violence. Those designing and implementing DDR programmes should:

- Recognise the special needs of child soldiers, with special attention to girls, in developing reintegration and rehabilitation programmes including education, health, and housing;
- Develop programmes that address psychosocial needs of war-affected children;
- Develop and support skills training and education programmes for former child combatants;
- Develop and support community-based programmes to help communities accept and assist former child soldiers and child victims of war reintegrate; and
- Incorporate traditional and cultural frameworks into demobilisation and reintegration programmes.

## Building a Comprehensive Framework for Action

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### The Needs of Girls and Gender Dimensions

The impact of conflict on girls and women, in particular the specific abuses perpetrated against them, has been recognised as requiring specific attention. Existing standards to protect the rights of women are enshrined in the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted in 1979. UN Security Council Resolution 1325 adopted in October 2000, seeks to promote action to promote and protect the rights, development and well-being of women.<sup>170</sup> Small arms, in particular, facilitate the abuses that women and girls can be subjected to in conflict and non-conflict situations. In addition to implementing strategies to reduce small arms in a region, steps must be taken to ensure the protection of women and girls from SALW related crime and violence. States, international and regional organisations, NGOs and communities should seek to:

- Address rape and sexual violence, including that perpetrated with small arms, within broader efforts to rehabilitate refugee and displaced communities and within the context of reconstruction programmes;
- Develop programmes to address HIV/AIDS infection and other sexually transmitted diseases spread through rape and sexual violence and assist girls with children born from rape;
- Develop community awareness and education programmes to counteract the stigma associated with girls that have participated in armed activities;
- Develop education programmes for boys and men to develop alternative concepts of masculinity not associated with guns and arms; and
- Reinforce norms, standards and laws establishing rape, including that facilitated by small arms, as a war crime.

### Norms and Standards for the Protection of Children

While the international community has made progress in adopting and implementing a growing collection of international standards protecting children's rights, additional steps must be taken to safeguard the security of children affected by small arms. Children need to have alternatives to gun violence and crime and be treated for small arms-induced trauma in order to fully participate in society. The cultures of violence perpetuated by small arms must be countered and sustainable options for children developed. States, regional and international organisations, NGOs and local communities must:

- Create zones for children, in schools for example, that are weapons free;
- Create norms or codes of behaviour surrounding use and possession of small arms by civilians and armed forces;
- Provide mainstream support for adolescents in leadership training, skills and vocational programmes, and formal education;
- Register unaccompanied and separated children and ensure their protection and survival;
- Incorporate psychosocial support programmes in rehabilitation and other health efforts; and
- Ensure child protection advisors be regular components of peace-building and post-conflict reconstruction efforts.

## Building a Comprehensive Framework for Action

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### Education and Awareness Building

Education and awareness building are key elements in changing the reintegration of youth into post-conflict societies and cultures of violence. The effects of small arms on the psychosocial development of children and their communities can be countered by effective programmes that provide peaceful alternatives to conflict, violence, and crime. Efforts should be focused on:

- Creating secure conditions within which children can be educated and interact socially;
- Supporting and ensuring the participation of children and youth in rebuilding civil society;
- Providing viable economic alternatives and leadership opportunities for war-affected children and youth;
- Developing peace education and non-violent conflict resolution programmes; and
- Developing community peace-building incentives focusing on development crucial for the well-being of children, such as the rebuilding of schools, healthcare facilities, and recreational areas.

### Future Action and Research

The linking of small arms and their impacts on children is a relatively new concept on the policy-making, aid providing, and academic fronts. Several organisations have begun to assess the role of small arms in their assistance programmes and fieldwork but this has not been systematically universalised.<sup>171</sup> Efforts must be made to further quantify the impact of small arms on children and to determine best practices and priorities. Action is needed at every level. Community-based organisations should work with national governments, regional organisations and international agencies to determine what information is needed to best serve children and assess the most effective ways to reduce the negative impacts of small arms on them. Future action and research areas should:

- Develop a more structured and thorough data collection process to identify the impact of small arms on children;
- Consider the impact of small arms on children in government and NGO-sponsored research, fieldwork, and publications;
- Encourage government funding for research and analysis of the impact of small arms on children in particular areas of concern;
- Identify key priorities within programmes to assist children in post-conflict situations;
- Co-ordinate agency and donor approaches and responses to rehabilitate war-affected children; and
- Develop and implement a rights-based framework to protect children in conflict and non-conflict situations.

## Conclusion

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The impact of small arms on children is complex and requires a long-term approach that recognises that these effects extend far beyond the end of hostilities. Indeed, each recommendation is a long-term programme in its own right. The UN Small Arms Conference only touched on the children's issue and addressed it in very general terms. The Programme of Action recognises the devastating humanitarian and socio-economic consequences of small arms and light weapons. Furthermore, it recognises the devastating impact on children as victims of armed conflict and child soldiers. However, the threats faced by children are not systematically addressed within the programme, and the measures put forward to prevent, combat and eradicate the illicit trade in SALW do not consider the special needs of children. Therefore, while the UN Small Arms Conference has addressed the impact of small arms on children and reinforced the link between the two, the Special Session on Children will be crucial for ensuring that the commitments made in New York in July 2001 will impact on the lives of children affected by small arms not only in conflict but in post-conflict and non-conflict environments.

Although the current document for the Special Session, "A World Fit for Children", has a section on children and armed conflict it contains only one reference to the dangers of SALW under the section on "protecting against abuse, exploitation and violence." It calls for protection for children from armed conflict by curbing the illicit flow of small arms.<sup>172</sup> However, the threats to children from small arms are far more comprehensive and challenging than this statement implies, and more crucially, extend far beyond conflict environments alone. As documented in this report, these weapons facilitate the use of children in conflict, they are widely used in violations of children's rights, they breed the fear that causes massive population movements that affect children, and they hinder access to children affected by armed conflict. Not only should the language in "A World Fit for Children" reflect the significant role small arms plays in worsening the situation of children in armed conflict to ensure that effective action is taken, but it should also address the impact of small arms on children in post-conflict and non-conflict situations. The Programme of Action for the UN Small Arms Conference expresses "grave concern" at the threat posed by small arms to "peace, reconciliation, safety, security, stability and sustainable development."<sup>173</sup> "A World Fit for Children" should recognise that small arms significantly undermine efforts to "nurture children in a safe environment that enables them to be physically healthy, mentally alert, emotionally secure, socially competent and able to learn."<sup>174</sup> Even in societies that have not recently experienced conflict, these weapons generate insecurity and promote cultures of violence that prevent access to social services, such as education, and undermine the tradition support systems for children, in particular the family. Tackling the problems associated with these weapons also diverts significant resources away from health, education, recreational and employment services and infrastructure. "A World Fit for Children" should include a small arms component into these areas to improve efforts to give better access for children to education, to combat crimes committed against children, and to create better protection for children.

## Conclusion

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Although the problems associated with small arms may at first be considered better addressed within the context of the UN Small Arms Conference follow-up process, this report demonstrates that the wide range of consequences of these weapons for children demand a coordinated comprehensive approach at the international, regional, national, and local levels as well. The UN Small Arms Conference has put in place measures that aim to prevent, combat and eradicate the illicit trade in small arms that has such a devastating impact on children, but the UN Special Session is crucial for putting in place measures that will translate to improve the lives of children affected by small arms on the ground. Therefore, the UN Special Session should build upon the momentum generated during the UN Small Arms Conference, to push for progressive action to protect children from the wide range of impact of small arms. This will ensure that States are fully committed to taking the steps necessary to improve the situation of children around the world by combating the problems fuelled by the presence, proliferation and misuse of small arms and light weapons.

## Endnotes

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  - 2 Stephanie Powell is the light weapons project officer for the Security and Peacebuilding Programme at International Alert.
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  - 4 Vines, A. "The Struggle Continues: Light Weapons Destruction in Mozambique," BASIC Papers, Occasional Papers on International Security Issues, No. 25, April 1998, available from: [http://www.iansa.org/documents/research/res\\_archive/r13.htm](http://www.iansa.org/documents/research/res_archive/r13.htm).
  - 5 Human Rights Watch, "War Without Quarter: Colombia and International Humanitarian Law", October 1998, p. 196.
  - 6 The definition of small arms and light weapons is based upon the definition used in the report of the UN Panel of Governmental Experts on Small Arms (1997). This distinguishes between small arms, which are weapons designed for use by an individual, and light weapons, which are designed for use by several persons serving as a crew. The category of small arms include revolvers and self loading pistols, rifles and carbines, submachine guns, assault rifles, and light machine guns. Light weapons include heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-aircraft missile systems, and mortars of calibres less than 100mm. Ammunition and explosives are considered an integral part of the small arms and light weapons with which they are used. A/52/298, 27th August 1997.
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  - 8 See Geneva Convention IV, 1949, Geneva Convention, Protocol I, 1977, and Geneva Convention, Protocol I, 1977.
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  - 10 Machel, G. op.cit., p. 5.
  - 11 Oxfam GB "The Human Cost of Small Arms: An Oxfam GB paper for the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects," July 2001, p. 4.
  - 12 Ibid.
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  - 14 Machel, G. op.cit., p. 5.
  - 15 There are of course practical limitations and challenges to collecting small arms injury data, but as the ICRC study on injuries in Northwestern Cambodia from 1994-95 showed, if a viable methodology is created, information as to the type of weapon used to inflict an injury can be ascertained. For more information, see International Committee of the Red Cross, "Arms Availability and the Situation of Civilians in Armed Conflict," June 1999, p. 33-38.
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