

FIFTH ANNUAL MEETING OF THE ASIA-PACIFIC FORUM OF
NATIONAL HUMAN RIGHTS INSTITUTIONS

ROTORUA, NEW ZEALAND 7-9 August 2000

ASIA PACIFIC CONFERENCE ON THE USE OF
CHILDREN AS SOLDIERS

Kathmandu, Nepal
15 - 18 May 2000

REPORT BY MR. R. V. PILLAI
SENIOR CONSULTANT

BACKGROUND

Though the Asia Pacific region witnesses a wide prevalence of child participation in armed conflicts – next only to Africa – this phenomenon has not received the attention it deserves. Armed Forces of many countries in the region recruit children below 18 years of age, though there is a legal prohibition on such practices. In addition, non-state armed groups recruit young children, arm them and make them fight bloody wars or use them in various other ways to support war efforts. Children working for armed groups are subjected to physical abuses and other privations. Trauma often drives them to suicide or murder. It is estimated that in the Asia Pacific region at least 75,000 children under 18 are engaged in armed conflicts in countries stretching from Afghanistan to the Philippines. Children along with women are the most vulnerable to the fall-out of violent conflicts. They are the first victims of violence perpetrated on civilian populations; they are the first casualties of food and medicine shortages in the war zones; and land mines casualties are the highest among children.

INTERNATIONAL EFFORTS

A number of initiatives have been taken at the international level, both in the UN system and elsewhere, to address the plight of children in situations of armed conflict. Some of the major initiatives have included

- the 1990 World Summit for Children and the subsequent study on the impact of armed conflict on children by Ms Graca Machel, the UN Secretary General's expert;

- the appointment of Mr Olara Otunnu by the UN General Assembly as Special Representative of the Secretary-General and his discussions in many countries with parties involved in armed conflicts to persuade them to commit themselves to certain measures to protect children, and
- the adoption of the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict by the UN General Assembly on 25 May 2000.

CIVIL SOCIETY EFFORTS

At the level of civil society a significant initiative to deal with the plight of children in armed conflicts has come from the Coalition to Stop the Use of Child Soldiers – an organization which consists of the African Coalition to Stop the Use of Child Soldiers, Amnesty International, Defence for Children International, Human Rights Watch, International Federation Terre des Hommes, Jesuit Refugee Service, Latin American Coalition to Stop the Use of Child Soldiers, Quakers United Nations Office in Geneva, Radda Bamen (for International Save the Children Alliance) and World Vision International.

ASIA PACIFIC CONFERENCE

The Coalition has been organising regional conferences to address this issue – the first one in Mozambique in April 1999, the second in Uruguay in July 1999 and the third in Germany in October 1999.

The Asia Pacific Conference on the Use of Children as Soldiers, held in Kathmandu from 15 to 18 May 2000, was the fourth regional conference and part of the continuing effort of the Coalition to raise general awareness of the problem and to encourage national governments; regional bodies and international organizations to commit themselves and to draw up plans and programmes to eradicate it. Participants included representatives of 24 Governments including Australia, Bangladesh, Cambodia, China, Japan, North Korea, South Korea, India, Indonesia, Kazakhstan, Laos, Nepal, Pakistan, the Philippines, Sri Lanka and Thailand. In addition the Conference included 75 representatives of NGOs within the region and outside, 25 representatives of the UN and other international organizations, the Secretary of the Sri Lankan Human Rights Commission and a former Khmer Rouge child soldier. Mr R. V. Pillai, Senior Consultant to the Asia Pacific Forum, represented the Forum and chaired the entire Conference.

The Conference was inaugurated by Mr Chakra Prasad Bastola, Foreign Minister of Nepal. He spoke of the situation in Nepal and expressed the commitment of his country to keep children away from armed conflicts. During the Plenary Session on the first day of the Conference, Ms Jo Becker, Chair of the Steering Committee of the Coalition, outlined the objectives of the Conference and made a presentation on the outcome of the three earlier regional conferences. Mr Nigel Fisher, Regional Director of UNICEF, looked at the issue of child soldiers as a global problem requiring a global response. Ms Mary Robinson, High Commissioner for Human Rights, sent a message to the Conference highlighting relevant international concerns and developments. A copy of her message is annexed (Annexure I). Mr Rory Mungoven, Coordinator of the Coalition, made a focused presentation on the research findings

with respect to the recruitment and participation of children in armed conflicts in the Asia Pacific region. A copy of his presentation is at Annexure II. One of the touching presentations was made at the Plenary by Ms Loung Ung, a former child soldier with the Khmer Rouge.

Participating government representatives also made brief presentations at the Plenary on their concerns and commitments.

During the following two days the participants deliberated on the following specific issues:

1. Political, legal, economic and social aspects of the use of children as soldiers;
2. Community based strategies for advocacy awareness and prevention;
3. Protecting children against recruitment by non-State actors;
4. Programmatic experiences in the demobilization and reintegration of child soldiers.

The Conference concluded with a Declaration calling on States and armed groups to demobilize and release child soldiers, and urging States to ratify the new Optional Protocol. The Conference further called upon the States to address a number of related issues. A copy of the Declaration is at Annexure III. The Declaration recognises the role of regional mechanisms, national human rights institutions and NGOs in dealing with this issue in the large context of the implementation of the Convention on the Rights of the Child. A specific reference to the Forum is contained in operative paragraph 28 of the Declaration.

The Conference was followed by an exclusive meeting of the NGO participants on 19 May 2000. This meeting on an interim mechanism for coordination within the region and participation in the work of the Steering Committee of the Coalition.

As far as the Asia Pacific Forum of National Human Rights Institutions is concerned, the Conference and its outcomes have to be seen in the context of its role in promoting the Rights of the Child and working in partnership with NGOs. In this connection the following activities of the Forum are particularly relevant - the seminar organised by the UN Office of the High Commissioner for Human Rights in association with the Forum in September 1999 in Manila, the Philippines on the role of national institutions and other organizations in the promotion and protection of the human rights of children; and the regional workshop organised by the Forum in Kandy, Sri Lanka in July 1999 on the partnership between national institutions and NGOs.

The outcome of the regional Conference in Kathmandu could help sharpen the Forum's attention to this very important area of children's rights and to promote active work in collaboration with States and NGOs.

RECOMMENDATIONS

It is recommended that the Asia Pacific Forum:

- note the Kathmandu Declaration and the outcomes of the Asia Pacific conference on the use of children as soldiers
- join governments and NGOs from across the region in condemning the use of children under 18 in hostilities by either governmental armed forces or armed opposition groups and calling for the immediate demobilisation of children under 18 within their ranks
- welcome the adoption of the Optional Protocol to the Convention on the Rights of the Child and encourage states in the Asia-Pacific region to sign and ratify it as soon as possible, without reservations and setting 18 as the minimum age for all forms of military recruitment
- disseminate the Optional Protocol to all national human rights institutions, asking them to encourage governments to adopt this standard and implement it in national legislation and practice
- encourage national human rights institutions to monitor, investigate and report upon the use of child soldiers, and make practical recommendations for prevention and redress
- encourage national human rights institutions to establish child protection officers or units and include children's rights in staff training and development