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Child Soldiers Recruitment and Use in the Democratic Republic of the Congo: An Ethical Perspective

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**CHILD SOLDIERS RECRUITMENT AND USE IN THE DEMOCRATIC
REPUBLIC OF THE CONGO: AN ETHICAL PERSPECTIVE**

A thesis by

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presented to

The faculty of the

Jesuit School of Theology of Santa Clara University

in partial fulfillment of the

requirement for the degree of

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Berkeley, California

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Committee Signatures

Professor William Bill O’Neill, SJ, Director Date

Professor Marianne Farina, CSC, Reader Date

To the hundreds of thousands of children who have been killed or who died on battlefield and to all who are still held in armed groups and all others who are suffering from the consequences of endless armed conflict in Congo

And

To my beloved Parents Kashosi Kashumo (of happy memory), and my Mother Ngomora Madeleine, and my elder Brother Bigirimwami Godefroid who completes ten years this year since he left this world,

I dedicate this work.

Children are gifts to the community who represent that community's physical existence into the future as well as its theological raison d'être, its hope - promise unfulfilled for one generation will come to fruition in the next through the children.

- Marcia Bunge

Acknowledgements and Appreciation

My heartfelt gratitude goes to all people who believe in reconciliation even when everything appears broken, hopeless and damaged. I thank my parents who taught me to care and defend those most in need and work for harmony among people.

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Many thanks to my fellows Shalomites, Setibo and you all who have impacted me all along my learning journey and on my paths of social justice and reconciliation.

Abbreviations

AI:	International Amnesty
ADF :	Allied Democratic Forces
APCLS :	Alliance des Patriotes pour un Congo Libre et Souverain
BAD:	African Bank for Development CAR: Central Africa Republic
CONADER:	Commission Nationale de Désarmement
CRC:	Convention on the Rights of the Child
CSI:	Child Soldiers International
DRC:	Democratic Republic of the Congo
FARDC :	Forces Armées de la République Démocratique du Congo
FDLR:	Democratic Force for the liberation of Rwanda
FRPI :	Front de Resistance Patriotique d'Ituri
ICC:	International Criminal Court
ILO:	International Labor Organization
LDF:	Local Defense Forces
LRA:	Lord's Resistance army
M23 :	March 23 Movement
MONUSCO:	United Nations Mission for the Stabilization of the Congo
NALU:	National Army for the Liberation of Uganda
NDC:	Ndunda Defense for the Congo
NGO:	Non-Governmental Organization.
PALS:	Popular Army for the Liberation of Sudan
PARECO :	Patriotes Résistant Congolais

RECOPE :	Réseaux Communautaires pour la Protection de l'Enfant
RCD :	Rassemblement Congolais pour la Démocratie
RPA:	Rwandese Patriotic Army
RPF:	Rwandese Patriotic Front
RUF:	Revolutionary United Front
UDHR:	Universal Declaration of Human Rights
UENP-DDR :	Unité d'Exécution du Programme National de Démobilisation, Désarmement et Réinsertion
UNICEF:	United Nations Children's Funds
UNGA:	United Nations General Assembly
UNHCR:	United Nations High Commission for Refugees
UNITA:	National Union for the Total Independence of Angola
UPDF:	Ugandan People's Defense Force
WW:	World War

Abstract

CHILD SOLDIERS RECRUITMENT AND USE IN THE DEMOCRATIC REPUBLIC OF THE CONGO:AN ETHICAL PERSPECTIVE

Matambura Kashosi Ismael, SJ

The Great Lakes Region in Africa, is living today in constant insecurity and leadership instability for more than two decades. This situation affects the Congo and most of its neighboring countries in the East. This crisis gets its roots, among others, in the colonization since the “scramble for Africa” in 1885. This region has never experienced a long running period of political stability and peace. On the destructive colonizer’s method of “divide and conquer,” one could add ethnic conflict that led to horrible situations, including the genocide in Rwanda. From 1885 to 2006, year of the first peacefully elected government, the Congo was a private property of the Belgian King Léopold II, then a Belgian Colony. Few years after independence in 1960, for thirty-two years, it knew a long destructive dictatorship of Mobutu, followed by the most brutal civil war it ever knew that killed more than 6 million people and threw millions of other into exile. The current government is not better neither, it is marked by tension and mass violation of human rights without mercy. Today there are more than 50 armed groups active in the Eastern Congo involved in civilian violation and natural resources exploitation and trade, and thus, aggravating people’s social and economic vulnerability.

The most affected are women and children. One of the challenges and to which I focus in this study, is Child Recruitment and Use, turning the children into killing

machines or instruments of violence and thus, exposing them to all kinds of hazard and disrupt their growth. Assaulting to children affects, not only the children but also their families and communities and so, the future. If we believe in human dignity and that a society that assaults its young members, though guarantee of the future, is likely to disappear, then countering this crime is a necessity. The need to protect children, future of the society and the most vulnerable of human society was felt since World War one. Laws and treaties have been adopted on international and local levels. But they have never succeeded to stop this crime. My study argues that ethically a new method that goes beyond the only language of rights, which moreover is limited, must be initiated. There is need to integrate to the language of rights, religious and African wisdom in drawing on themes such as *imago dei*, Solidarity, Love of neighbor, Ignatian method of Examen, Option for the poor, *Ubuntu* theology, etc. This integration grounds practical actions that could be initiated at all levels of life. It is only in doing so that one could get a sound and fitting response to Child Recruitment and Use and so ensuring the future.

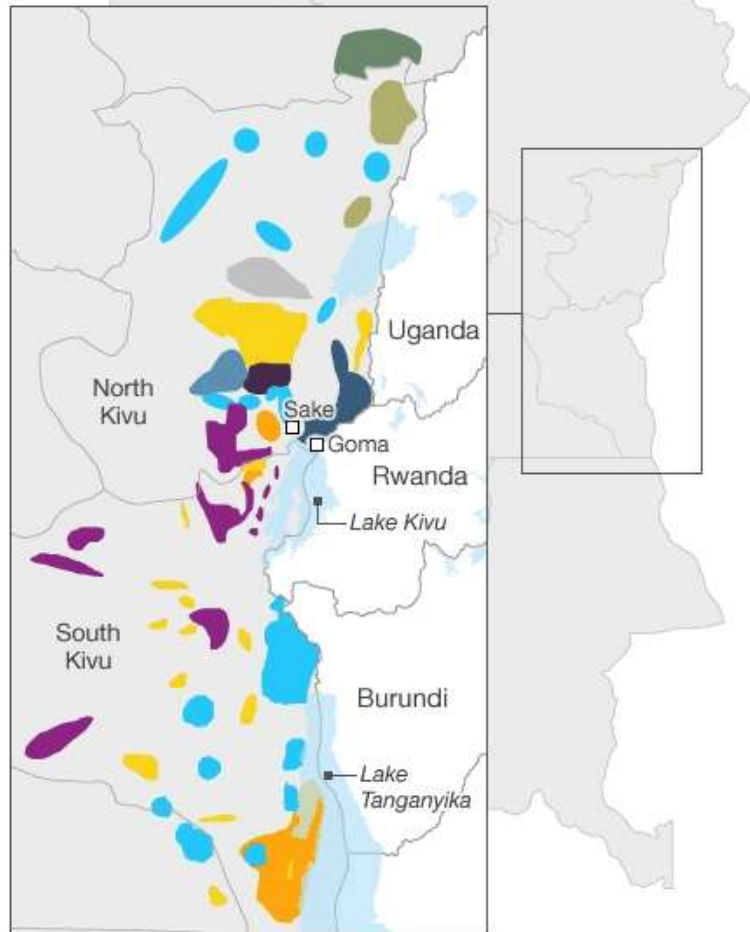
William Bill O’Neill, SJ, Director

Map of Armed Groups in the D.R. Congo 2013

Rebel groups in eastern DR Congo

UN forces and the Congolese army are present in large towns

- ADF-NALU**
Ugandan-led Islamists
- APCLS**
Mai Mai group
- FDLR**
Mostly Hutu Rwandan rebels
- FRPI**
Based in gold-rich Ituri region
- M23**
Mostly Tutsi, said to be Rwandan-backed
- Rai Mutomboki**
Anti-FDLR group
- Sheka**
Mai Mai group
- UPCP**
Loose coalition of smaller nationalist groups
- Mai Mai groups**
Local forces claiming to act in self-defence
- Other armed groups**



Source: Oxfam

*An estimate of where armed groups were in November 2012 based on the best available information. The conflict is changing daily.

Source: <http://www.irinnews.org/photo/201310301256370596/rebel-groups-eastern-drc>
accessed 3/25/2017.

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Introduction

There is no need to recall that the “young generation is the future of the society.” This is a common belief which goes across countries, cultures and space. I am convinced that a society which does not care for its young members is likely to disappear. Since World War II there has been an increasing violation of women and children, although the last are known as the future of the society. Society has forgotten the ancient practice and war’s rule: not attacking the noncombatant or sparing the innocent especially women, children, the old, and the disabled. In the ethics of warfare these categories of people were respected and given special care. They couldn’t be directly targeted; they were given priority to flee. World War II made, unfortunately, more civilian victims than combatants.

Moreover, the end of the Cold War contributed greatly to this shift in warfare ethics. In some places, civilians have become the target leading to incalculable suffering. Children and young women are killed, kidnaped, injured, sexually abused, and forcibly taken into the army and forced to work at a military base or are trained to fight on the battlefield. These criminal practices are done either by the State forces or by non-State armed groups opposing the government. Such a situation violates the basic right to security and many other related rights like physical and moral integrity, freedom of movement, adequate shelter, food, education, etc. The U.N. Declaration on the Protection of Women and Children in Emergency and Conflicts, considers criminal all forms of repression and cruel and inhuman treatment of women and

children, including torture, forcible eviction committed by belligerents in occupied territories.¹

Also, the U.N. Convention on the Right of the Child calls Parties to take all required and necessary responsibilities to protect children from all forms of physical or mental violence, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.¹ Children should, as well, be protected from any economic exploitation, hazardous work, or any other treatment that might interfere with their education, health, growth, etc. and prevent their social development and flourishing.² Furthermore, legislation from various countries recognizes and protects children. That is the case, for instance, of the Democratic Republic of Congo (DRC) which, in art. 53 of its constitution, protects the rights of every person to a safe environment and good health. Also in art. 42 it guarantees protection of the youth against every threat to their health, education, integral development.³

All these legal texts, including and in accordance with the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration of the Rights of the Child, the African Charter of the Rights and

¹ UNGA, “Declaration on the Protection of Women and Children in Emergency and Armed Conflict” (Resolution 3318 (XXIX) of 14 December 1974), art 5.

¹ UNGA, “Convention on the Rights of the Child” (Resolution 44/25 of November 20, 1989), art. 19 §1.

² Ibid., art 32 §1.

³ Constitution de la République Démocratique du Congo in *Journal Officiel de la République Démocratique du Congo*. Cabinet du Président de la République (5 Février 2011), 52^e Année, Numéro Spécial, art. 42 et 53.

Welfare of the Child or other instruments of international law concern or limit themselves to the child as an individual. I want to reflect on this phenomenon affecting the child in particular, and its community and the world, in general. I will draw and ground my arguments not only on the rights of the child but also on their community, drawing from the beliefs and wisdom of African traditions, Christian social thought, etc. I argue that there is much to say about turning one's child into a soldier, or a killing-machine as their experience has shown. What does making a child soldier mean in the contemporary African Great Lakes region context? If people still believe that a developed society that is willing to grow, flourish in all dimensions must invest in its young members, then stopping the child soldiers phenomenon becomes an urgent necessity.⁴ If all believe that there is no future for a country or a nation that has forced thousands of children to serve in a brutal civil war, then it becomes important to stop training children and turning them into killers and destroyers of their own society. Failure to do so will be tantamount to cutting a branch upon which ourselves we are seated.

When a child is recruited in the army either forcibly or voluntarily her or his life is totally compromised. She or he will not have any more access to school, family and community education and related human skills. In the army or in an armed group or militia, a child is more likely to be killed or injured on the battlefield, or die from diseases due to poor health care and hazardous life conditions and due to drugs,

⁴ A child is associated with an armed force or armed group refers to any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls used as fighters, cooks, porters, spies, or for sexual purposes. see Convention on the Rights of the Child, Adopted by General Assembly resolution 44/25 of 20 November 1989, art. 1.

alcohol, etc. The child is cut off from her/his roots and is rendered a stranger to her/his own community with all the consequences it implies. The harm is not only a violation of the child's rights, but it affects the parents individually and the community they belong to as well. Abduction renders all these basic rights and goods of childbearing precarious. And such a situation is simply a destruction of, not only a child, but more importantly of their community, family and parents. The yet to born, the living and the ancestors are all harmed at the same time. Brief, child recruitment and use in the face of equal dignity of every human person impels us to protect, care and provide for all and especially the most vulnerable. There is no a single human being whose dignity is of less worth. It is thus, our responsibility to work for the well-being and the common good, which in this case is fulfilling our duties toward children, guarantee of the future.

My thesis comprises four chapters. The first one considers the socio-politico-historical context of the Great Lakes region. It focuses on one hand on giving the situation of child recruitment and use in that region, and in the Congo, on the other hand. The second chapter focuses on the reasons, causes of this phenomenon in considering the historical, economic, social underling systemic factors as well as their consequences on the children's life and their communities. Chapter three looks into the ideologies, attitudes and beliefs behind Child recruitment and use. It shows that besides economic, historical and political factors, there are also beliefs, ideologies and attitudes on behalf the involved agents and actors that need to be taken seriously. Finally, the last chapter offers an ethical perspective. It shows that beside the language of rights that has been so much emphasized in the process of dealing with the question of child soldiers, religious and African traditional wisdom offer an important

contribution that must be taken into consideration for a more holistic response to end child recruitment and use. In the effort of moving from the theoretical approach, it also offers some practical responses.

Chapter 1

Description of the Reality of Child Recruitment and Use in Great Lakes Sub-Region in Africa

Brief Socio-Historic-Political Context of Great Lakes Sub-Region

The African Great Lakes Sub-Region is comprised of four countries: Burundi, Democratic Republic of the Congo, Rwanda and Uganda. Until the 60s these countries were colonies of two European nations: Belgium in the D.R. Congo, Rwanda and Burundi, and Great Britain in Uganda. The Congo was the private property of King Leopold II for twenty-three years before it became a Belgium colony. Rwanda was originally a colony of Germany, but after Germany's defeat in World War I, with the agreement of the League of Nations, Belgium took over. The D.R. Congo obtained its independence in June 1960, while Rwanda and Burundi became independent in July 1962, and with Uganda following in October of the same year.

These countries have never known long-term political stability since independence. Belgian colonialists ran Burundi and Rwanda based on a principle of "divide and conquer". This strategy aimed at nothing else but to help them accomplish their economic plan of exploiting and subjugating the people. Belgian colonizers ended up favoring the Tutsi tribe members over their Hutu countrymen. The Tutsi "were invited to become the enforcers of Belgian rule while the Hutu were viewed as the work force."⁶

⁶ Donald H. Dunson, *Child, Victim Soldier. The Loss of Innocence in Uganda* (New York: Orbis Books, 2008), 26.

This distinction among an otherwise united people—in that they use the same language and the same customs—created animosity and later led, along with other reasons, to the 1972 massacre in Burundi and the 1994 genocide in Rwanda. In the Congo, the colonizers used another strategy, that of “assimilation”. Some selected people were trained to behave like colonizers, and they were collaborators with colonizers while others were kept in total ignorance to better dominate and subjugate them. In Uganda, British colonialists used the same principle as the Belgians in Rwanda, based essentially on tribal division. From the Europeans’ point of view, some tribes or races were born to rule and others to be ruled over, a mentality that prevailed in this part of Africa and elsewhere in the world. In Uganda, for instance, the Bantu tribes of the south were given more advantages; thus, their homeland grew far more prosperous than that of the North. In this regard, Donald Dunson affirms that

the dominant southern Bantu tribe was given economic, political, and educational advantages by their British colonizers. The British form of favoritism fueled some of same destructive results as Belgian favoritism: primarily enmity between tribes. The northerners, members of Acholi, Langi, Madi, Kakwa, and Alur, tribes, were recruited principally for the military for position within the police, and a host of jobs in manual labor, particularly on the sugar plantations the British established in Uganda.¹

This way of ruling eventually created a problem of social justice, conflicts of leadership, economic disparities, etc. from which these countries have never totally recovered. Each of these countries has a sad history of unstable and disputed leadership and social disparities among the people where the wealth of the country benefits only the few and such a situation has led to endless conflict. In Uganda, after independence in 1962, Milton Obote from the North took over. Nine years later, he

¹ Dunson, *Child, Victim Soldier*, 28.

was deposed by coup d'état led by Colonel Idi Amin Dada from the West Nile region. Because of his brutality, a reign of terror, favoritism of the military and of his own region, torture, and execution, the supporters of former president Milton Obote with the help of the Tanzanian government ousted Idi Amin and restored Milton to power. This regime, Obote's second, was overthrown by Yuwiri Museveni in 1986 after a deadly fight in Luwero. It is reported that the victims of this fight were mostly civilians from the south, the homeland of Museveni. He inherited a Uganda that was virtually in ruins, a country that has never seen a peaceful transition of power. Many Acholi soldiers from the North retreated into Southern Sudan fearing that Museveni would seek revenge on them. These defeated soldiers formed the nucleus of an initial rebel brigade who would become the Lord's Resistance Army (LRA) who would oppose Museveni's regime for decades. They were first organized in 1985 under the leadership of a female prophetess Alice Auma (Lakwena). After her defeat by the Ugandan People's Defense Force (UPDF) in 1988 another Acholi man, Joseph Kony, took over the leadership. He believed that together with other Acholi tribe members and military force they could restore their homeland. He is known for wielding extraordinary power and being an expert in manipulating young people.²

Like its neighbor Uganda, Burundi also knew dark moments of political instability and conflict. And those moments are rarely in favor of people's flourishing or development. Burundi received its independence in 1962 and already two years earlier in 1960 there were tensions between the two main tribes: Tutsi and Hutu. The Hutu felt oppressed and started an insurgency in 1972 which was violently repressed

² Dunson, *Child, Victim Soldier*, 31-33.

by the army, resulting in the deaths of thousands of people. This conflict endured among these tribes and resulted in civil war in 1993 where again tens of thousands of people, mainly Hutu, lost their lives, among them the first democratically elected president Melchior Ndadaye, assassinated in October 1993 along with his two top officials. This situation unfortunately drove the whole country into a state of upheaval: the economic situation worsened, and insecurity spread. In this regard, Gérard Prunier writes.

the downward spiral became extremely hard to escape: Tutsi and Hutu fought each other to retain access to patronage in a state-dominated economy that their very conflict made poorer by the day, and growing poverty in turn kept ensuring a steady supply of resolute and desperate supporters for the political class.³

In February 1994, Cyprien Ntaryamira, a Hutu moderate, took over. In April of that year, however, he was also assassinated together with Juvénal Habyarimana, president of Rwanda, and ten other officials from both Rwanda and Burundi. Late in 2001 the country experienced its first peaceful transition among the Hutu-Tutsi with Pierre Buyoya and Domicien Ndayizeye, following the peace agreement of Arusha signed on August 28, 2000. The country had general elections which elected Pierre Nkurunziza in August 2005. In 2015 the country was again plunged into a political crisis following the end of the presidential term and the refusal of the president to step down.

In Rwanda, the situation was not different. Hutu and Tutsi tribes, as in Burundi, have been living in tension due to power and leadership. The Belgian colonizers considered the Tutsis as superior to the Hutus, and favored them. Thus,

³ Gérard Prunier, *Africa's World War: Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe* (New York: Oxford University Press, 2009), 63.

they benefited from easy of access to education, administrative offices, etc. The Tutsi's claim for independence pushed the Belgian colonizers to change their alliance in favor of the Hutu. This led to a civil war which sent more than 300,000 Tutsis into exile in 1959. After its independence in 1962, the Hutu took over: first, under the leadership of Grégoire Kayibanda, and second under Juvénal Habyarimana, who overthrew Kayibanda in 1973. He established a dictatorship that lasted until 1991 when under both internal and external pressure, he allowed multiple political parties to establish themselves. Both Kayibanda and Habyarimana continued the oppression of the Tutsi by all means, including massacre, violence, and exclusion from jobs. The Tutsi in exile organized themselves into the Rwandese Patriotic Front (RPF) under the leadership of Paul Kagame with the help of Ugandan government to fight Habyarimana's regime. This conflict and enmity lasted decades and led to the genocide of 1994 after the assassination of President Habyrimana. The restoration of the Tutsi power under the leadership of Paul Kagame drove millions of Hutus into exile in Tanzania and Congo, and among them the former soldiers of Habyarimana and the Hutu extremists who had perpetrated the genocide. Regarding this, Michael Deibert affirms: "as Paul Kagame and the RPF stormed down from the Northern Rwanda ...the author of genocide, and those under their command, fled into the opposite direction. From Rwanda, up to 800,000 people crossed into North Kivu between 14 and 17 July alone, the departing *genocidaires* taking the equivalent of US dollar 30-40 million in Rwandan francs with them."⁴ With the RPF, the new regime after the genocide got involved in

⁴ Terry Fiona, *Condemned to Repeat? The Paradox of Humanitarian Action*. (New York: Ithaca, Cornell University Press, 2002), 171. Cited by Michael Deibert, *The Democratic Republic of Congo. Between Hope and Despair* (London: Zed Books, 2013), 51.

the mass killing of civilians as well as planned and targeted killings and summary executions, including attacking the camps of internally displaced citizens (in Kibeho) and refugee camps in the Congo. Deibert writes : “in Rwandan district of Rubavu, where the border of Gisenyi were located, UNHCR investigators found that ‘there was a systematic pattern of arbitrary arrests and disappearances of adult males...suspected of being (Hutu) militia elements’, as well as evidence of mass killings and of ‘systematic and sustained killing and persecution of civilian Hutus by the RPF.’”⁵ In addition, Jean-Damascène Ntakirutimana, a former Chief of Staff under Prime minister Faustin Twagiramungu after genocide, declared to the French daily news, “Le Monde” on June 15, 1995 that the RPF bases its policies on the domination of one ethnic group by the other, as if the painful experience of the fallen regime had been for nothing. The situation is getting worse: arbitrary arrests, tortures, a stalled justice, double talk on the refugee question, repression of the press, etc. For him, pressures should be applied on the regime by those countries that support it to bring it to its senses.⁶

This sociopolitical environment renders reconciliation and cohabitation almost impossible. Leonidas Rusatira, a former officer of “ *Forces Armées Rwandaises/FAR*” who opposed genocide and who later joined the Rwandese army created in 1994 (Rwandese Patriotic Army/RPA) wrote in his open letter:

I joined the RPA on 29 July 1994 in the hope of enabling all my fellow countrymen to live together...but instead I went on a deadly obstacle course for the next sixteen months and this finally convinced me that the present

⁵ Ogata Sadako, *The Turbulent Decade: Confronting the Refugee crises of the 1990s, 191-192*. Cited by Deibert, *The Democratic Republic of Congo. Between Hope and Despair*, 52.

⁶ *Le Monde*, June 15 1995, Cited by Prunier, *Africa's World War: Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe*, 44.

regime in Kigali deserves no confidence and does not want a genuine reconciliation between Tutsi and Hutu... It only wants to consolidate its power without any form of sharing and hopes to keep it forever. The plan of the elite in Kigali is to decapitate through any available means the Hutu elite, and to let live a voiceless mass of peasants only good enough to toil the earth for their masters.⁷

In addition, Prunier writes “prime and proper international law had left unattended a gaping moral loophole, and the ethnic ideology of the genocidaires had slipped through. Because the real Hutu killers had not been sacrificially executed, all Hutu were now regarded as potential killers and all Tutsi had become licensed avengers.”⁸ The situation has not changed much since the genocide. People who fled into Congo and other Eastern African countries, mainly Hutu tribe members, are frightened and they are full of fear to go back because of the uncertainty of their safety. The survivors of ex-Rwandese forces grouped under “*Forces Démocratiques de la Libération du Rwanda/FDLR*” (Democratic Forces for the Liberation of Rwanda) chased from refugee camps in the wake of the Rwandan and Ugandan invasion of Congo in 1996 have found safe haven in the national parks and forests of North and South Kivu Province.

The D.R. Congo, on its part, is not an exception to this colonial exploitation, crisis of leadership, social and political instability. Since the “scramble for Africa” in 1885 until now, people have never lived in a long running period of political stability. From 1885 to 1908, the Congo was the private property of the Belgian King Léopold II and from 1908 to 1960, a Belgian Colony. From 1960 to 1964: the first local

⁷ Prunier, *Africa's World War*, 21.

⁸ *Ibid.*, 35.

government led by Joseph Kasavubu and from 1965-1997, Joseph Désiré Mobutu's regime. For nearly thirty-two years, Mobutu established a dictatorship based on violence and terror. In 1997-2001 Rwanda and Uganda's invasion led to civil war, and Laurent Désiré Kabila's regime which ended with his assassination on January 16, 2001. 2002 to 2006 saw a government of transition with one president assisted by four vice-presidents, two of them former warlords. The first peacefully elected government of Joseph Kabila began in 2006. The second term of Kabila in 2011 was marked by tension and mass violation of human rights and public freedom until today.

In addition to its own problems, the Eastern part of the Congo has been experiencing the consequences of the infamous Rwanda genocide. There are rebels, armed groups from Congo and beyond who are established in that part of Congo. Despite the UN biggest peacekeeping mission in the world, "*Mission des Nations Unies pour la Stabilisation du Congo/MONUSCO*" (United Nations Mission for Stabilization of the Congo), they have never succeeded in bringing peace and stability since the beginning of their mission in 1999. This area is the bastion of the militia that recruits children.

The situation I have just described in this part of Africa has resulted in a condition of extreme vulnerability among the people, the most affected of whom are women, the elderly, people with disabilities and children. People have experienced unbelievable situations of violence marked by indescribable atrocities. Among these atrocities are child abduction, maiming, sexual abuse, plundering, looting, mass killing, etc. The question one could ask is "what is the situation of child soldiers in Great-Lakes Sub-region?" The following section will attempt to answer that question.

Situation of Child Soldier Recruitment and Use in Great-Lakes Region

Every child matters everywhere and at all times. While many children in a healthy environment are learning socio-cultural values—how to write, play, to be a child and prepare their future—many others all over the world are given guns and taught nothing else but how to kill and destroy. The gun has replaced the pen and toys, and drugs have replaced healthy food and notebooks. Some of them cannot even write their name, but they can dismantle and assemble a Kalashnikov, eyes closed, in seconds. Day and night, they are exposed to scenes of violence. A life of violence is the only kind of life they know. The world has changed and is still changing and “many children born today will enjoy vast opportunities unavailable 25 years ago. But not all will have an equal chance to grow up healthy, educated and able to fulfil their potential and become fully participating citizens, as envisioned in the Convention on the Rights of the Child” argues UNICEF.⁹ We are in a world dictated by violence and hunger for wealth accumulation where the most vulnerable human beings are laboring and taught “how to kill before even they learn how to write or read.”¹⁰

Despite the Convention on the Rights of the Child (CRC) in 1989 and its approval or signature by all the countries in the world, except the USA and Somalia, and in spite of art. 8(2)(b)(xxvi) of the “Rome Statute” of the International Criminal Court (ICC) which defines recruiting and using children under 18 as a ‘war crime’, thousands of children, girls and boys, teenagers under-18 continue being recruited into

⁹ Unicef, *The State of the World's Children 2015: Executive Summary. Reimagine the Future. Innovation for Every Child* (New York, November 2014), 1. <http://sowc2015.unicef.org>

¹⁰ Kristin Herzog, *Children and Our Global Future. Theological and Social Challenges* (Cleveland: The Pilgrim Press, 2005), 72.

the army and militia as combatants, cooks, spies, spouses, sexual slaves, carriers, etc. These children are deprived of their rights and their childhood; they bear heavy consequences physically, emotionally and spiritually. To raise awareness in their favor, February 12 has even been declared ‘Child Soldier’s Day’ by the UN since 2002. This was done in the wake of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, to raise more awareness against this growing and harmful abuse and to call for actions against it as well as for the support of children affected by it.

According to UNICEF France, children in this situation number around 250,000, with the Great Lakes Sub-region in Africa having the largest population. Given the fact that those using children tend to hide them, the exact number is not known. Around 12,000 children are involved in the South Sudan civil war in the Popular Army for the Liberation of Sudan (PALS). In addition, the American State Department affirms that governmental troops from Yemen, Syria, South Sudan, DRC, Somalia and Nigeria have recruited children between April 2014 and March 2015. But one must recognize that the number of children used in the national army in these different countries is declining due to international pressure and to the local government’s efforts of implementing the Optional Protocol of 2002.¹¹ The Program of Demobilization of UNICEF in Burundi, in operation since 2004, has demobilized

¹¹ Anna Bernas, « Des Milliers d'enfants soldats Toujours Impliqués dans les Guerres ». <http://www.rfi.fr/afrique/20160212-enfants-soldats-impliques-trentaine-conflits-daech-syrie-soudan-ONU-reinsertion> accessed 1/30/2017. See also <https://www.unicef.fr/dossier/enfants-soldats> accessed 1/30/2017. *Note: my comments above regarding this article are my own translation into English.*

and reinserted 2,261 children and plans to demobilize 650 more in December 2016 from six different armed groups opposing the government.¹²

From Child Soldiers International's 2008 Global Report, "children were recruited from Congolese refugee camps in Rwanda by armed units under the command of Laurent Nkunda, and deployed them in the Eastern Democratic Republic of the Congo (DRC) in 2007."¹³ Rwanda supported and controlled the armed political rally "*Rassemblement Congolais pour la Démocratie/RCD*" (Congolese Rally for Democracy) operating in DRC. Child Soldiers International claims that more than 650 children were taken back to Rwanda under the program of demobilization.¹⁴ The same report underscores the fact that in Rwandan forces there was no evidence of children under 18 but the government militias, namely Local Defense Forces (LDF) created in the late 90s for ensuring local security, could have volunteers in this age range.

In the DRC, especially in the East, institutional instability added to multiple armed groups, and weak political leadership has fostered the increased vulnerability of children, women and young girls for about two decades. The security and stability of the region worsened in the years 1998-2003 when more than fifty armed groups were operating in DRC, foreigners being among them, the consequences of which are still visible in people's lives today. It is in this sense that Child Soldiers International affirms

¹² <https://www.unicef.fr/article/burundi-plus-de-650-enfants-soldats-demobilises-au-17-decembre#>

¹³ Child Soldiers International, *Child Soldiers Global Report 2008* (London: Coalition to Stop the Use of Child Soldiers, 2008), 288.

¹⁴ Child Soldiers International, *Child Soldiers Global Report 2008*, 229.

that children were used by all parties in the armed conflict for combat and support roles, and thousands of girls were used as sexual slaves. An estimated number of 30,000 children were awaiting demobilization from armed forces and other parties to the armed conflict at the end of 2003.¹⁵ Given the Peace agreement of 2002, the inauguration of national unity under the new government, and the progressive integration of armed groups into the national army, as well as the process of Demobilization, Disarmament and Reinsertion of adults and children (DDR) that followed in 2005, there was a significant decrease in the number of fighting zones and of child soldier recruitment. Thus, as of the year 2007 some 30,000 minors were reported being demobilized, and thousands of others, including girls, escaped, were abandoned, or left the armed groups without being officially demobilized. About 7,000 others remained in armed groups and in the Congolese army/FARDC (*Forces Armées de la République Démocratique du Congo*).¹⁶ The national body, “*Commission Nationale de Désarmement/CONADER*” (National Commission for Disarmament), faced huge challenges given the immensity of needs, and demobilized children remained at risk of re-recruitment by the armed groups who were antagonistic to the integration process. This commission has to oversee the demobilization process of an estimated 150,000 adult fighters and 30,000 children. By December 2006 this body reported that

¹⁵ Child Soldiers International, *Child Soldiers Global Report 2008*, 107.

¹⁶ Child Soldiers International, *Child Soldiers Global Report 2008*, 107. See also Amnesty International (AI), “DRC, Children at War: Creating Hope for their Future”, October 2006. Accessed <http://www.refworld.org/docid/4538df414.html> 2/10/2017.

30,000 children were released from armed groups and 4,000 more were released between October 2006 and August 2007.¹⁷

In this regard, the UN Secretary General in his 19th Report on the UN Peacekeeping mission in Congo (MONUC) states that development of sustainable reintegration programs including education, skills training and community-based projects for children released from armed groups remains a major challenge, particularly given the limited capacity to meet outstanding needs. In some areas, he continues, there is credible evidence of harassment and threats of re-recruitment of children released from armed groups, and lack of security continues to hamper reintegration.¹⁸

The government of transition that brought national unity in 2002, and the following government elected in 2006 did not succeed in their effort to bring about peace in the Eastern Congo. Some areas or Territories remained uncontrolled by the government. Hence, unsatisfied armed groups remained active in some areas and insecurity and violence continued. This led to the creation of self-defense groups in some territories of East Congo. As of 2008, an estimated 7,000 children remained in government forces and armed groups, including foreign troops active in the eastern provinces of Equateur, Ituri, Katanga, Maniema, and North and South Kivu. Some of the children were recruited from refugee camps in Rwanda and used by the armed

¹⁷ Child Soldiers International, *Child Soldiers Global Report 2008*, 109. See also Report of the Secretary-General on Children and Armed Conflict in the DRC, UN Doc. S/2006/389, 13 June 2006, and Report of the Secretary-General on Children and Armed Conflict in the Democratic Republic of the Congo, UN Doc. S/2007/391, 28 June 2007. And Report of the Secretary-General on Children and Armed Conflict, UN Doc. A/62/609-S.2007/757, 21 December 2007. <https://childrenandarmedconflict.un.org/virtual-library/>

¹⁸ UN Secretary General's 19th Report on MONUC (S/2005/603), §51.

groups in North Kivu, mainly by Laurent Nkunda who remained hostile to the army unification process. “Children say they were offered money and employment if they returned to North-Kivu, but on arrival were recruited into a “mixed” brigade loyal to Nkunda.¹⁹ A sixteen-year old Rwandan boy, one of the many boys and girls lured into the M23 under false pretenses, explained to MONUSCO testifying that “when I was in Kigali we were told by a man there was a lot of money to be earned in the Congo. My friends and I joined him – but instead of work we received military training in the bush, there were girls who were trained as well and we all became combatants in the M23. We fought against the FARDC in Bunagana.”²⁰

Since the genocide in Rwanda in 1994 “*Forces Démocratiques de Libération du Rwanda/FDLR*” (Democratic Forces for the Liberation of Rwanda) fled into Eastern Congo and have been active in both North and South Kivu from around 2003. Officially it is known as being in opposition to the Rwandan government, but it has been attacking civilians in Congo and has engaged in pillaging, extortion, sexual violence, mineral trading, etc. According to UNICEF, FDLR recruited and used a number of children, some of whom were deployed to fight against Nkunda-affiliated troops in 2007, although numbers were difficult to establish.²¹ Many significant efforts

¹⁹ See also Human Rights Watch, “Army should stop use of child soldiers” (April 19, 2007); RDC-Humanitaire, “Implications of the mixage for the demobilization of children associated with armed groups”, (February 2007). www.rdc-humanitaire.net ; Coalition sources, Eastern DRC, June 2007. Cited by *Child Soldiers Global Report 2008*, 108.

²⁰ MONUSCO, *Invisible Survivors: Girls in Armed Groups in the Democratic Republic of the Congo from 2009-2015* (25 November 2015), 14. <https://childrenandarmedconflict.un.org/wp-content/uploads/2015/11/151123-Girls-in-Armed-Groups-2009-2015-Final.pdf>

²¹ UNICEF, *Report of the National Workshop on Children’s Demobilization, Disarmament and Reinsertion (DDR)*, Goma, 12–14 April 2007. Cited by Child Soldiers, *Child Soldiers Global Report 2008*, 109.

were made by the government and its local as well as international partners to eradicate the use of children in conflict. However, due to resurgence of conflict in 2012 with the M23 movement supported by Rwanda, child recruitment increased significantly. Re-recruitment was also observed and Child Soldiers International, in its briefing to the UN Security Council Working Group on Children and Armed Conflict, attributes it to the recurring nature of armed conflict as well as to the ongoing weaknesses inherent in reintegration programs.²² It also underscores the fact that boys and girls were recruited by Congolese national forces in 2012-2013, through the integration of several armed groups' combatants into the army. The UN peacekeeping mission in DRC (MONUSCO) reports having documented 996 cases of child recruitment by armed groups as of January 2012-August 2013. Although it is difficult to give a comprehensive picture, the perpetrators of these war crimes are armed groups such as the M23 Movement, Nyatura, FDLR, Raiya Mutumboki, Mai-Mai, LRA, APCLS, ADF, Cheka, and others.²³

In addition, intelligence forces are also accused of detaining children suspected of associating with armed groups. With the improved cooperation of child protection agencies and military authorities, in the last six months of 2013, 2,894 children, including 365 girls, were separated from armed forces and militant

²² Child Soldiers International, "Briefing on the Recruitment and Use of Children in the Democratic Republic of Congo to the UN Security Council Working Group on Children and Armed Conflict (July 31, 2014), 2.

²³ Monusco, *Child Recruitment by Armed Group in DR Congo from January 2012 to August 2013* (October 2013), 6.
https://monusco.unmissions.org/sites/default/files/131024_monusco_spe_rapport_recrutement_enfants_par_groupes_armes_2012-2013_0.pdf

groups.²⁴ Moreover, the UN Secretary General's 5th Report of June 2014 on Children and Armed Conflict in DRC gives the following figures for four years: from 2, 280 cases in 2009 to 1,108 new cases of minors including 78 girls being documented in 2010; 767 cases including 87 girls in 2011; an increase was observed anew in 2012 and 2013 with a total of 1,296 (126 girls) and 1,023 (129 girls) respectively. That increase was the result of a deterioration of security and the rise of new groups, such as the M23 movement, Mai-Mai Kata Katanga, and Nyatura, all of which recruited children both local and foreign alike. One could observe a decrease of child recruitment in national security forces, FDLR and the LRA.²⁵ Among the 4,194 cases (421 girls) documented by the UN during the reporting period, 110 stated they were Rwandan, 13 Ugandan, 3 South Sudanese, and 2 from Central Africa Republic and 96 unaccompanied children who fled to Uganda. For the same period, moreover, partners of UNICEF reported providing services to 16,560 children associated with armed groups and forces. This shows in a way how child-recruitment is underreported.²⁶ Also, of 421 girls documented, 32% reported having been raped, and sexually abused.

The second report of November 2015 established by the Human Rights and Child Protection component of the UN peacekeeping mission in DRC, MONUSCO, covering the period of 2009-2015, shows how child recruitment is still occurring and girls remain invisible for the most part, although their numbers represent roughly 30-

²⁴ Child Soldiers International, "Briefing on The Recruitment and Abuse of Children", 2.

²⁵ Report of the Secretary General on Children and Armed Conflict in the Democratic Republic of the Congo (S/2014/453), (June 2014) §§23 and 24.
<http://reliefweb.int/sites/reliefweb.int/files/resources/N1443195.pdf>.

²⁶ UN Sec Gen (S/2014/453), §21.

40% of child recruitment in the Congo and abundant evidence shows that a large number of girls are recruited and used. The difficulty in accurately evaluating their number is due to various factors, for instance their role in the group (cooks, porters, wives/concubines, ...), the fear of taking high risks in the bush, fear of rejection by their community, and most important is the fact that the commanders of militant groups tend to hide them during surrender and reintegration for fear of being held accountable for sexual violence.²⁷ In this respect, in 2008, Child Soldiers International writes “forcible recruitment was reported in Ngungu and Rutshuru (North Kivu) in July, and children were being hidden by troops loyal to Nkunda in these and other zones in violation of Military HQ command’s orders. Children were told to lie about their age and state they are adults.”²⁸

All the young girls identified by MONUSCO and partners in the FARDC assembly camps were claimed by FDLR elements to be their daughters. However, many of the boys formerly associated with FDLR reported the presence of large numbers of girls in the group, used as wives/concubines, cooks and combatants. For example, a 16-year old boy reported the presence of ten girls in his group consisting of 150 FDLR elements.²⁹

Moreover, “some boys formerly associated with APCLS declared that there were no girls in the group, but twenty of the boys interviewed reported the presence of at least

²⁷ MONUSCO, *Invisible Survivors: Girls in Armed Groups in the Democratic Republic of the Congo from 2009-2015* (25 November 2015), 1, 8 and 10. <https://childrenandarmedconflict.un.org/wp-content/uploads/2015/11/151123-Girls-in-Armed-Groups-2009-2015-Final.pdf> See also, UN, Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/HRC/34/44), December 22 2016), §13.

²⁸ Child Soldiers International, *Child Soldiers Global Report 2008*, 108.

²⁹ Monusco, *Invisible Survivors*, 8.

65 girls associated with APCLS who were 'married' to adult combatants, while others reported the use of girls as cooks and combatants."³⁰

This UN report shows that of the children they interviewed in this period 7,946 children, including 600 girls, were associated with armed groups. 63% of these girls reported being recruited by force and a quarter stated they joined because of peers, families or pressure from other members of their community.³¹ A fourteen year-old Rwandese girl testified: "my parents were with FDLR. When they died in 2011, I was used as a scout and to collect food. I was in a group of 42 combatants with five other girls and three boys... I was married to Captain S."³²

Furthermore, although girls are still recruited and used in large numbers, they continue to be invisible, often trapped in armed forces and groups because they are perceived primarily as 'wives' and mothers. Shame and the fear of exclusion push many of them to actively avoid assistance.³³ These girls constantly face stigmatization, rejection and neglect. One girl from Shabunda in South Kivu Province who was associated with Mai-Mai APCL testified in January of 2016 that "since I came back my friends have abandoned me, they treat me like a criminal."³⁴ In the same vein, one of the findings of Child Soldiers International in its analysis of this issue is that

³⁰ Monusco, *Invisible Survivors*, 9.

³¹ *Ibid.*, 1.

³² *Ibid.*, 8. Name withheld for protection reason.

³³ Jesuit Refugee Service (JRS), "Democratic Republic of Congo, Time to Take Strong Measures to Protect Children from Armed Conflict." https://en.jrs.net/news_detail?TN=NEWS-20141124041445 accessed 1/18/2017.

³⁴ Child Soldiers International, "Submission on the Committee on the Rights of the Child on Child Reintegration of Girls in Democratic Republic of the Congo" (April 2016), 2. www.child-soldiers.org.

stigmatization of girls who have been associated with armed groups is so engrained in the communities they visited that several providers of assistance, mainly the members of Community Networks for the Protection of the Child (*Réseaux Communautaires pour la Protection de l'Enfant/RECOPE*), admitted that they would not want their own children to associate with such girls.³⁵

Among the children associated with armed groups who are documented, there are some who voluntarily joined because they wanted to respond to a strong desire for self-protection; others joined because of anger and want to avenge their parents or relatives who were violently killed, or want revenge because of their village being destroyed. Others reported that they want to contribute to the security of their community. Others still, especially girls, followed their boyfriends, “husbands”, family members, etc. This is the case of a seventeen-years girl who was rescued from the Mai-Mai Kata Katanga in 2013 and who states: “I was living in Camp Sowe with my husband who was a Mai-Mai combatant; I had no choice and I had to follow him to the forest. I went through initiation rites to protect me from bullets in case of an attack by FARDC. I didn’t do anything in the group except take care of my husband.”³⁶ Another seventeen-years-old girl, who was associated with the FDLR and came to the MONUSCO base with her ‘husband’ and their three-month old baby, said: “I wanted to help protect my community from Mai-Mai who were attacking Hutus. I was

³⁵ Child Soldiers International, “Submission on the Committee”, 2. These Networks (RECOPE) are coordinated by Department of Social Affairs (*Division des Affaires Sociales/DIVAS*) and were initially piloted in North Kivu by Save the Children UK in 2000, in partnership with National NGOs. RECOPE are composed of respected members of the community representing various sectors of society such as education, health, business, religion, police, etc. Members are appointed by communities themselves and they receive a training on how to identify and respond to a child protection cases as well as to raise awareness on child protection issues.

³⁶ Monusco, *Invisible Survivors*, 15.

assigned to guard duty, with six boys between 13 and 17 years old. I became pregnant and after that I worked only at the headquarters (main base) as a cook and receptionist.”³⁷

The situation today has not changed much, and the reporting of various NGOs testify to the immensity of the challenge ahead. The use of child soldiers is still a problem in DRC, though there is progress in the effort of the government of securing children. In this regard, Jesuit Refugee Service/JRS, a religious based NGO based in DRC states late in 2014:

twenty-five years after the UN General Assembly adopted the Convention on the Rights of the Child (CRC), ratified by the Democratic Republic of Congo (DRC) in 1990, Child Soldiers International and the Jesuit Refugee Service remain concerned by widespread abuses committed against children by armed forces and armed groups. Although significant progress [has occurred] there is still a long way to go to prevent the recruitment of children, improve assistance to former child soldiers, and end impunity.³⁸

The UN Secretary-General, in his report of June 30, 2014 on children and armed conflict in DRC, identified the following as the main groups recruiting and using children: ranked in order of cases documented there are Mai-Mai groups (M.M. Kifwakifwa, Kirikichao, Burondo, Complete, Cheka, Kasindien, Yakutumba, Lafontaine, Mushondo, Parem, Safari, Shetani, Simba and Tawimbi), FDLR, Mai-Mai Nyatura, Mai-Mai Kata katanga, LRA, FRPI, Mai-Mai Raiya Mutombuki, PARECO.³⁹ Little has changed in the past two years, however. There are several

³⁷ Monusco, *Invisible Survivors*, 16.

³⁸ JRS, “Democratic Republic of Congo, Time to take Strong Measures to Protect Children from Armed Conflict.” https://en.jrs.net/news_detail?TN=NEWS-20141124041445 accessed 1/18/2017.

³⁹ UN Security Council, *Report of the Secretary-general on children and armed conflict in the DR Congo* (S/2014/453) (June 30, 2014), §25. <https://childrenandarmedconflict.un.org/virtual-library/>

armed groups who are still active and destabilizing the Eastern Congo, being involved in massacres, general disruption of national security, and the displacement of hundreds of thousands of people. These groups as we saw in the data given above had used and are still using children. This is the case of FDLR (*Forces Démocratiques de Libération du Rwanda*), various Mai-Mai groups including the APCLS (*Alliance des Patriotes pour un Congo Libre et Souverain*), the FRPI (*Forces de Résistance Patriotique en Ituri*), PARECO (*Patriotes Résistants Congolais*), foreign groups such as the ADF-NALU (Allied Democratic Forces – National Army for the Liberation of Uganda) and the LRA (Lord's Resistance Army).⁴⁰ The assistance given to the children who are rescued from armed groups is too scarce and too temporary to meet the current needs. In July 2014, Child Soldiers International expressed the same concern in its Report to the UN working group on children and armed conflict. Moreover, UN's 2016 Child recruitment List (the UN's List of shame) identifies fourteen countries where states' forces are reported to have used children. Among these countries there is DRC and three of its neighbors, namely Central Africa Republic, Sudan and South Sudan.⁴¹

⁴⁰ UN, Security Council, *Working Group on Children and Armed Conflict. Conclusion on Children and Armed conflict in the Democratic Republic of the Congo* (September 19, 2014), 3. See also JRS, "Democratic Republic of Congo, time to take strong measures to protect children from armed conflict" (2014). https://en.jrs.net/news_detail?TN=NEWS-20141124041445

⁴¹ UN Secretary General's List of shame 2016. <https://childrenandarmedconflict.un.org/virtual-library/> see also. <https://www.child-soldiers.org/where-are-there-child-soldiers>

Chapter 2

Key Underling Factors of Child Soldiers Recruitment and Use

In this section I will briefly look at the history behind the use of child soldiers, then consider some of its causes and key factors.

General Social Political Context of Child Soldiers Recruitment and Use

A careful social analysis of today's society shows a shift in various behaviors and customs, with warfare being no exception. In other words, the era we are living in today is an era where the rules of war have changed. Peter Thomson talks of "new war" with changes in the means, methods, financing and actors.⁴⁸ Those who yesterday were protected have become the first target in recent decades. There is a kind of reversal of scale of values. It is simply a betrayal of ancient and traditional life-giving values, especially regarding the attention once afforded to the most vulnerable in human society. There is also confusion in terms of role distribution. In some communities and families, young boys are initiated into adulthood at the age of sixteen, at which point they may marry and even become a 'warrior' and girls are expected to marry after puberty, meaning around the age of fourteen. At an early age, children are expected to work within the home and community, for example, caring for the younger children, carrying water and firewood, and, especially for girls, washing clothes, etc. Mai-Mai groups, in DRC for instance, have misunderstood this

⁴⁸ Peter G. Thompson, *Armed Groups. The 21st Century Threat* (Lanham, Boulder, New York London: Rowman & Littlefield, 2014), 33.

progressive socialization of children into adult life and tribal communities, instead holding children and youth as responsible for the defense of the community, thus recruiting them into self-defense groups in the name of community's interests. A representative of Mai-mai Yakutumba, affirms in an interview: "when it comes to fighting, we mobilize the children and young people. And even those who stay in the village and don't participate directly in the fighting are capable of protecting the population."⁴⁹ We are now in a state where the distinction between warriors and civilians on battlefield is simply ignored. In this line, Peter W. Singer says:

in even the most primitive societies, a distinction was made between those who chose to bear the risks involved in the profession of fighting and those who lay outside the field of battle. In a sense, a bargain was struck. Honor and power were accorded to the warriors. In exchange civilians were granted a sort of guarantee of protection from their predations. While it applied to all those who were unarmed, special immunity was usually given to certain groups: the old, the infirm, women, and, most particularly, children.⁵⁰

Unfortunately, these standards are now left aside, put into brackets; the participants in battle are often no longer honored warriors, guided by an ethical code, but rather new predators. They target the weakest of society. This breakdown has produced a disturbing trend in the morbidity of contemporary conflicts.⁵¹ Singer reports for instance that "in World War I (WW I) the percentage of casualties that were civilian was under 10% of the total; W.W.II, the percentage rose to nearly 50%. The evolution continued through the next fifty years, to the point that now the

⁴⁹ Representative of Mai-Mai Yakutumba, Interviewed by the Coalition, South Kivu, May 11, 2006. Cited by Coalition to Stop the Use of Child Soldiers, "Briefing Paper. Democratic Republic of the Congo, Mai-Mai Child Soldiers Recruitment and Use: Entrenched and Unending", (February 2010), 7. www.child-soldiers.org

⁵⁰ Peter W. Singer, *Children at War* (Berkeley: University of California Press, 2006), 3.

⁵¹ Singer, *Children at War*, 4.

overwhelming majority of those killed in conflict are civilians instead of soldiers.”⁵² Of the people killed in African conflicts in the late twentieth century, the overwhelming preponderance (92%) were civilians. Similar figures hold true for the war in the Balkans.⁵³

The abandonment of these protective rules has led to horrific levels of violence. Targeting children has become a war tactic. In Rwanda “radio broadcasts before the genocide would remind genocidal killers to be sure not to forget the “little ones.” In the last decade of warfare, more than two million children have been killed, a rate of more than five hundred a day or one every three minutes.”⁵⁴ The numbers of disabled and seriously injured children are countless over the last decade. Over one million children have lost their parents and nearly 25 million have fled their homes, which account for roughly 50 % of the total of current refugees in the world.⁵⁵ According to Child Soldiers International,

although it is less common today for states to deploy under-18s in hostilities as part of national armies (army, navy, air force), ten states did so between January 2010 and June 2012 (Chad, Côte d’Ivoire, the Democratic Republic of the Congo, Libya, Myanmar, Somalia, South Sudan, Sudan, United Kingdom and Yemen). But when the wider spectrum of forces for which states are responsible are included (other official elements of state armed forces and state-allied armed groups) a total of 17 states are found to have used child soldiers in this period (the above, plus Afghanistan, Central Africa Republic, Eritrea, Iraq, the Philippines, Rwanda and Thailand). In another three states (Colombia, Israel and Syria) children were not formally recruited but were nevertheless reported

⁵² Singer, *Children at War*, 5.

⁵³ *Ibid.*, 5.

⁵⁴ *Ibid.*, 5.

⁵⁵ *Ibid.*, 6.

to have been used for military purposes including intelligence gathering and as human shields.⁵⁶

In addition to the shift in targets, one can also see the shift in what motivates war in the first place: from a political motivation to an economic one. Nowadays what shapes conflicts and warfare in developing countries and elsewhere in the world is much more economically based than it is political. The heart of warfare has become economic interests, contrary to 18th century thought. Carl von Clausewitz, a classic military philosopher, affirms that in the 1800s politics was the womb in which war developed.⁵⁷ “Instead of wars between states there are chaotic wars in which the enemies as well as the political causes of war are hard to identify.”⁵⁸ Today wars are “driven by a simple logic of appropriation, from seizing mineral assets and protecting the drug trade to simple looting and pillaging.”⁵⁹ The key characteristics of a country at high risk of internal fighting are neither political nor social but economic, adds Paul Collier, a World Bank officer.⁶⁰ Some cases like war in Angola with National Union for the Total Independence of Angola (UNITA), in Sierra Leone with Revolutionary United Front (RUF), in DR Congo, in Central Africa Republic, Sudan and South Sudan etc. illustrate this fact well. For the case of the Congo, there are some documentaries that have been developed like “Congo: Blood, Gold and Mobile

⁵⁶ “Child Soldiers International, *Child Soldiers Global Report 2012. Executive Summary*, 11. <http://child-soldiers.org> Accessed May 5, 2016.

⁵⁷ Carl von Clausewitz, *On War*, translated by Peter Paret and Michael Howard (Princeton: Princeton University Press, 1976), 75. Quoted by Singer, *Children at War*, 51.

⁵⁸ Herzon, *Children and our Future. Theological and Social Challenges*, 83.

⁵⁹ Singer, *Children at War*, 50.

⁶⁰ *Ibid.*, 50.

Phones”, “Crisis in the Congo: Uncovering the Truth”, “Blood in My Cellphone”, “Conflict Minerals, Rebels and Child Soldiers in Congo”, to name just a few which express the link between the endless and deadly armed conflicts, violence and economic interests.

Unlike natural catastrophes which are unpredictable, involving children in armed conflict and making them victim and perpetrator is not a fatality or accident. People, individuals, adults or groups of people, who all are supposed to be their protectors, guides and guardians, make a decision and do it on purpose. Thus, human beings, are at the core of the problem. Given the fact that individual people are part of the problem, they should be part of the solution as well.

In the 21st century, not only have children become the new targets of violence and atrocities, but they are deliberately made perpetrators or participants of the same. Children are even made strangers to their own families and communities. This is a profound and shameful betrayal of African traditional tribal values and the code of warriors which protected the children and mothers. In our globalized world, not only hungry children from a poor environment are driven into child soldiering: even children of well-to-do parents are one way or another affected. Children might be tempted because of the lure of adventure or the desire to imitate adults from what they have seen and the toys they are exposed to. Herzog puts it well when she says that we do have to differentiate between hungry, orphaned children who drift into some armed group and children of well-to-do parents who, sincerely, believe in discipline, ‘manliness’ and patriotism through early military training. In both cases, however, the use of arms by children teaches violence at an age when the child cannot fully

understand its consequences. In all countries, Herzog continues, soldiering is also a temptation for children because of the lure of adventure and the thrill of danger involved, the similarity to gang-related activities that lends a feeling of community, the desire to imitate adults, the rewards of prestige, glamour and excitement.⁶¹ The duty to care and protect the weak has been simply ignored!

We are so used to violence, blinded by our hunger for power, domination and personal interests that we have lost the ability to weep, to see, and hear the cry of the children, the future of our society. In other words, “we have become so used the atmosphere of violence that we do not even realize how the puzzle pieces fit together: our way of life, our treatment of the environment, our stumbling into preemptive wars, and our ignorance concerning the life of children in our poorest neighborhoods and in distant parts of the world.”⁶²

The question one could ask is “Why this shift in practice? Why do people deliberately decide to abuse children by recruiting them into the army? What could explain it?” In the following section I will try to answer these questions.

⁶¹ Ed Cairns, *Children and Political Violence* (Cambridge : Blackwell Publishers, 1996), 135. Cited by Herzog, *Children and our Global Future*, 86-87.

⁶² Herzog, *Children and our Global Future*, 80.

Key Causes and Contributing Factors of Child Soldiers Recruitment and Use

There are reasons why children are made soldiers today. Some of them could be the simple need for combatants to engage in battle. When one engages in war, those fighting are likely to be injured, or to die on the battle field. To win a battle one not only needs weapons and good strategy, but more importantly you need soldiers. Militant groups and some governments recruit children to increase their numbers. For political reasons, the leaders of militant groups recruit children to increase the number of troops before surrendering to ensure a higher grade in the process of integration with the national forces after a peace agreement or a ceasefire. Unlike adults and because of their vulnerability children offer an advantage of being easily mobilized through ideology or violence; they do not ask questions. Also in terms of economy, unlike adults, children are cheap; they do not need uniforms, boots, or whatever. They go to fight in whatever clothes they have. For this same reason, they do not need payment. The only thing they need is food. Some armed groups use fetishes to increase their power and frighten the enemy. In this case, some of the rituals are required and they have to be performed by children because of their presumed state of innocence. This is what a former commander of the Mai-Mai, one of the local defense groups in DRC, affirms when he says in an interview given to Coalition to Stop Child Soldiers: “children are available as they have nothing else to do, [they are] extremely obedient to orders, they make few demands which are easy to satisfy and many of them join as virgins which helps us preserve the rituals as children perform these on adults.”⁶³

⁶³ Former Mai-Mai Commander interviewed by the Coalition, North Kivu, May 2009. Cited by Coalition to Stop Child Soldiers: “Briefing Paper on DR Congo” (February 2010), 7.

Once engaged in combat children don't retreat even if it is very intense, they just move until they are shot; with their small size, they can also conceal themselves easily. In this regard, Kristin Herzog writes "they [children] are not able to judge dangers correctly, and they often consider violent fighting a game, as a rebel leader in the DR. Congo suggested."⁶⁴ Children offer another advantage of being easily used for espionage, especially girls because nobody suspects them. Children are targeted because of their trustfulness; they are also considered to be less likely to cheat. Thus, they are often used by some militant groups to collect unofficial 'taxes' from the population. There is another reason which people tend to forget: the deliberate will to destroy and dominate the society or a particular community in turning its youth into killing-machines. And this turns them against the rest of the community. In addition, young children are believed to have special powers of protection; hence, commanders use them as bodyguards. What could be some other key factors regarding child recruitment or soldiering?

Underling Key Systemic Factors of Child Soldiers Recruitment and Use

There are for sure various causes as I mentioned above, but there are also systemic factors that make this deliberate child soldier phenomenon easy to spread, particularly in rendering children more vulnerable and thus exposed to recruitment into the military. Peter Singer identifies three. First, social disruption and various failures of development caused by globalization, war and diseases that have led to greater global conflicts, instability, and generational disconnects that create a new pool

⁶⁴ Herzog, *Children and Our Future*, 83.

of potential recruits. Second, technological improvements in small arms manufacturing that make the weapons easy to handle. These light weapons have developed to the extent that even eight-years old can use them. An estimated five hundred million small weapons were circulating worldwide in 1995 and could easily have ended up in the hands of children. In Uganda one could get an AK-47 rifle for less than the cost of a chicken; in Angola just a sack of corn. According to UNICEF Germany about three million people, mainly women and children, died from pistols, guns, and other small weapons in the last decades of 20th century.⁶⁵ Third, the rise of a new type of conflict that is far more brutal and criminalized in the context of weakening or failed states.⁶⁶

In addition, since the end of Cold War, there has been an increase in the number of internal conflicts in the world except in the West. In some parts of the world wars are entering the second generation of prospective fighters so that children have grown up in the context of violence and end up seeing it as a way of life. Where there is war and instability, there is consequently a lack of basic necessities and infrastructure like schools, health care structures and facilities, food, shelter; disruption of the social fabric (family violence); displacement of people and loss of parents, etc. In Angola “over the 25 years of war some 300,000 children served in either the government army or with the UNITA rebel forces. About one million children lost one parent and 300,000 lost both parents to the war. 70% of Angolan children are illiterate.”⁶⁷ After

⁶⁵ Herzog, *Children and Our Future*, 87.

⁶⁶ Singer, *Children at War*, 38.

⁶⁷ *Ibid.*, 44.

the genocide in Rwanda hundreds of thousands of people including some perpetrators of genocide fled into Congo. In the wake of the Rwandan invasion of Congo in 1996, many of them fled into the forests in North and South Kivu. Children who were born there who might be twenty-years old today know nothing else but violence.

Moreover, the problem of corrupt or weak leadership is another factor. Dictatorial leaders, who definitively serve their own interests to the detriment of the good of all the people (common good), oppress impoverished people with no access to basic necessities, and oppress fundamental human rights by the use of force. Such a tyrannical leadership creates room for the rise of further corruption and other related anti-values. Such a situation generates a range of disadvantaged and unsatisfied people and this is primes breeding ground for rebellions, tensions, and conflicts even to the point of taking arms against the regime. In 2009 three boys aged twelve, thirteen and fourteen separated from one of the armed groups in the DRC, Mai-Mai Kayamba, told the Coalition to Stop Child Recruitment that they wanted to find work or help starting a small business, but as orphans it was difficult to survive. They added that if they did not find a means of earning a living soon they would re-join the Mai-Mai again.⁶⁸ This is just one case among thousands of others.

Impunity and a weak juridical system represents another key factor. When there is no accountability for the child recruitment perpetrators, child recruitment and use will never stop; it will continue like any other unprosecuted crime. This appears to be the case in DRC where children have been recruited since 1996; today, Child Soldiers International regrets, “no member of an armed force or armed group in Congo

⁶⁸ Coalition to Stop the Use of Child soldier, Briefing Paper: Democratic Republic of the Congo. Mai-Mai Child Soldier Recruitment and Use: Entrenched and Unending, (February 2010), 8.

has been convicted in a Congolese tribunal for use of children” even though for UN peacekeeping mission (MONUSCO), at least 8 members of armed groups are currently in detention and under investigation for this crime.⁶⁹ It is important to note that there are two cases against two armed group leaders in progress at International Criminal Court (ICC).

There are other factors, including diseases that are affecting adults in these unstable regions, primarily the HIV-AIDS pandemic which has killed and is still killing people, leaving a generation of orphans, especially in Sub-Saharan Africa.⁷⁰ Most of those infected are women and in African society women are those primarily responsible for the care of children. This results in leaving a number of children without care.

All these factors result in the increased vulnerability of children who are already vulnerable by their status (age) and lack of maturity. They become easy targets of all kinds of abuse and predators including recruitment into armed groups. In this regard, Singer says “the overwhelming situation of child soldiers are drawn from the poor, least educated, underprivileged and most marginalized sections of society, who have been forced to grow up in what one writer aptly termed a ‘roving orphanage of blood and flame.’”⁷¹ I have looked at the causes and factors of child soldiering; let me now

⁶⁹ Child Soldiers International, “Submission to the Committee on The Rights of the Child on Child Recruitment and the Reintegration of Girls in Democratic Republic of the Congo” (April 2016),3. www.child-soldiers.org

⁷⁰ Rachel Brett and Irma Specht distinguish macrosocial risk factors comprising: poverty, oppression, ideology, armed conflict, and militarization, and microsocial risks factors comprising: family, school, and community. See Rachel Brett and Irma Specht, eds., *Young Soldiers. Why They Choose to Fight* (Colorado, London: Lynne Rienner Publishers, International Labor Organization, 2004), 79

⁷¹ Singer, *Children at War*, 44.

consider the effects of that crime on children. I will focus primarily on the harm done to recruited children.

Harm of Child Recruitment to The Abducted Children in The Armed Groups

Once in the armed group or in the army base, the kidnaped or volunteering children are first of all terrorized to instigate fear of any escape attempt. All that is dear to them is destroyed: parents and relatives are killed, their city or village destroyed. Or they are forced to kill their own friends, parents or neighbors so that they become enemies of their own communities. One newly recruited boy of fifteen says:

One boy tried to escape, but was caught. His hands were tied, and then they made us, other new captives, kill him with a stick. I felt sick. I knew this boy from before. We were from the same village. I refused to kill him and they told me they would shoot me. They pointed a gun at me, so I had to do it. The boy was asking me “why are you doing this?” I said I had no choice. After we killed him, they made us smear his blood on our arms. I felt dizzy. I felt sick. They said we had to do this so we would not fear death and so we would not try to escape.⁷²

Children are given combatant names. They show them scenes of killing and torture either by knife, machete, hoe, gun or any other tool. A sixteen boy from Sierra Leone says:

I was on my way to the market when a rebel demanded I come with him. The commander said to move ahead with him. My grandmother argued with him. He shot her twice. He said he would kill me too. They tied my elbows behind my back. At the base, they locked me in the toilet for two days. When they let me out, they carved the letter R.U.F across my chest. They tied me so I wouldn't rub it until it was healed.⁷³

Singer notes further,

Indigenous children in Peru, who have been forced to join guerrilla bands, have undergone long periods of forced political indoctrination...Others have suffered particularly brutal forms of induction. Some rebel groups in Cambodia and Mozambique turned children into fierce warriors by subjecting them to a brief period of terror and physical abuse... Much the same thing has been happening more recently

⁷² Singer, *Children at War*, 91.

⁷³ *Ibid.*, 73-74.

in Sierra Leone, where in 1995 the Revolutionary United Front has been raiding villages to capture children into its ranks and force them to witness or take part in the torture and execution of their own relatives. Thus, outlawed and brutalized, and often fed crack or other drugs, the children have been led to neighboring villages to repeat the exercise.⁷⁴

Another young boy who was forced to burn his home village says, “I don’t want to go back to my village because I burnt all the houses there. I don’t know what the people would do, but they’d harm me. I don’t think I’ll ever be accepted in my village.”⁷⁵ The self-hate and the fear instilled in them, as well as the militant group’s particular ideology, is reinforced by drugs and alcohol. A boy of fourteen states “we would inhale cocaine during operations. I sometimes would take it two or three times a day. I felt strong and powerful. I felt no fear. When I was demobilized, I felt weak and cold and had no appetite for three weeks.”⁷⁶ During the genocide in Rwanda children were forced to kill under drugs. General Roméo Dallaire, U.N. forces commander who witnessed the effects, says “their brains are fried; on drugs they will do anything.”⁷⁷

Moreover, a high grade is given to any child who kills those who escape. Thus, children watch over the movement of one another. This is the case in DRC where, according to MONUSCO, “in some groups like M23 to discourage escape, a high grade is given to the one who kills the children who attempt to escape.” In this respect, a seventeen-years old Congolese boy who was associated with M23 states “[Colonel]

⁷⁴ Unicef, “Children as Soldier”. <http://www.unicef.org/sowc96/2csoldrs.htm>

⁷⁵ Singer, *Children at War*, 74.

⁷⁶ *Ibid.*, 83.

⁷⁷ Jean H. Lee, “Ex-U.N. Leader: Children Define war” AP, March 21 2001, quoted by Singer, *Children at War*, 82.

Baudoin was giving orders to kill his own elements (mostly minors) who tried to escape during fighting. Many children were scared to move forward to the front during the fighting and faked being dead. Some tried to escape and were shot and killed by their own side. The Colonel promised a higher rank for any combatant who killed those who tried to escape.”⁷⁸

Children are turned into automatic killing-machines. Their childhood is simply destroyed and the only thing they know is how to destroy in kind. The rule of life becomes to kill or be killed and they lose trust in everybody, especially adults. Ishmael Beah, a former child soldier writes “my squad was my family, my gun was my provider and protector, and my rule was to kill or to be killed... Killing had become my daily activity. I felt no pity for anyone. My childhood had gone by without my knowing, and it seemed as if my heart had frozen.”⁷⁹ These children, often against their will, are forced to fight on the front lines and carry out incredibly dangerous and deadly tasks in conflicts they do not understand. Children are not only used as human shields; but also, they are constantly exposed to death in the front line. For instance, seven girls aged 14-16 associated with Mai-Mai Shetani who voluntarily joined them to fight against M23 explained to MONUSCO that during clashes with M23, the military tactic Mai-Mai Shetani used was to send boys to the frontline, with girls directly behind them and adult combatants covering the back for defense. Four of the interviewed girls reported the killing of many boys and a girl during clashes.⁸⁰

⁷⁸ Monusco, *Invisible Survivors*, 23.

⁷⁹ Ishmael Beah, *A Long Way Gone. Memoirs of a Boy Soldier* (New York City: Sarah Crichton, 2007), 126.

⁸⁰ Monusco, *Invisible Survivors*, 20.

On one hand girls are used on the front lines; on the other, they provide domestic labor and serve as ‘wives’ or concubines. Many become mothers, and they carry the burden of providing food for their children. In addition to early pregnancy and motherhood, they are repeatedly sexually assaulted and that can also lead to infection, sexual transmitted diseases, including HIV/AIDS, uterine deformation, vaginal sores, menstrual complications, sterility and death... trauma, loss of dignity, shame, low self-esteem, poor concentration and memory, persistent nightmares, depression, and other post-traumatic stress effects. This constitutes a terrible threat for a society that considers the girls as the mothers of tomorrow and caregivers of the future. One of the fifty-eight girls held by Mai-Mai Simba, a sixteen years-old, describes how Mai-Mai elements entered her house in Epulu village, Oriental province, in June 2012 and held her captive until she succeeded to escape during a clash with Congolese army/FARDC.

I was sleeping at home when five men armed with guns, machetes and knives entered the house in the middle of the night. They forced me, six other girls and 38 women to carry sacks of merchandise they had stolen. We walked through the forest for five days and [B] forced me to have sex with him many times. When we were in the camp I was forced to work in the home of [B.]. I prepared food, cleaned and washed clothes. One day his wife stabbed me in the leg with a knife.⁸¹

Moreover, many girls experience the loss of their babies at birth. This is the case of three girls associated with ADF in 2012. One of them fourteen-years old told the MONUSCO team: “my father made an agreement with someone from the ADF to take me to Kampala. From there I was taken to Camp Canada, and I was forced to marry [Y.K.]. I became pregnant and gave birth to a baby who died after two months.

⁸¹ Monusco, *Invisible Survivors.*, 12.

My husband died when the FARDC attacked the camp and I was able to escape.”⁸² Women and young girls in association with armed groups are exposed to constant rape and even abandonment in the forest. In this respect, MONUSCO affirms that “without exception, all fifty-eight girls recruited by Mai-Mai Simba reported being raped immediately following their abduction by elements of the armed group, a number of them by multiple perpetrators and they were subsequently subjected to sexual violence on a daily basis.” Thus, a twelve-years girl says:

they attacked [our village] in the morning, and we were forced to carry the things they had stolen to the bush. I was with my mother and my older sister. We were raped by the same men many times... They attacked other villages and forced us to go with them to carry things. After three weeks, they let us go. I am back in school with my friends. It's very difficult.⁸³

Another girl of fourteen expresses her suffering and abandonment as armed groups change regularly their location. She says: “I was abducted when they attacked Epulu, they took me to the forest and I was raped many times and tortured. I was very sick because of injuries to my leg and knee. I was left behind because I couldn't walk. Hunters found me a few days later.”⁸⁴ Many women and young girls are used as sexual slaves. That is the case of those associated with FDLR. One of the girls whose mini-bus she was traveling on was ambushed in January 2012 says: “we [two other young girls and a woman] were taken into the camp in the bush at Nyamilima and we were all raped. The first time I was raped by five FDLR combatants. After that I was used

⁸² Monusco, *Invisible Survivors*, 23.

⁸³ *Ibid.*, 21.

⁸⁴ *Ibid.*, 21.

by many combatants, more than 50, whenever they wanted.”⁸⁵ Another one, fourteen-years who joined voluntarily APCLS to run away from her abusive stepmother’s treatment affirms: “I was working as a cook and house girl for Major (B). He had three wives. I needed soap to wash myself and he would give it to me only if I had sex with him. It happened three times.”⁸⁶

It happens also that they are forced into ‘marriages’ or cohabitation. In most of cases they are given husbands. This is the case of two girls of sixteen recruited by Mai-Mai Yakutumba who were forced into marriage. One of them says “I was recruited in 2010 in Malela in Fizi Territory by [B.N.]. He raped me first, and then gave me to [M.B.], one of the combatants under his command, as his wife. I had to prepare food for the combatants, collected wood and brought water from the well.”⁸⁷ Another young girl who was taken at the age of thirteen by the FRPI in February 2013 says “the militia attacked our village. I was taken by a man who forced me to be his wife and used me... I’m four months pregnant.”⁸⁸

Very often children have to bury the bodies of their comrades, there are even ordered to rape women and worse again, they are used as human shields. That is the case of armed groups like M23, Mai-Mai Shetani, Mai-Mai Simba, NDC/Cheka in DRC in 2012-2013. The Team of Monusco reports that children associated with M23 were even asked to bury the bodies, sometimes they would put three to a grave. They

⁸⁵ Monusco, *Invisible Survivors*, 22.

⁸⁶ *Ibid.*, 17.

⁸⁷ *Ibid.*, 19.

⁸⁸ *Ibid.*, 23.

were even ordered to rape. According to a seventeen-years boy associated with M23 who witnessed many rapes:

There were many children in Rumangabo [...]. Beautiful girls are being taken by M23 combatants for sexual abuse. Bosco ordered the combatants to rape girls on looting expeditions and that if we find a girl we should rape her without protection [condoms]. We were told that if a combatant rapes a girl during the day, he must threaten her to death if she denounced him, as she would have seen his face. At night, combatants just abandon the girl where they rape her.⁸⁹

Furthermore, witnesses reported the abduction of twelve children in the night of 2/3 November 2001 when ADF looted a health clinic in Oicha. One of the children says: “after they attacked the clinic, we were forced to carry looted items. There were twelve children among us, including a baby with her mother. The ADF combatants used us to surround them while they were getting away, so that the FARDC would not dare to shoot.”⁹⁰

In addition, other young girls are used to perform rituals and be keepers of fetishes. That is the case of *ad hoc* self-defense group Mai-Mai Kata Katanga which used virgins to perform rituals on combatants. In this regard, twelve young girls who were identified for this purpose state: “we were asked to wash the Mai-Mai before they went to fight.” One of them says “I didn’t like it, because I was half naked and I was embarrassed because I had to wash my school teacher and I did not want him to see me like this.”⁹¹

Children associated with armed groups are subject to difficult and unhealthy conditions of life. They are exposed to hazardous conditions which threaten their

⁸⁹ Monusco, *Invisible Survivors*, 24.

⁹⁰ *Ibid.*, 13.

⁹¹ *Ibid.*, 17.

growth and well-being. Some of them even suffer from serious psychological and social problems afterwards. According to both the UN Secretary General, in his Reports 2006 and 2007 on Children and Armed Conflict in DRC, and Child Soldiers International's Global Report 2008, children interviewed by MONUSCO's team complained of lack of food and of living in harsh conditions. Some children in DRC were even abandoned by commanders en route to a Unification Center in several places, such as South Kivu and Katanga, probably because of fear of prosecution.⁹² Association with armed groups makes children more vulnerable and even victims of stigmatization and suspicion, which exacerbates their own lack of trust, self-esteem and self-confidence. One woman of twenty-years who was with Mai-Mai expresses her pain saying, "I was with the Mai-Mai for a number of years and left over three years ago. Ever since, I have severe pain in my abdomen. I am afraid that the many times I was raped while in the group have left me with a disease. I don't have money to go to town and get a test and I'm too afraid to ask anyone for help. What will people think?"⁹³ What does child recruitment do to the recruited child's community?

⁹² Child Soldiers International, *Child Soldiers Global Report 2008*, 108. See also Report of the Secretary-General on Children and Armed Conflict in the DRC, UN Doc. S/2006/389, 13 June 2006, and Report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo, UN Doc. S/2007/391, 28 June 2007.

⁹³ Coalition to Stop the Use of Child Soldiers, "Briefing paper, DRC, Mai-Mai Child Soldiers Recruitment and Use" (2010), 11. www.child-soldiers.org.

Harm of Child Recruitment and Use to The Community of the Recruited Children

One must know that the effects of child recruitment go beyond the victim child as an individual subject of rights. His or her family and community are also affected in the context of African culture, and especially in the Great Lakes Sub-Region.

The child plays an important role of “keeping the parents in their state of personal immortality.” In this respect, John Mbiti says “a child not only continues the physical line of life, being in some societies thought to be a re-incarnation of the departed, but becomes the intensely religious focus of keeping the parents in their state of personal immortality.”⁹⁴

Again, bearing a child is the perpetuation of a chain of humanity; it goes beyond its physical aspect. The dead are “re-born” in their descendant. Because that chain must be continued, it is therefore a duty for each normal person to marry and bear children. Children guarantee the remembrance of the “living-dead.” This means, in other words, that there is an eternity; there is still a link of continuity. Thus, not having a child is considered the “worst misfortune and punishment that any person could suffer.”⁹⁵ Children play a role of remembering and by remembering they render others immortal. In this respect, Mbiti holds: “unfortunate, therefore, is the man or woman who has nobody to ‘remember’ him or her, after physical death...To die without getting married and without children is to be completely cut off from the human society, to become disconnected...to lose all links with mankind.”⁹⁶

⁹⁴ John Mbiti, *African Religions and Philosophy*, 2nd ed. (England: Clays Ltd, 1989), 117.

⁹⁵ Mbiti, *African Religions and Philosophy*, 2nd ed., 131.

⁹⁶ *Ibid.*, 131.

When a child is taken to the army either forcibly or ‘voluntarily’ their life is compromised. In the army or militia, a child is more likely to be killed or injured or maimed on a battlefield, or die from diseases due to poor health care and hazardous life conditions and due to drugs, alcohol, etc. His chances for opportunities are reduced. The child is cut off from their community, from their roots. The harm is not only a violation of the child’s rights, but it affects their parents and the community they belong to. The abduction of children threatens social alliances that are created through marriages. These alliances help prevent and solve conflicts among communities or individuals. A young girl taken to the army and reintegrates with her family has less chance to get married to another man. If she had a child as is usually the case, the child has no identity because the father is not known. This leads to the suffering of both the girl and her child and her community or family as well. We have children who do not know their origins and that fact will constantly weigh on their mental health, which could lead to psychological or social problems or moral injury.

Moreover, in the village, everyone knows everyone and they know which boy, young girl or woman has served in a militant group (voluntarily or otherwise). Again, people do not involve themselves with a girl who was associated, in one way or another, with an armed group. They believe she has become a prostitute or might have contracted diseases and so has “lost value”. The Coalition to Stop Child Soldiers puts it well in these terms:

girls are perceived on return, by virtue of their association with Mai-Mai, as having been sexually active and to have “lost value.” One girl interviewed explained that she was barred from the family home when she returned in 2006 after four years with Mai-Mai group. She explained [saying] “my family told me there was no room for me in the house when I returned. I begged and begged forgiveness and understanding. Eventually they agreed to let me come

back, but they labeled me a prostitute because I went with the Mai-Mai.” She added “I met this man who wanted to marry me. Then he found out I’d been with the Mai Mai and he left me while I was expecting his child.”⁹⁷

I could mention, furthermore, the economic harm to the family of the girl. In fact, in the Great Lakes Sub-Region and particularly in Congo, when one gives a daughter in marriage, the bride, through her father’s family, gives the dowry to the groom’s family. Very often it is constituted of various traditional symbolic and material things including money, special clothes and animals like a goat, cow, camel, etc. If a girl does not get married for one or another reason there is a big loss for her family and relatives in terms of family/clan growth and wealth.

In this chapter, I underscored the effects of child recruitment on the child victim of this recruitment. I analyzed what happens to children once they associate with an armed group voluntarily or forcibly. I also considered the underlying contributing factors of this criminal act as well as its impacts on the community of the recruited children. In the following section I want to focus on the perpetrators, actors of child recruitment and other concerned agents. The focus will be the attitudes and beliefs that underlie child soldiers’ recruitment and use.

⁹⁷ Coalition to Stop the Use of Child Soldiers, “Briefing paper. DRC : Mai-Mai Child Soldiers Recruitment”, 11.

Chapter 3

Key Actors, Attitudes, Ideologies and Beliefs

The previous section demonstrated the context in the Great Lakes region, the situation of child soldiers there and in DRC, some of its causes and factors as well as its consequences in society, especially on the victim children and their communities. I argued that this situation, which is not proper to the Great Lakes region alone, is not an accident. People have intentionally and willingly made decisions; this means, individuals have decided to systematically kidnap somebody's children and use them for their own benefits no matter what. In this section, I will analyze the situation by focusing on the perpetrators and other involved agents. The question I answer is: "Who are the key players of child recruitment in the Great Lakes region, particularly in the Congo?" In addition, I also explore some of the attitudes and beliefs behind this phenomenon as well as its beneficiaries.

The Key Actors of Child Recruitment in Great-Lakes Region

As I have mentioned earlier, child recruitment, like most dark things, is always done secretly, and the recruited children are often hidden. Thus, it becomes difficult to know the exact number of children who are involved. I also have shown that the state and non-state forces and groups resort to children to increase their numbers and reinforce their stature. This was the case in Rwanda, Burundi, DRC and Uganda and elsewhere. Even though efforts can be seen on the part of States in terms of child

protection, especially in reducing or eradicating child recruitment and use within State's forces and militias, paramilitary groups, in the last two decades, violation of children's rights persisted in some countries throughout the world such as Iraq, Yemen, Afghanistan, Syria, Central Africa Republic (CAR), both Sudans, to name only a few.⁹⁸ Young girls continue to pay the brunt of these violations and most of their cases are under-documented for a variety of reasons. The Monusco stated in a report titled "Child Recruitment by Armed Groups in DRC from January 2012 to August 2013," that in the past five years about 10,000 children had been separated from armed groups and that in the period under review, nearly a 1,000 more have been recruited. In spite of this, the "systematic" use of children by more than twenty-five armed groups has continued. In fact in the Congo child soldier recruitment and use started in 1996 with "*AFDL, Alliance des Forces Démocratiques pour la Libération*" (Allied Democratic Forces for the Liberation) led by Laurent Désiré Kabila.

In 2012, the Congolese army celebrated a victory over M23, an armed group which assaulted and took control over Goma, the capital city of North Kivu, along with several other territories. This victory gave hope for the end of a long cycle of violence in Eastern Congo. Nevertheless, today there are more than 50 armed groups operating in the Congo who are the cause of more than 1.8 million internally displaced people as of early 2016. The North Kivu Province is the most affected with more than 800,000, followed by South Kivu with nearly 364,000.⁹⁹ By the end of 2016 the

⁹⁸ UN, *Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict*, (A/HRC/31/19, December 28, 2015), §8. See also UN, *Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict*, §§2-8.

⁹⁹ UN, Office for the Coordination of Humanitarian Affairs (UNOCHA), RD Congo : *Personnes déplacées internes et retournées* » (mars 2016), 1-3. www.unocha.org/drc see also

situation worsened given inter-communal violence, and also an unstable political situation in Burundi since 2015. Thus, OCHA (UN Office of Coordination of Humanitarian Affairs) reports an increase in the number of Internally Displaced Peoples (IDPs) in Congo, bringing the total up to 2.1 million; there has been a rise in the number of IDPs in Burundi as well. In this respect, the aforementioned report states that in Eastern Congo sustained armed conflict and inter-communal violence has led to the displacement of an additional 178,000 people since September 2016. Since October 2016, 64,000 Burundians fled to neighboring countries bringing the total number of refugees there to 364,000.¹⁰⁰

Moreover, the situation in Burundi continues to deteriorate and people continue fleeing their country. In this regard, UNHCR reports that 22,000 Burundians fled their country in January 2017 alone.¹⁰¹ This situation of constant displacement and fleeing uproots people, deteriorating the social fabric: some children for instance lose their parents, are unable to go to school, and in general young people are cut off from their everyday activities and thus they become easy prey for recruitment into militant groups.

The UN Secretary General's report of June 30, 2014 mentions some child recruitment actors in Congo like Mai-Mai groups, FDLR, Nyatura, Kata Katanga,

https://www.humanitarianresponse.info/system/files/documents/files/rdc_factsheet_mouvement_de_population_du_premier_trimestre_2016_0.pdf

¹⁰⁰ OCHA, "Regional outlook for the horn Africa and the great lakes region January-March 2017: Executive summary". <http://reliefweb.int/report/world/regional-outlook-horn-africa-and-great-lakes-region-january-march-2017>

¹⁰¹ UNHCR, "Situation in Burundi Updates no. 33 of January 2017", 1. <http://reporting.unhcr.org/sites/default/files/UNHCR%20Regional%20Update%20-%20Burundi%20Situation%20-%20January%202017.pdf>

LRA, FRPI, Raiya Mutomboki and PARECO. This report was enriched with the Reporting of the Working Group on Children and Armed Conflict of September 2014, the work or findings of other NGOs and their partners, along with independent researchers on the ground such as *GRI, Groupe de Recherche et d'Information sur la Paix et la Sécurité (Novembre 2013) (Group for Information and Studies for Peace and Security)* which, in late 2013, identified 10 main groups including 3 foreign, and 46 other active armed groups in East Congo. There is also the Congo Research Group, which in its document “*Cartographie des Groupes Armés dans l’Est du Congo (Décembre 2015)*” (*Maps of Armed Groups in the Congo*) by Jason Stearns and Christoph Vogel, identifies 69 active armed groups.¹⁰² All these armed groups are of various sizes in terms of the number of combatants and their ability to harm. I want to briefly describe few of them.

FDLR “Force Démocratique de Libération du Rwanda” (Democratic Forces for the Liberation of Rwanda). This armed group is composed of former soldiers of Rwandese army (ex-FAR) and *Interahamwe* militia in exile in Congo after genocide in Rwanda, organizing themselves under the label of FDLR since 2000. Its objective was originally to protect Hutu refugees dispersed in the Congo and to oppose the new Tutsi regime in Kigali. Its members are estimated at approximately 1,500, mainly Hutus. They essentially recruit among young people from the Hutu Congolese communities in the eastern Congo and among other communities as well.

¹⁰² Georges Berghezan, « Groups Armés Actifs en République Démocratique du Congo. Situation dans le « Grand Kivu » au 2^e Semestre 2013 » (Louvain : Groupe de Recherche et d'Information sur la Paix et la Sécurité, Novembre 2013), 8-24. www.grip.org. See also. Congo Research Group, « *Cartographie des Groupes Armés dans l’Est du Congo* » (New York: Center on International Cooperation, December 2015). www.congoresearchgroup.org See also, Human Rights Watch, *World Report 2017. Events of 2016* (Printed in the USA), 223. www.hrw.org.

Raiya Mutomboki. The name “*Raiya Mutomboki*”, from the *Swahili* for “*annoyed, irritated or angry people.*” It’s a coalition of different Mai-Mai groups operational in the Maniema, North and South Kivu Provinces. Unlike FDLR, these groups do not appear to be well-organized. They are auto-defense groups and aim at opposing and protecting the communities against abuses of FDLR as well as of FARDC soldiers to a degree. Several times people felt abandoned by the State forces, especially in the time which followed the “Peace Agreement of 2002”. People were attacked by hostile forces such as FDLR that were profiting from the security vacuum created by FARDC, who joined the Center for Reinsertion in taking their animals, food, enforcing illegal taxes, raping women and young girls, and forcing people to work in the mines, etc.

APCLS : “Alliance des Patriotes pour un Congo Libre et Souverain.” (Patriotic Alliance for a Free and Sovereign Congo). Already active since the 90s, APCLS is the most well-structured militant group in the Kivu region (Maniema, North and South Kivu Province). Its troops number around 1,000-2,000. Its aim is to oppose the invasion or dominance of Tutsi from Rwanda in search of land and overall domination. In February 2013, APCLS under the leadership of “general” Karaira, together with other forces, created a Coalition under the label “*Alliance des Patriotes Contre la Balkanisation du Congo / APBC or APBCO*” (*Alliance of Patriots Against the Balkanization of Congo*).

Nyatura. From the Kinyarwanda word “*nyantura*” meaning “*those who hit, strike strongly*”. They are mainly composed of Hutu who integrated into the Congolese army in 2009 and later deserted. Their objective is the protection of Hutu farmers’ communities against Tutsi invasion as they seek to expand their dominion.

ADF-NALU. This group is an association of two groups that united in 1995: the “Allied Democratic Forces/ADF” and the “National Army for the Liberation of Uganda/NALU”. These groups aim at opposing the Museveni regime have nevertheless, failed to carry out a serious attack in Uganda. They recruit young combatants from Uganda, in the communities on the border of Congo, along with other countries of the Central Africa region. It intends to oppose oppression of Muslim citizens by the Museveni regime, and has since his ascension to power.

Simba. A group that has a relatively long history going back to 1960. In its current state, there are remnants of the rebels of the 60s. For them, there is vision of a “Popular Republic of Congo.” They opposed colonialists and the Mobutu regime as well. They claim they are defending their ancestors’ land. In 2005 about 300 of their number integrated into the national forces and requested that their self-given grades and ranks be recognized by the army. Today they organize themselves in Garamba National Park (Oriental Province) and have control over the mining and other natural resources, especially gold.

Nduma Defense for Congo/NDC. Created in 2009, this group is present in the Walikale Territory in North Kivu. “*Nduma*” is a Kinyarwanda word meaning “*epicenter, stone, nucleus.*” This group led by Ntabo Nteberi Sheka recruits young combatants from the Nyanga people and it is an ally of FDLR. They claim to defend the community against FARDC’s exactions and atrocities, to also ostensibly ‘promote development’ in the Walikale Territory and to ‘liberate the mines’ from government control. Contrary to these noble aims, this militia is also known for its brutality and is responsible for mass

rapes since 2010. Its ranks are estimated to be around 1,000. They are, moreover, majorly involved in illegal exploitation and the mining trade in Walikale.

Mai-Mai Yakutumba. This group is the main militant group operating in the Fizi Territory of the South Kivu Province. Its combatants numbered around 500. Its freedom to exist and act in this territory (Fizi) is primarily owed to the fact that the government has failed to gain full control of the region since gaining independence. This area has seen the rise of other militant leaders such as Pierre Mulele in 1964 who opposed Mobutu, and Laurent D. Kabila who overthrew Mobutu in 1997. An armed group led by William Amuri Yakutumba opposed the “Process of Armed Groups’ Integration in National Forces” initiated by the government after the Peace Agreement of 2002. In 2007, the group founded a political party named the “*Partie pour l’Action et la Reconstruction du Congo/PARCO*” (Party for Action and Reconstruction of the Congo). This group opposes the Tutsi and their supporters in Rwanda and Uganda in their supposed project to create “Tutsi dominance” or “Tutsi land” in the Great Lakes Region.

FNL, “Force National de Liberation” (National Forces for Liberation). This group, mainly composed of Hutu from Burundi, is an armed group that arose after the violence in Burundi in 1993, recruiting young people from Burundian refugee camps in Congo and Tanzania. Although since 2009 the group has become the main force of opposition in Burundi, another group has coalesced since 2012 led by Aloys Nzamapema. It is active in Fizi and Uvira (South Kivu) and for the most part does not engage in any military activity in Burundi but has within the country a strong network

of support. It recruits young people at the border of Congo with Burundi as well as in Burundian refugee camps located in Tanzania.

Patriotes Résistants Congolais / PARECO (Coalition of Congolese Patriotic Resistance). This coalition reportedly emerged as the result of secret efforts made with the support of Congolese officers to create a more coordinated militant group with a pseudo-centralized command structure. In essence, it emerged in 2007 as part of the front against “*CNDP, Congrès National pour la Défense du Peuple*” (National Congress for the Defense of the People), which was a Tutsi-led militant group opposing the government and supported by Rwanda. It emerged and expanded quickly so that by late 2010 it was believed to be the third largest armed group in the Eastern Congo with branches in both North and South Kivu Provinces.

Mai-Mai Kata Katanga. This group, formed in 2011 in the Mitwaba Territory by Gedéon Kyungu Mutanga, advocates for the secession of Katanga. As of 2013 its combatants are estimated to number around 3,000. In August 2013, the MONUSCO rescued 82 children from this militia, including some as young as age eight, who were forcibly recruited. In an interview with BBC News, MONUSCO claimed that it rescued a total of 163 children including 22 girls that have been separated from their families.¹⁰³

Lord's Resistance Army / LRA: is a Ugandan militant group led by Joseph Kony and is “one of the world’s most treacherous rebel brigades.”¹⁰⁴ It opposes the Ugandan government and an estimated 30,000 children have been recruited into it. Kony’s goal

¹⁰³ "DR Congo Unrest: Children Freed from Militia". www.bbcnews.com. 16 August 2013. Accessed 9/21/2013.

¹⁰⁴ Dunson, *Child, Victim Soldier*, 7

is “to establish the Biblical Ten Commandments as the rule of law in Uganda.” Nevertheless, he himself has been violating these commandments. He claims to be waging war because of a direct summons from God. He has always crafted a cultic mystique around his person.¹⁰⁵ Despite the July 8, 2005 international arrest warrant issued by ICC against Kony, he is still recruiting combatants from Uganda, Congo and other neighboring countries. This group is a source of terror and the mass violation of children’s rights in Central Africa. The UN Secretary General received a hundred and two reports regarding Kony in 2015.¹⁰⁶

Front de Résistance Patriotique d’Ituri / FRPI (Resistance Patriotic Front of Ituri). This group has operated in the Ituri Territory since late 1993; one of its leaders, Germain Katanga was prosecuted by the ICC in 2007 for having involved children actively in the hostilities in Ituri in 2003.¹⁰⁷ His prosecutor alleges that women and young girls were abducted and sexually enslaved after Katanga’s attack on a Bogoro village that resulted in the deaths of at least 200 people, and that child soldiers were used in the attack.¹⁰⁸

What I learned from these groups is their capacity to influence each other in terms of method of proceeding. LRA is the biggest and most dangerous; it has

¹⁰⁵ Duson, *Child Victim Soldier*, 34. See also, Alpaslan Özerdem and Sukanya Podder, *Child Soldiers: From Recruitment to Reintegration* (New York: Palgrave Macmillan, 2011), 44.

¹⁰⁶ *Report of the Secretary General on Children and Armed Conflict (A/70/836-S/2016/360) (April 20, 2016) §51.*

¹⁰⁷ United Nation, Office of Human Rights, “Report of the Mapping Exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the Democratic Republic of the Congo between March 1993 and June 2003” (August, 2010), §702.

¹⁰⁸ Amnesty International, “DRC: All you need to know about the historic case against Germain Katanga” (March 6, 2014). <https://www.amnesty.org/en/latest/news/2014/03/drc-all-you-need-know-about-historic-case-against-germain-katanga/> accessed 3/2/2017.

influenced others in the region. also, I could mention that 2009-2013 reporting show a highest number of child recruitment and use in the Congo. After identifying some of the key actors of child soldiers' recruitment in the Congo, I want to focus in the following section on the beliefs, ideologies and attitude behind this criminal practice against children.

Attitudes, Ideologies and Beliefs Behind Child Recruitment and Use

Despite international juridical texts such as the “Convention of the Rights of the Child (CRC) of 1989”, the “Additional Protocol to this Convention on the Involvement of Children in Armed Conflict” of 2000, and the “Statute of Rome” of 1998, the “African Charter on the Rights and Welfare of the Child (ACRWC)” of 1990 and many others, perpetrators of child recruitment tend not to slow down their assault on children, especially in zones of conflict. This is as true for non-State militant groups as it is for State armed forces. Child Soldiers International suggests that “where conflicts exist States remain prone, just like armed opposition groups, to turn to children to boost the strength of their military forces.”¹⁰⁹ More than ten years after the Additional Protocol, the most comprehensive of international treaties concerning child soldiers, the gap between the principle, the commitments made, and the actual practice appear to persist. In 2012, Child Soldiers International was shocked by the fact that in a period of less than two years between January 2010 and June 2012, child soldier use was reported to have occurred in the national armies of nine countries, primarily Chad, the Ivory Coast, DRC, Libya, Myanmar, Somalia, Republic of South

¹⁰⁹ Child Soldiers International, *Louder than Words. An Agenda for Action to end State Use of Child Soldiers* (United Kingdom, Oxford: Oxuniprint , 2012), 17. www.child-soldiers.org.

Sudan, Sudan and Yemen. In addition, there are twenty states known to have used children in hostilities during the period of 2010-2012 either in State or non-State forces, and, disturbingly, recent and new conflicts have not been an exception to this. Where new conflicts have emerged or old ones reignited, child soldiers continue to be employed; the States involved, or their opponents, have resorted to using child soldiers.¹¹⁰

Yet it is not the business of children to protect the State or the community for any reason. It is rather the business, the duty of the State and adult individuals to protect the children. Those who use child soldiers tend to resort to easy solutions, being morally blinded by the desire for profit: wealth, political power and positions, prestige and arrogance/pride. Thus, they fail to collaborate with the international community and human rights activists intending to protect children, against abuse and exploitation of any kind. They believe that young people have a duty to contribute to the protection and security of the community, especially in the local auto-defense groups, at any cost. They also operate in secretive isolation, and tend to hide children whenever there is monitoring and scrutiny.

One could also see in some perpetrators the desire to humiliate, dominate, destroy, and terrorize a particular community by attacking its young members and exposing them to death and other hazards. In depriving them of an education, a profession, and life skills that emanate from a normal childhood situated in a healthy and ordinary family atmosphere surrounded by parents, siblings, comrades, relatives

¹¹⁰ Child Soldiers International, *Louder than Words*, 18.

etc., who, who would typically play a role in educating or in shaping the personality of the growing children.

Children are often brutalized, abducted together with or in the presence of, their parents, siblings and other relatives, all of whom are incapable of protecting them. And such a situation renders future cohabitation difficult because parents and relatives feel guilty for having failed in their primary role as adults and parents to protect them. That is the case of a young girl raped in front of her parents or siblings or conversely parents brutalized and raped in front of their children, as generally such kidnappings occur in the context of violence and war or during brutal attacks on people, villages, and cities. They will never be able to look each other in the eyes and live together anymore. Their familial life has been destroyed. Parents, spouse or wife for instance will feel inferior and will live in the constant guilt and shame of being incapable, powerless of accomplishing her/his primary duty of protecting his or her dependents. They live or experience a spiritual and psychological trauma. And this is another form of killing, destroying somebody's life and that of the community as well.

In some communities in South Kivu Province, the question of "land ownership" of "autochthone people" or "native peoples" is well anchored in people's mentality such that it can foster intolerance of the stranger perceived as a threat to the land who thus, must be expelled. Some militant leaders, especially of auto-defense groups, take advantage of such beliefs to get children and young people involved in ethnic-based conflicts.

Some children are encouraged to join the army by their parents or guardians. Even though they don't favor it, and are not happy to be separated from their children,

they accept making the sacrifice of the life of the family hoping to contribute to the safety of the community. The life of the child, and through him or her that of the family, is put at risk for the sake of the community safety or at least, its supposed protection. This, in my view, is an aberration. Life, especially the most vulnerable, must be protected in all circumstances.

Moreover, the perception of some traditional communities regarding the inauguration of boys into manhood also plays a critical role. For instance, boys are expected to protect and provide for their families or communities. This care and protection may even include using guns.¹¹¹ After considering some of the attitudes and beliefs of the different parties involved in recruiting child soldiers, it would be important to explore who benefits from this practice.

The Beneficiaries and the Losers of Child Soldiers Recruitment and Use

The question I want to answer is: “Who is benefiting from this crime? Who is the loser?”

From various testimonies of child victims of abduction, there is no doubt that they experience hardship, they live in a difficult situation, a life where at first glance they reflect fear, violence and terror. One former child soldier from Sierra Leone, Ishmael Beah, affirms right after his rehabilitation process “I have been rehabilitated now, so do not be afraid of me. I am not a soldier anymore [...] We are all brothers and sisters.”¹¹² Such an affirmation reveals the situation of the profound lack of trust

¹¹¹ Isobel McConnan and Sarah Uppard, *Children – Not Soldiers* (London: Save the Children, 2001), 40.

¹¹² Beah, *A Long Way Gone. Memoirs of a Boy Soldier*, 199

and suspicion experienced by rehabilitated child soldiers, as he says earlier “people stopped trusting each other, and every stranger becomes an enemy. Even people who knew you became extremely careful about how they relate to you.”¹¹³ He was in a situation of rejection where the bonds of brotherhood have been simply destroyed. Nobody could consider him anymore as a relative because of his horrible deeds: therefore, his appeal to the fact that “we are all brothers and sisters...” In the area where he is from, relatives call each other brother or sister. Hence, a certain solidarity is expected from one another. “I am not a soldier anymore...” Being a soldier in his country was a sign or image of insecurity, violence, death, rape, theft, looting, maiming, lack of respect; it gave the image of somebody who has lost his sense of humanity, somebody cursed, set apart from the community of other human beings. In other words, he appears to be somebody unremorseful, who incarnates an evil-doer. The community was destroyed by soldiers; it has lost its beauty and harmony. Young armed people were no longer respecting the elders as they did before war, and society has lost some of its core values. Before his abduction, Beah assisted at a scene where a young rebel terrorized an elderly man: “‘Why did you leave Mattru Jong?’ [...] ‘Now are you going to answer my question?’ a rebel asked him while examining his bayonet. The veins of his forehead stood out as his red eyes watched the trembling face of the old man.”¹¹⁴ Beah continues “Before the war a young man wouldn’t have dared to talk to anyone older in such a rude manner. We grew up in a culture that demanded good behavior from everyone, and especially from the young. Young people were required

¹¹³ Beah, *A Long Way Gone. Memoirs of a Boy Soldier*, 37.

¹¹⁴ *Ibid.*, 32-33.

to respect their elders and everyone in the community.”¹¹⁵ This crime constitutes a great threat to cultural values. In the civil war that brought Beah into the army, all soldiers (Rebels and National army) were attacking, violating civilians. Soldiers have lost the trust and credibility of the community. This is the case in the Great Lakes region, especially in Eastern Congo since the cycle of violence started late in 1996. A former Congolese child soldier, Junior Nzita affirms that “many child soldiers find they are not accepted back into their families and local communities. They’re seen as strangers and feared, considered to be violent, drug abusers, and dangerous because of the crimes they were made to commit.”¹¹⁶ For civilians, seeing or meeting a soldier on one’s way is an occasion of fear and anxiety because you never know what will happen to you next.

In their interviews, as we saw earlier, many children associated with armed groups often speak as Beah “I joined the army to avenge the deaths of my relatives, my parents, my family, ... and to survive, etc.” Such a revelation shows a broken, unsecured, desperate, hungry and angry, bitter or blood-thirsty person. One sees in it a wounded and orphaned child. Beah, abducted at the age of 13 in Sierra Leone and Nzita at 12 in Congo, are a sample of hundreds of thousands of members of starving and impoverished communities. Also, one sees in them persons who have lost everything dear to them; all has broken down. They did not get the chance of benefiting from education, the affection provided by their parents as well as siblings and the entire community.

¹¹⁵ Ibid., 33.

¹¹⁶ Junior Nzita, former Child soldier. <https://childrenandarmedconflict.un.org/junior-nzita-former-child-soldier/> accessed 2/5/2017.

Abducted children do not have the opportunity to reflect or think about their situation; day and night they are exposed to scenes of violence and drugs to create a routine in them. Once they are separated from the army they are able to start a new life, with the help of others, especially through various rehabilitation programs; at least for those who have the chance of gaining access to one. Beah, for instance, was finally able to say, “I’ve come to learn that if I am going to take revenge, in that process I will kill another person whose family will want revenge; then revenge and revenge will never come to an end.” Further, regarding life in the Rehabilitation Center, he says “I had to learn a new life: how to be a child. I learnt how to trust again, how to find a solution without violence. I had to learn even how to sleep in bed again!” And in the same vein Nzita, who was in association with AFDL for 10 years, states “I had been forced to leave school when I was twelve years old. I was then fifteen and had spent three long, difficult years in another world, carrying a gun instead of a book bag, a bayonet for a pen, and ammunition instead of school books...” In addition, in his speech at the UN Security Council meeting in March 25 2015, he stated: “I decided to create a Non-Governmental Organization (NGO) called “*Paix pour l’Enfance*” (Peace for Childhood) which does a lot of work to promote and protect the rights of the child [...] I decided to fight to the end so that what I went through myself will no longer happen to others.”¹¹⁷ From these statements one sees a person who has gotten the opportunity to reflect on her situation and who is willing to make a change.

The experience of the child soldier shows a grave instance of social and structural injustice. The children are being used, exploited, exposed to hazardous

¹¹⁷ UN, Security Council, S/PV/7414 (3/25/2015).

tasks. Human beings are simply seen as commodities. The Warlord and the government or State-forces officers are benefiting in various ways from such a situation to the expense of the families and their children. I mentioned earlier that in the process of reintegration of armed groups into state forces, rebel commanders receive high grades/rank; others receive amnesty for the atrocities they committed; others again are given political offices like ministers, etc. Given the new democratic logic of power, armed groups serve politicians as a source of influence and popularity. Being a rebel or leading an auto-defense based armed group or backing an armed group gives power, strong influence; it makes one a “*homme fort*” (strong man), or indispensable person, with easy popular approval. “It is often easier to gain popular approval by being a *homme fort*, and exploiting ethnic divisions than by entering real policy change.”¹¹⁸ This *homme fort* can fund development projects in the area through her or his proper means, and negotiate with the government representing the armed group. In this regard, the Usalama Project interviewed a former Rwandese intelligence officer in April 2013 asking why he believed Eugène Serufuli, (a former Governor of North Kivu Province) is still someone important to the regime in Kinshasa and he answered that Serufuli is the number one strongman in the Hutu community, meaning he can influence Hutu militias and commanders.¹¹⁹

Also, I should mention the fact that armed groups in the Congo control areas where there are various natural resources such as timber, charcoal, cannabis, fish, food

¹¹⁸ Jason Stearns, Judith Verweijen, Maria Eriksson Baaz, *The National Army and Armed Groups in the Eastern Congo. Untangling the Gordian Knot of Insecurity* (Kenya, Rift Valley Institute, Usalama Project, 2013), 34.

¹¹⁹ Stearns et al., *The National Army and Armed Groups in the Eastern Congo.*, 34.

crops, wild and protected animals like elephants, mountain gorillas, okapi, and mining like Columbo-tantalite, gold, cobalt, cassiterite, etc. The exploitation and trade of these resources contribute funding for war and wealth accumulation for the commanders and their allies.¹²⁰ They also enforce illegal taxes on civilians. “Besides elements of the FARDC, fighters of the armed groups, FDLR and NDC, are notorious for the income they generate from North Kivu’s mining sector. For example, illegal taxation at a string of gold mines in Lubero Territory renders the FDLR more than 6,000 USD per week.”¹²¹ Army officers, in addition, benefit from war by using funds meant for state security for their own interests. Today many army officers in Congo refuse to be moved from the Eastern Congo, giving all kinds of reasons to remain in place, and this tension has resulted several times in desertion, dissension and conflict within the army or even spawning new militant groups. Other army commanders and officers have unexplained wealth and properties in spite of what they officially earn. IPIS’s analysis of 2016 informs that FARDC elements remain the primary armed actors interfering in the artisanal mining sector. At 39 % of the mines in the 2015 dataset, FARDC elements were permanently or regularly present. It continues moreover that there have also been numerous detailed reports of notorious FARDC officers continuing to profit through direct or indirect interference from the artisanal mining sector.¹²²

¹²⁰ Stearns et al., “*The National Army and Armed Groups in the Eastern Congo*”, 35. See also Joyce Muraya and John Ahere, “Perpetuation of Instability in the Democratic Republic of the Congo: When the Kivus sneeze, Kinshasa Catches a Cold”. *Occasional Paper Series: Issue 1, 2014* (The African Center for the Constructive Resolution of Disputes (ACCORD), (South Africa: Fishwicks, 2014), 23.

¹²¹ Yannick Weyns, Lotte Hoex & Ken Matthysen, *Analysis of the Interactive map of Artisanal Mining Areas in Eastern DR Congo: 2015 Update* (International Peace Information Service /IPIS, October 2016), 4.

¹²² Weyns et al., *Analysis of the Interactive map of Artisanal Mining Areas*, 40-41.

This is the same in Uganda where even the government's defense budget was kept as a state secret for years. Army officers took this opportunity to accumulate wealth. In this respect, Donald Dunson writes

War profiteering is one of the most lamentable aspects of the LRA rebellion. War is hell for those engaged in it, while remaining extremely profitable for those who prey on the misfortune of others. The Ugandan defense budget has been kept classified for years as a state secret, while army commanders, in particular, have unexplained wealth. When Uganda discovered oil reserves in its western region, it was the army commanders who lined up for chance to buy up property near the discovery site.¹²³

The testimonies of recruited children bring to mind people fleeing all over the place, children running, crying and looking for their parents. One can see other people injured, dying with no one stopping at their side to care for them. This situation endangers many thousands of people—children and adults—losing what little they have. The future of a whole generation is destroyed. Children and their villages, their families are the most affected. The rebels and their allies are the ones profiting the most; destroying life does not matter to them. Child recruitment betrays so much selfishness. I have been raised within a culture where the children were protected, taken care of. Particularity the boy by the father and the girl by the mother. Children are generally the concern of all adults in the area. In a time of crises or emergency, the first to be looked after were the children. All the other members of the family also contributed to their education and wellbeing. A suckling woman would even nurse any other hungry baby in the village in the absence of its mother. This way of living

¹²³ Dunson, *Child, Victim Soldier*, 39.

has been enriched by the Christian tradition which teaches love of neighbor and care for the most vulnerable.

Some voluntarily recruited children in their interviews allude to revenge. “I wanted to avenge” Their heart is full of anger and bitterness. That anger and bitterness are reinforced by the militant ideology, the kind of socialization they get once they are in the group to get them fully engaged in conflict and violence. They are told things like “those are the rebels or the bad people who killed your parents or raped your sisters and mother or who burned your house and villages...” “We kill them for the good and betterment of this country.”¹²⁴ Or again “this is our land and we cannot let anybody take it from us...” With words like these, they destroy the morality of the children. Beah states “whenever I looked at rebels during raids, I got angrier, because they looked like the rebels who played cards in the ruins of the village where I had lost my family. So, when the lieutenant gave the order, I shot as many as I could, but I did not get better.”¹²⁵

Children are psychologically and morally damaged. They are forced to forget their identity and their humanity losing any feeling of remorse and pity over other human beings. They are even taught to despise and undermine civilians, including their own parents. They become accustomed to violence as one affirms “...killing had become my daily activity. I felt no pity for anyone.”¹²⁶ I had a chance to meet a former child soldier, Emmanuel Jal from Sudan who was taken by the Sudan People’s

¹²⁴ Beah, *A Long Way Gone. Memoirs of a Boy Soldier*, 123.

¹²⁵ *Ibid.*, 122.

¹²⁶ *Ibid.*, 126.

Liberation Army (SPLA). He mentioned to me that in the group there was no time to be alone or to think...with each other; the only thing they talked of was fighting and war movies. It was, he added, as if nothing else existed outside their reality. Nevertheless, one can see some positive gain for the children who, for instance, joining because they desire to reunite with a relative and who, after socialization within the group, feel happy and develop strong bonds with the group. I could mention also the fact that some gain various other life skills. They mature earlier than their age.

I have identified some key actors and considered the attitudes and beliefs as well as the profit that underlie child soldiers' recruitment and use. In general, one can recognize efforts from the governments to protect children, but the issue remains real and children remain in danger given the increase of armed conflict and civil war. In the following section, I want to consider the ethical perspective, fitting response to this criminal action of child recruitment that constitutes a great threat to human life and growth, and to the future of the society in the Congo.

Chapter 4

Response and Ethical Perspective of Child Recruitment and Use

After considering the historical context, the key actors, the suffering of the children and the beliefs under child soldier recruitment and use, I want to focus on the response and ethical perspective of this challenging contemporary issue of child recruitment. Christian tradition, particularly, Roman Catholic Social Teaching, will constitute my main source of inspiration. What I affirm is also shared by other religious traditions such as Islam, African traditional religions, etc.

Ethical Perspective

Legal and Financial Response

On a legal level, there are various International legal texts that regulate the question of child protection in general, and child soldiers, in particular. The protection, care, wellbeing and concern for children by the International Community, in its actual form, are the fruit of a long evolution primarily under the initiative of private individuals. Thus, the need for special treatment and protection for children resulted from World War One (W.W.1) under the initiative of the Save the Children organization in 1929. Moved by the horror of this war, Eglantyne Jebb with the help of her sister Dorothy Buxton, initiated the Save the Children Funds in London in 1919 aiming at providing care and protecting the children affected by war. This Fund became the *International Save the Children Union* which adopted the first version of the Declaration of the Rights of the Children in its fourth General Assembly on February

23, 1923. Once ratified a year later, Jedd sent this Declaration to the League of Nations which, on September 26, 1924, adopted the declaration entitled “Geneva Declaration.” This inaugurated the first document of the specific rights of children. The document points out “adults’ obligations to children” no matter their origin, race, sex, language and religion.¹²⁷ In its opening paragraph, this declaration states that “mankind owes to the child the best that it has to give.” This document lists five obligations toward a child in focusing on his wellbeing: the right to development, assistance, protection and relief.¹²⁸ Nevertheless, like most of international legal documents, its implementation remained problematic given that it was not binding.

After this Geneva Declaration, other legal texts later followed. That is the case of the *Universal Declaration of Human Rights* (UDHR) following the aftermath or the tragedy and horrors of W.W.2 with the inspiration of the Declaration of the Rights of Man and the Citizen of French Revolution of 1789. The International Community organized as the United Nations wanted to initiate an International Charter of Rights that would affirm the values put forward in the struggle against Fascism and Nazism. This Universal Declaration, also qualified as a “common standard of achievement of all peoples and nations” was, thus, adopted in Paris on December 10, 1948.¹²⁹ The Declaration reserves special care to motherhood and childhood. It also recognizes equal social protection for children, the right to education, as well as free elementary

¹²⁷ Geneva Declaration. <http://www.humanium.org/en/childrens-rights-history/references-on-child-rights/> accessed on November 15, 2016.

¹²⁸ Geneva Declaration of the Rights of the Child. <http://www.un-documents.net/gdrc1924.htm>

¹²⁹ Geneva Declaration. <http://www.humanium.org/en/childrens-rights-history/references-on-child-rights/> accessed November 15, 2016.

education at fundamental stages without discrimination (art.25-26 §3). Art. 29 focuses on the duties of everyone “to the community in which alone the free and full development of his personality is possible.” Even though children are seldom mentioned in the Declaration, their rights are guaranteed by it based on Human rights because they are fully human beings.

The third document related to the protection of the child is the *Declaration of the Rights of the Child* (UNDRC), adopted by the UN General Assembly in its Resolution 1386(XIV) of November 20, 1959. This document recognizes the Geneva Declaration of 1924; it is also an answer to the demands of UDHR of 1948, especially in its Article 25 that calls for the special protection of children. Also, in its preamble, this Declaration notes that because of his physical and mental immaturity, the child needs special safeguards and care, including appropriate legal protection before and after birth. Ten principles constitute the core of this document and it focuses on the protection of the child, including equality, identity, education, leisure, etc.¹³⁰ Moreover, this Declaration constitutes the basis of the UN Convention of the Rights of the Child (CRC) adopted 30 years later in 1989. I will come back to it later.

¹³⁰ UN, *General Assembly, Resolution 1386 (XIV), A/RES/14/1386, 20 November 1959*. <http://un-documents.net/a14r1386.htm> accessed 11/15/2016. *The ten principles are* (1) The right to equality, without distinction or discrimination. (2) The right to special protection for the child’s physical, mental and social development. (3) The right to a name and a nationality. (4) Enjoyment of the benefits of social security: the right to adequate nutrition, housing, recreation and medical services. (5) The right to special education and treatment of handicapped children. (6) The right to understanding and love by parents and society. The child without family has a right to particular care by the public authorities. (7) The right to recreational activities and free education and equal opportunity for the child’s integral development. The best interest of the child is the guiding principle for those bearing this responsibility. (8) The right to be among the first to receive relief in all circumstances. (9) The right to protection against all forms of neglect, cruelty and exploitation. (10) The right to be protected from any form of discrimination and to be brought up in a spirit of understanding, tolerance.

In the face of the difficulty and challenge of implementation of the UDHR of 1948, the need for a restrictive order was felt. Therefore, the General Assembly requested the Human Rights Committee to prepare a covenant project. The purpose was to have a restrictive text that could complement and reinforce the 1948 Declaration which appeared too declaratory and lacked a constraint aspect to the signatories. The Committee finally wrote two Covenants: one on *Civil and Political Rights* and another on *Economic, Social and Cultural Rights*. These two Covenants were adopted on December 16, 1966, and they were ratified ten years later.¹³¹ The 1948 Declaration, together with these two Covenants, constitute the “Charter of Human Rights”. This means that they are the three fundamental legal texts protecting human rights.

Unlike before the adoption of these international covenants, State signatories are now legally bound to respect the rights of the children under their jurisdiction. To ensure their application, each covenant has a legitimate authority in charge of monitoring its implementation. Thus, the UN created the *Human Rights committee* of 18 experts for the *Covenant on Civil and Political Rights* (see arts.28-48), and the *UN Economic and Social Council* for the *International Covenant on Economic, Social and Cultural Rights*. The Economic Council exercises this role through its *ad hoc* Committee (Economic, Social and Cultural Rights) created by the Economic Council, Resolution 1985/17 on May 28, 1985, likewise composed of 18 independent experts.

Furthermore, there is no doubt that a child who is not, at early age, submitted to work, is likely to develop properly both physically, intellectually and mentally or

¹³¹ 1966 International Covenant. <http://www.humanium.org/en/childrens-rights-history/references-on-child-rights/> accessed November 15, 2016.

emotionally and thus, becoming a healthy adult. That is why International Labor Organization (ILO) did not leave aside children. In its Convention 138 (C138 minimum age convention 1973) of June 26, 1973, whose objective was to give children the right to live their childhood, the age for employment was fixed at 18, especially for dangerous work. Like the International Covenant, the ILO also established certain mechanisms of control. It has a committee of experts in charge of monitoring the convention's implementation and examining reports that members submit. The ILO has additionally initiated the International Program on the Elimination of Child Labor (IPEC) in 1992.¹³² This convention is complemented by another one adopted in Geneva on June 17, 1999: *The Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor* (C182 - Worst Forms of Child Labor Convention, 1999). In its art.3, this Convention lists forced or compulsory recruitment of children for use in armed conflict among the worst forms of child labor. It impels each member in art. 7 to take all necessary measures to ensure the effectiveness and enforcement of the convention.

All these four previous documents inspired the *Convention on the Rights of the Child (CRC)*. It is the most comprehensive text of all legal instruments protecting the child's rights for it addresses all the aspects of children's rights, starting from Civil, Political to Cultural Rights including Economical and Social Rights as well. It was adopted by the UN General Assembly on November 20, 1989, and binds all the State parties to it; every State signatory must ensure that all rights established therein are

¹³² C138 Convention Minimum Age Labor, 1973. <http://www.ilo.org/global/lang-en/index.htm>. Accessed Nov 5, 2016. See also C182 Worst Form of Labor Convention, 1999. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0:NO:12100:P12100_ILO_COD E:C182.

respected. This Convention dreams of protecting the rights of all children in the world. Additionally, this Convention establishes 4 principles which must govern the implementation of all the rights that it promotes: (1) the principle of non-discrimination, (2) the best interest of the child, (3) the right to life, survival and development and finally (4) respect for the views of the child.

Right at the beginning in its preamble, this Convention refers to the UN Charter and reconsiders inherent dignity and the equal and inalienable rights of humankind as the foundation of freedom, peace and justice in the world. It reaffirms the need for special care of the child and nondiscrimination of rights and freedom. It states its conviction that the family, as the fundamental group of society, and the natural environment for the growth and wellbeing of all its members, and particularly children, needs special regard and assistance. It also reaffirms, in reference to the UNDRC of 1959, that “the child by reason of his physical and mental immaturity, needs special safeguards and care including legal protection before and after birth.”¹³³ John Wall refers to this special protection as protection against active violence of powerful adults.¹³⁴ To ensure the integrity of its implementation there is a Committee of the Rights of the Child which oversees that all participating States respect the Convention as well as the three *Additional Protocols* that complement it: the *Optional Protocol to the Convention Related to the Rights of the Child, on the Involvement of Children in Armed Conflict*; the *Optional Protocol to the Convention on the Rights of the Child Concerning the Sale of Children, Child Prostitution and Child Pornography* adopted both by the UNGA on May

¹³³ Preamble of Convention of the Rights of the Child (CRC), 1989.

¹³⁴ John Wall, *Children's Rights. Today's Global Challenge* (Lanham, Boulder, New York, London: Rowman & Littlefield, 2017), 49.

25, 2000, and the *Optional Protocol to the Convention on the Right of the Child Regarding the Complaints Procedure before the Committee on the Rights of the Child* adopted on November 19, 2011, and entered in force May 28, 2012. This Protocol allows every child to file individual petitions with the Committee on the Rights of the Child.

The Optional Protocol to the Convention related to the Rights of the Child, on the Involvement of Children in Armed Conflict stands against a new rampant phenomenon of the 1990s recruiting children into the army. It recalls that the children have neither the maturity, nor the necessary physical and mental development to understand the seriousness and the consequences of their enlisting in the armed forces. This Protocol strongly condemns the phenomenon of child-soldiers and gives a very wide definition of this expression to protect the largest number of children involved in armed conflicts. According to this Protocol, a child-soldier can be a sexual or domestic slave, a cook, a sentinel, a miner or mines remover... recruited by force or voluntarily. In addition, the *Rome Statute of July 1, 2002*, has made conscription, enlistment or use of under-15 children as a war crime.

Moreover, African countries have produced in November 1990 a binding charter: African Charter on the Rights and Welfare of the Child. In its preamble, this charter recognizes all the previous documents on child protection. It recalls the rights and welfare of the African Child adopted by the African Union in its Ordinary session on July 20, 1979. This charter recognizes the privileged position of the child in African society and the need to promote an atmosphere of happiness, love and understanding in a family environment where the child should grow and reminds that it is a duty of everyone to promote and protect a child's rights and welfare. This African charter

underscores nondiscrimination, the best interest of the child, the good of the identity of the child, basic freedoms, the right to education that prepares the child for responsible life in a free society, etc. The Charter also creates a Committee of 11 members to monitor its application (arts. 32-46).

All these documents and many others have widely contributed to raise awareness, a common consciousness on the necessity to care for and to protect children, “human plans” in need of proper environments and care for sound growth.¹³⁵ They do not permit, at any single instant, the use of the under-18 in the army and in any related forces or in combat. They highlight the common responsibility of families, communities, government, to provide welfare to children. These legal texts, to which the Congo is bonded by their ratification, are very rich and comprehensive in terms of a theoretical framework for the protection of the most vulnerable of human kind: the children. Nevertheless, the problem lies with the implementation. The international Community does not have the power to constrain, enforce all these beautiful and rich texts.

Besides providing legal and juridical instruments, the basis of defending and protecting children’s rights, the International Community supports also various activities on the ground in favor of the child victim of war, including child soldiers. This support in favor of child soldiers in Congo passes through some structures, notably Monusco (Human Rights and Child Protection Programs), UNICEF, World Bank, African Bank for Development (BAD), the United Nations Development

¹³⁵ Marcia J. Bunge, *The Child in Christian Thought* (Michigan, Grand Rapids: William B. Eerdmans Publishing Company, 2001), 376.

Assistance Framework/UNDAF through the program of “Stabilization and Consolidation of Peace”, etc. UNICEF, for instance, funds local NGOs for the execution of activities of child recruitment prevention.¹³⁶ There is, moreover, other assistance from other governments like Belgium, France, Sweden, USAID, etc. who fund the activities of UENP-DDR, “*Unité d’Exécution du Programme National de Démobilisation, Désarmement et Reinsertion*” (Project Implementation Unity of the National Demobilization, Disarmament and Reinsertion Program).¹³⁷

Besides the International Community response, the Congolese government makes, on its part, important efforts to end this continuing challenge of child recruitment. It has ratified several binding treaties and international laws which, by that fact, take precedence over domestic legislation applicable in the domestic legal system. There are laws and guidance that have been promulgated. There are also programs and structures that are put into place to respond adequately to this problem.¹³⁸ I am convinced that if all these laws mentioned above and many others that exist on the issue of child protection were implemented and if those responsible

¹³⁶ Sylvie Bodineau, « Rapport d’Evaluation du Programme 2007-2011 pour les Enfants Associés aux Forces et aux Groupes Armés en RDC » (UNICEF RDC, Mai-Juin 2011), 16, 17.

¹³⁷ Bodineau, « Rapport d’Evaluation du Programme 2007-2011 pour les Enfants Associés aux Forces », 21.

¹³⁸ I could mention, the Constitution; “*Bureau National de Démobilisation et de Réinsertion/ BUNADER*” of January 13, 2001 (governmental structure of coordination of the process of demobilization); the Defense and Armed Forces Law 04/023 of 2004; Decree-Law 066 of June 9, 2000 on Demobilization and Reinsertion of all under-18 combatants in DRC; the Labor Code of 2002; “*Loi 09/001 Portant Protection de l’Enfant du 9 Janvier 2009*” (Congolese Law Protecting Children of 2009); the Comprehensive Child Protection Code of October 2007; Action Plan to End and Prevent the Recruitment and Use of Children, Sexual Violence and others Grave Violence Against Children of October 4, 2012; the Minister of Defense Directive (VPM/MDNAC/CAB/0909/2013) prohibiting army officers recruiting children and detaining them; the Appointment of a Presidential Adviser on Sexual violence and Child recruitment of July 14, 2014; the Amnesty Law of February 11, 2014 Concerning Acts of Insurrection, War and Political Offences Committed from February 18 2006 to December 20, 2013, etc.

were held accountable, the Congolese child would be fully protected and would flourish in a peaceful and a healthy environment. Unfortunately, this is not the case.

The interest on children and awareness raised by the international legal instruments, including UDHR has reached NGOs on both international and local level. There are hundreds of NGOs (International and local) involved on the side of the government helping alleviate the suffering of ordinary people who are victims of all kinds of violations and are facing difficult social and security challenges. Given the damage to the social fabric in the Congo, all these NGOs appear to offer an alternative; they provide alternatives for jobs, education, health care and other livings for the ordinary people. They play a crucial role in supplementing or providing where the state cannot or where it has failed to provide. Many NGOs are involved in empowering people, raising awareness in various ways related to child protection, human development and rights, self-sufficiency, entrepreneurships, vocation training, advocacy, etc. NGOs believe in the respect of human rights as the basis for human development and flourishing.

Moreover, a careful analysis of these responses shows that the driving force is (faith in) human dignity. This means, in other words, that all the involved actors share the belief that all we share equal dignity. They believe in human rights and human dignity as mutually constituting one another in the process of social healing.¹³⁹ This human dignity impels us to care for and not to deprive, to provide and protect from recruitment and use. Also from this human dignity derive the rights and correlative duties: avoid recruiting children, protect them from being recruited, aid and attend ot

¹³⁹ Jack Donnelly, *Universal Human Rights in Theory and Practice*, 3rd ed. (New York, Ithaca: Cornell University Press, 2013), 132.

those recruited and used.¹⁴⁰ This means, not only to condemn child recruitment and use, but also to protect from it and end it, to act in favor of the victim (forbearance, providing food, health, education, shelter, healing, respect, etc.). In other terms, the realization of dignity passes through the accomplishment of duties, solidarity, the common good, and the option for the poor that must be realized by not only individuals but also by structures at both the international and local level. The legal documents and all others related responses do not explain, nevertheless, why we have dignity, although they are grounded in it, but religions do explain it. So, the theme of human dignity is more elaborated in Catholic Social Teaching.

Ethical Key Themes Elaborated in Modern Roman Catholic Social Teaching as Moral Healing

There are themes which are developed in Roman Catholic Social Thought which can help, together with the human rights perspective, to respond efficiently to the issue of child recruitment and use. They are for instance human dignity grounded in the *imago dei*, solidarity, basics rights and correlative duties, common good, option for the poor and love of neighbor, children seen as gifts of God, children seen as growing beings in need of guidance, etc. These themes are all connected and interrelate to each other. I want briefly to focus on four of them.

Human dignity. According to the Catechism of the Catholic Church, the dignity of the human person is rooted in his creation in the image and likeness of God (*imago dei*).¹⁴¹

¹⁴⁰ Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, 2nd ed. (New Jersey, Princeton: Princeton University Press, 1980), 52.

¹⁴¹ The Catechism of the Catholic Church, §1700. See also Bernd Oberdorfer, “The Dignity of the Human Personhood and the Concept of the “Image of God””, in Michel Welker, ed., *The Depth of*

The human person is endowed with reason and conscience and thus, these characters distinguish him from all other creatures. All human beings, as much as they are created in the image of God (Gn.1:26), have the dignity of a person and the right to exercise the freedom which is inseparable from the dignity of a human person. From Christian anthropology, “we are convinced that every human being is created *imago dei*, in the very likeness of God. This is stamped on our personhood prior to any achievement or merit of our own. It is God’s gift that can never be denied or negated. Such dignity can never be destroyed by anyone, including ourselves.”¹⁴² For Jürgen Moltmann, moreover, the dignity of a person describes the fundamental meaning of being human and for his embodiment and his full flowering, it requires human rights. I can affirm that dignity is a reason for promoting human rights. In the same vein, Aquiline Tarimo puts it well in saying that the conceptual identity and validity of human rights is founded upon their virtue of being connected with human dignity.”¹⁴³ In this dignity, humans are obliged not only to avoid harming but to actively assist one another in achieving and maintaining a state of well-being. This dignity is inviolable, inalienable and transcendent. This means, “you are actually “image of God” although your state of being and/or your behavior may not display that in a full sense, and thus you merit to be respected as being “image of God.””¹⁴⁴ Violation of this dignity can never be justified under any circumstances. Respect of human dignity entails the respect of

the Human Person, A Multidisciplinary Approach (Cambridge, Grand Rapids, Michigan: William B. Eerdmans Publishing, Company, 2014), 257-260.

¹⁴² Dunson, *Child, Victim, Soldier*, 8. See also Donnelly, *Universal Human Rights*. 3rd ed., 124.

¹⁴³ Aquiline Tarimo, Sj *The Human Rights, Cultural Differences and The Church in Africa*, (Morogoro: Salvatorianom, 2004), 90.

¹⁴⁴ Welker, ed., *The Depth of the Human Person, A Multidisciplinary Approach*, 273.

human rights considered in their two aspects, individual and collective. Those aspects are balanced under the common good. This means that the individual good and the community one find their achievement in the common good.

The common good and human dignity. There is a relationship between the concepts of human dignity, basic human rights and common good. For Ellacuria, human rights can be understood as the continuation and historical realization of the common good.¹⁴⁵ Vatican II defines the common good as “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment.”¹⁴⁶ Furthermore, *Pacem in Terris* enriches that “the common good touches the whole person, the needs both of body and of soul. Hence it follows that the civil authorities [...] while respecting the hierarchy of values, they should promote simultaneously both the material and the spiritual welfare of the citizens.”¹⁴⁷ This means, protect and promote human dignity and basic human rights, including participation on civic society. Moreover, human rights are a paradigm to promote and protect human dignity. They are “particular specification of certain minimum precondition for a life of dignity.”¹⁴⁸ For Ellacuria, human rights can be understood as the unfolding of the common good for humanity as a whole. The best way of providing for the good of persons is by promoting civil justice and the correct organization of civil society, a society or a community that cares for all its members.

¹⁴⁵Ignacio Ellacuria, “Human rights in the Divided Society “, in Alfred Hennesly, S.J., and John Langan, S.J. Eds., *Human Rights in the Americas: The Struggle for Consensus* (Washington, D.C.: Georgetown University Press, 1984), 52.

¹⁴⁶ Vatican II, *Pastoral Constitution of the Church in The Modern World*, n.26

¹⁴⁷Encyclical Letter *Pacem in Terris*, § 57.

¹⁴⁸ Donnelly, *Universal Human Rights*, 3rd ed., 132.

“Truly I say to you, as you did it to one of the least of my brethren, you did it to me” says Jesus (Mt. 24: 40). These words of God put emphasis on a culture of the common good where people look out for each other and where the concern for one another is reflected in the family, in the community, in the State. This culture provides for the good of all people without any discrimination. According to Pope John Paul II, the common good refers to the good of all and of each individual, because we are all responsible for all (solidarity). This common good presumes a community which also supposes rights and correlatives duties. In other words, it means that human dignity or human rights cannot be realized outside a community. Where the community is, there also will a state be, a government which is considered as an instrument to promote dignity, human rights and the common good. Therefore, it works for the benefit of all people and all people have a right and a responsibility to participate in this mission, including children.

Solidarity. Beyond social justice there is need for more, something deeper. That is solidarity, a basis to the realization of *humanum*. In this regard, Shawn Copeland says that “we need thoroughgoing, practical, genuine systematic change in the present global order. At the same time, we sense a need for something deeper and beyond the moral attention that social justice accords to the distribution of the material and cultural conditions for human living.”¹⁴⁹ In Christian theology Copeland states, solidarity denotes the empathetic incarnation of Christian love. Thus, in this perspective “solidarity sets the dynamics of love against the dynamics of domination. Through a praxis of solidarity, we not only apprehend and are moved by the suffering

¹⁴⁹ Shawn M. Copeland, *Enfleshing Freedom. Body, Race and Being* (Minneapolis: Fortress Press, 2010), 93.

of the others we confront and address its oppressive causes and shoulder the other's suffering."¹⁵⁰ The praxis of solidarity is, also, made possible by the loving self-donation of the crucified Christ, whose cross is its origin, standard and judge.¹⁵¹

Moreover, solidarity calls us, she continues, "for recognition of and regard for the exploited, [the abused and the exploited children in the militia or in the army.]" Solidarity thus, preserves the universality of love, without renouncing preference. Hence, "in solidarity the creator, is worshipped, *humanum* honored, particularity engaged, difference appreciated." It is a confirmation of interconnectedness of human beings in our common creatureliness.¹⁵² Solidarity is thus, the glue that binds together the common good, equality amongst peoples and nations and peace in the world. It also includes all the other principles and values that are necessary to create and sustain a truly good society. In this respect, solidarity mandates us to shoulder our responsibility to the past in the here and now in memory of the crucified Christ and all the victims of history. It is a call to end the marginalization, exploitation, abuse of children and other abuses, etc. In talking of 'Shouldering' it summons us to take intentional, intelligent, practical steps against the "socially or technically avoidable suffering of others." In this regard, shouldering requires us to be on guard against any form of self-deceit or self-delusion, any attempt to deny freedom and obligation.¹⁵³

¹⁵⁰ Copeland, *Enfleshing Freedom*, 94.

¹⁵¹ *Ibid.*, 95.

¹⁵² *Ibid.*, 100.

¹⁵³ *ibid.*, 100.

Additionally, one could say that given the global and pluralist world in which we live today there is a kind of *universal self*. In this sense, doing violence to the other is doing violence to oneself at the same time. Martin Luther King Jr talked of “injustice in one place as injustice everywhere.” The Buddhist tradition is moreover eloquent in this perspective; it talks of *compassion* for all beings. “Once we realize that all things are interdependent (and that “own being” is an illusion) there is no way we can imagine doing violence against another without doing harm to ourselves.”¹⁵⁴ This is the same with *ubuntu* approach of personhood from African traditional wisdom that considers the interconnection of the “*I*” and the “*We*” and rejects the flourishing of an isolated person. “I am, because we are; since we are, therefore I am,” affirms John Mbiti.¹⁵⁵ In this respect, harming another person is harming oneself. For Desmond Tutu *ubuntu* tells us “I am human only because you are human. If I undermine your humanity I dehumanize myself. You must do what you can to maintain this great harmony, which is perpetually undermined by resentment, anger, desire for vengeance.”¹⁵⁶

¹⁵⁴ Darrell J. Fasching, Dell Dechant, and David M. Lantigua, eds., *Comparative Religious Ethics. A Narrative Approach to Global Ethics*, 2nd edition (Wiley-Blackwell Publishing, 2011), 175.

¹⁵⁵ John Mbiti, *African Religion and Philosophy* (London, Morrison and Gibb Ltd, 1969), 108-9. See also, Laurenti Magesa, *African Religion. The Moral Traditions of Abundant Life* (New York, Orbis Books, Maryknoll, 1997), 65. See also Michael Battle, *Ubuntu. I in You and You in Me*, (New York: Seabury Books, 1989), 13-14. *Ubuntu*, *Bantu*, are all derivatives of *ntu* which means the human being as “metadynamic (active rather than metaphysical).” *Ubuntu* means humanity; *umuntu* means “the category of intelligent human force that includes spirits, the human dead, and the living.” See Michael Battle, *Reconciliation: The Ubuntu Theology of Desmond Tutu* (Cleveland, Ohio: The Pilgrim Press, 1997), 35.

¹⁵⁶ Desmond Mpilo Tutu, *No Future Without Forgiveness* (New York: Doubleday, 1999), 54. See also, James L. Gibson, “Truth, Justice, and Reconciliation: Judging the Fairness of Amnesty in South Africa” in *American Journal of Political Science*, Vol. 46, No. 3, July 2002, 543. <https://pages.wustl.edu/files/pages/imce/jlgibson/ajps2002.pdf>

Also, Christians believe in a God who is the friend of life not death; He wants the conversion of the wicked (Wis. 11:26). “*As I live says the Lord, I swear I take no pleasure in the death of the wicked man, but rather in the wicked man’s conversion, that he may live*” (Ez. 33:11). Violence is against life. At Pentecost Peter proclaimed a new life from the risen Lord. In the same vein, Gustavo Gutierrez states: “Christians and the entire Church is to defend human rights, confront powerful interest, especially when the defense is mounted by the weakest members of the society, i.e. the poor and oppressed, the defenseless, the most vulnerable or the children, etc. The request is for all to become one.¹⁵⁷ Furthermore God wills life for all beings and that is the theme that runs through the Bible. It reveals God who loves life.¹⁵⁸ Jesus who is the “sacrament of the encounter with God,” as Karl Rahner says, values life. He stands against anything that devalues, threatens or opposes life, anything that weakens or annihilates life or brings death. All his miracles were oriented in that sense (healing, feeding the hungry, curing the sick and those possessed by evil spirits, forgiving sins, raising the dead, etc.). In John’s gospel, He says: “I came so that they might have life and have it to the full” (Jn. 10:10). This confirms the will of God in sending the Son. “For God so loved the world that He gave his only Son, so that everyone who believes in him might not perish but might have eternal life” (Jn. 3:16). Jesus’ public discourse in Luke and in referring to Isaiah expresses the will of God to console the suffering and set human beings free (Lk. 4:18-19; Is. 61:1-2; Ps. 72:12-14). God rescues the poor who cry to him, He frees

¹⁵⁷ Gustavo Gutierrez, *The God of Life*. translated from Spanish by Matthew J. O’Connell (New York: Meryknoll, Orbis Books, 1991), 63.

¹⁵⁸ Gutierrez, *The God of Life*, 3.

them from extortion and violence. Hence, human dignity, *imago dei* entails all of these aspects.

Option for the poor and Love of neighbor/stranger. This option is the fundamental way of focusing, caring of the most vulnerable. The poor or oppressed are referred to as the ‘crucified people’ by Ignacio Ellacuria. The concept of *poor* does not apply solely to material wealth. Following Biblical tradition, I consider poor the despised, the under-privileged, those oppressed by social, economic and political structures, the defenseless, the most vulnerable, the children etc. Jesus’ answer in Mt. 22: 37-39 to the question about the greatest of God’s commandments has two parts, the first one being love of God with all the heart, soul and mind, and the second one, love of neighbor as oneself. These two parts are intrinsically linked.

Borrowing the words of Beverly Wildung William “radical acts of love – expressing solidarity and bringing mutual relationships to life – are the central virtues of the Christian moral life.”¹⁵⁹ Love-of-God-love-of-neighbor is all about life, bringing life to the fullness as God primarily intended it in creating the world. And Jesus puts it well when He asserts that “I came so that they might have life, and have it more abundantly.” (Jn. 10:10b). Furthermore, He shows his disciples that embodying love is an act of evangelizing, an act of imaging one’s God affiliation or discipleship to Christ. “I give you a new commandment: love one another. As I have loved you, so you also love one another. This is how *all* will know that you are my disciples” (Jn. 14:34-35).

¹⁵⁹ Cynthia Moe-Lobeda, *Resisting Structural Evil. Love as Ecological Economic Vocation* (Minneapolis: Fortress Press, 2013), 165.

Expressing love to all creatures becomes proof of being sons and daughters of God, meaning proof of true affiliation to God. This is, moreover, the meaning of being created to the image and likeness of God (*Imago Dei*). In other words, one should be God's caring presence in the world, the presence that cares for all lives like Jesus did even to the supreme sacrifice. Elsewhere, Jesus talks of the good shepherd who goes to search for the lost sheep, cares for the wounded ones, comforts and shows compassion to the afflicted and the weak ones...In other words, a loving, responsible and balanced shepherd, is the one who leads, feeds, nurtures, protects, corrects and comforts. On the same note the Prophet Ezekiel describes the tasks of the Shepherd as strengthening the weak, healing the sick, binding up the injured (Ez. 34:2). This love also means being ready in our minds for instance to come to assistance of our enemies in a case of urgency.¹⁶⁰

For me, the concept *neighbor* goes beyond human beings; it embraces all other created beings. It goes beyond physical nearness and family bonds. And the Christian love of neighbor in this sense applies to them. This obliges every Christian to care for all (love all). Again, the interconnectedness (solidarity) of all beings fosters this duty. Cynthia Moe-Lobeda affirms that love of neighbor, as seen in Jesus' life and teaching, pertains to whoever one's life in some way impacts or whose life impacts one's own.¹⁶¹ This is to say everybody and everything, including the victims and perpetrators of child recruitment.

¹⁶⁰ Lisa Sowle Cahill, *Love Your Enemies. Discipleship, Pacifism, and Just War Theory* (Minneapolis: Fortress Press, 1994), 89.

¹⁶¹ M. Lobeda, *Resisting Structural Evil*, 175.

This love has various features; following Cynthia Moe-Lobeda, I will mention three of them that express well what I am discussing at this point. Firstly, God's love is the foundation of human love for God, self, others and the Earth. God loves us first and one cannot imagine the love of the self outside God's love. In this line, Katherine Dobb Sankenfeld argues eloquently that any human loyalty, kindness, love or mercy is rooted ultimately in the loyalty, kindness, love and mercy of God.¹⁶² Secondly, a neighbor's love has a transformative power, i.e., love of God including its embodiment in humans as neighbor's love. Love of God challenges, it does not leave one indifferent, rather it stimulates action. This means that this love proclaims and creates a new world situation. Daniel Maguire talks of "energy that must be incarnated in action" and goes beyond compassion and pity.¹⁶³ The parable of the Good Samaritan in Lk.10:25-37 is an eloquent example. Thirdly, a neighbor's love serves the well-being of whoever is loved. It is a steadfast commitment to seek the good of its object.¹⁶⁴ In other words, there is a purpose ascribed to this love and that is the well-being of the other.

In the era of a humanitarian crisis of human exploitation of the weak in a globalized world marked by hunger for power and domination, this love becomes an instrument of assessment and at the same time an instrument or ground of response: action, it calls to responsibility. Nevertheless, this love goes beyond action and interpersonal vocation; it cannot be simply reduced to action. Biblically and

¹⁶² Katherine Dobb Sankenfeld, "Love: Old Testament," in *Anchor Bible Dictionary*, ed. David Freedman (New York: Double Day, 1992) 4:337. Cited by M. Lobeda, *Resisting Structural Evil*, 169.

¹⁶³ Daniel Maguire, *Moral Cores*, 220, cited by M. Lobeda, *Resisting Structural Evil*, 171.

¹⁶⁴ M. Lobeda, *Resisting Structural Evil*, 169-171.

theologically, it becomes a grammar, a way of seeing and living in the global world. Moe-Lobeda puts it well when she states that love as a theological and biblical vocation cannot be reducible to action. Love acting toward well-being entails something beyond both action and emotion. It seems, she continues, that the love to which Jesus calls us emerges from a way of perceiving the world and of being in it, as well as a way of acting and even feeling in response to it. It is, she pursues, a perception that the neighbor bears infinite worth and is irrevocably beloved by God; she or he is, before all else, a creature beloved by God... The neighbor is no less beloved and no less imbued with inherent worth than I am or my people. The action of love, not only is grounded in this perception, but also nurtures it.¹⁶⁵

Moreover, love motivates justice and pertains to whomever my life touches directly or through social or even ecological systems. It is meant to guide our lives today characterized by economic, political, social and ecological violence as well.¹⁶⁶ This love will lead to what Dorothee Soëlle calls a “life of nonviolence, egolessness, and possessionlessness.”¹⁶⁷ The transforming power of love of neighbor enables one to care for children, and to see every creature as sacred and take it into consideration. It helps the shift from a ranked ladder metaphor to the web-of-life metaphor.¹⁶⁸ In this web-of-life, all depend upon all and everything contributes to each other’s completion. For Desmond Tutu, “it is the recognition of the God in each of us that gives us the key

¹⁶⁵ M. Lobeda, *Resisting Structural Evil*, 171.

¹⁶⁶ *Ibid.*, 187.

¹⁶⁷ Larry L. Rasmussen, *Earth Honoring Faith. Religious Ethics on a New Key* (New York: Oxford University Press, 2013), 288.

¹⁶⁸ Rasmunssen, *Earth Honoring Faith*, 260.

to our future happiness. For if we are interdependent as the whole network of nature declares us to be, we destroy ourselves when we destroy each other [’s life].¹⁶⁹ Thus, one cannot change, says Larry Rasmussen, turn in another direction, unless she/he sees God in nature (sacramental universe).¹⁷⁰ In this respect, Ignatian spirituality offers a good methodology: that is *the Examen Prayer* and the *Contemplation of God’s Love*.¹⁷¹ The *Examen* teaches us that we have a work to do. With the *Examen* one takes a slow and thoughtful look into her or his own life and identifies where, in that life, God’s love is disrupted, ignored, or pushed aside, or again to see where there is inauthenticity or alienation in one’s life, etc. It encourages us to look back over a given period of time and pay attention to what is happening in and around us. Then we look ahead (in the future) to what comes next, so that we can act in a way worthy of our vocation as Christians, or as true human beings. It is a tool for *metanoia* (change) and for that *metanoia* to happen, one needs to realize the need for it and such a realization comes after being initiated to this prayer or exercise. From these two prayers, moreover, one realizes that she or he belongs to God who did not create her or him for naught but rather that there are some definite services to do him. In addition, one realizes that we are loved by God, we have a mission in this world, in the midst of all other created beings also bearer of God: that mission is being angel of peace and reconciliation, to

¹⁶⁹ Michael Battle, *Ubuntu. I in You and You in Me* (New York: Seabury Books, 1989), 55.

¹⁷⁰ Rasmunssen, *Earth Honoring Faith*, 261.

¹⁷¹ *Examen* is a prayer that helps to find God in all things. It has five steps: Pray for God’s help; Give thanks for the gifts discovered; Pray over the significant feelings; Rejoice and seek forgiveness, and finally look for tomorrow (future). The contemplation for God’s love helps to let God’s overwhelming love empower one’s life. For more details, see Spiritual Exercises of Ignatius n.230-237. See also Timothy M. Gallagher, OMV, *The Examen Prayer. Ignatian Wisdom for Our life Today*. (New York: The Crossroad Publishing Company, 2006), 29-41. I am not elaborating these prayers here but I am just using them as frame.

extend God's goodness, etc. In a time of growing solidarity on a global scale, says Elizabeth Johnson, work for justice is stimulated by the Spirit of Jesus, for whom the neighbor's good has an incomprehensible value, commensurable with the love of God poured out upon them.¹⁷² Seeing God in every creature is thus the basis of human dignity and leads to happiness. Josien Folbert refers to human dignity as *compassion* in a Muslim perspective. Thus, Muslims view every creature as a bearer of God's spirit 'because God blew his spirit into his creation'. Hence, "acknowledging the ever presence of this spirit, irrespective of how low the bearer has fallen, is for me the basis of human dignity and human rights."¹⁷³ The love of neighbor that commands inclusive care and responsibility, becomes translated in the search of structural justice. It challenges structure and any agent that exploits, takes advantage of the defenseless. A child soldier does not lose her/his dignity, neither do the perpetrators of child recruitment and use. What is needed is a formation of persons and societies focused of combatting the ongoing mis-development, lack of accountability and will to foster a common good capable of reversing the current fate of children in the Congo

¹⁷² Elizabeth A. Johnson, *Quest for the Living God. Mapping Frontiers in the Theology of God* (New York: Continuum International Publishing Group, 2007), 46.

¹⁷³ Jerald D. Gort, Henri Jansen, Hendrik M. Vroom, eds., *Religion, Conflict and Reconciliation* (New York, Amsterdam, Editions Rodopi, 2002), 381.

Practical Responses for The Common Good

The question I focus on here is who bears the duty to realize the common good and how can they respond more efficiently to end the issue of child recruitment and use?

As we have seen, there are many social actors that intervene in the question of child recruitment and use. It is all those actors who are the respondents to the duties of forbearance, provision of goods, and protection. They are the State, the International Community (international protection), the families and communities of the child victim, the victims themselves, etc.

Given the limit and the weakness of the strategy of the Rehabilitation Center and Demobilization Process that have been used over the years, there is need for serious evaluation and strengthening the areas where it is needed.

At the State/government level: (1) the government's DDR program has lost credibility of the community and the victim children as well. This strategy appears to be a copy of something which has worked elsewhere and has become like a universal standard which does not integrate the local context. Thus, there is need of a more integrated method, i.e., to integrate the children and their families and communities in the process of evaluation and identification of their real needs. This means, the need to take into account the beneficiaries of the program, including the specific needs of the girls soldiers.¹⁷⁴ (2) Also, there is need of not focusing only on the victim (former combatants) but also on their dependents: children and women. (3) *Funds management.*

¹⁷⁴ Brett and Irma Specht, *Young Soldiers. Why They Choose to Fight*, 100.

Funds are often misappropriated, thus there is need to create an *Independent financial oversight board for the DDR plan*. (4) *Partnership with other actors*. The need to increase the community level sensitization activities tailored to local populations; this means partnership with church leaders, traditional leaders, and other stakeholders to educate communities on the Demobilization program and process, the reconciliation with the child victim perpetrators. (5) Establish a third-party monitoring and evaluation mechanism to oversee the DDR strategy. (6) *land management*. There is a great need of working on the issue of land management and vote clear national laws in this regard. (7) *Balanced treatment of children*. There is need of considering other children in the communities of reintegration by providing social infrastructures such as schools, hospitals, recreation facilities, etc. to avoid appearance of the rescued and reintegrated children to be privileged children against others who remained in the villages, while all they are in need. Ignoring this, would foster discrimination and the rejection of former child combatants. (8) There is a real difficulty of identifying children among adults due of lack of identity cards or birth certificate; thus, the need to organize constant birth registration in all the territories of the country; (9) *Education system*: there is need to introduce Human Rights and Peace education in school programs and train the teachers in this respect; (10) *Initiate the reform of the Congolese justice system*: make it more independent and efficient in forming all the prosecutors (civil and military) and all the related agents on the Code of Child Protection. (11) *Fully collaborate with the ICC and facilitate demobilization*: children are hidden by the perpetrators: facilitate free access of accredited independent child protection agents to military and police sites and unities, including the presidential guards (Republican guards); (12) *The unsatisfied*

soldiers tend to form new armed group: dialogue with the various armed groups and respond to their claims if necessary; reinforce the security in the villages; (13) identify and offer regular decent pay to all the military, the police and the paramilitary forces; (14) Secure the mining areas and initiate a professional mining system of exploitation and trade; (15) There is a common saying that “*educating a woman is educating a nation.*” We have seen that girls are under-documented and under-cared for; thus, there is need of a special and more comprehensive strategy for the girl soldiers given their particular challenging situation. (16) Stop rewarding military officers or former rebels or militia commanders who have used children with positions in the government.

To the International Community. (1) The main cause as we saw of child recruitment and use remains the constant insecurity fueled also from outside forces. Thus, there is need to put pressure on the Ugandan and Rwandan governments to stop backing the armed groups. (2) *Counter funds misappropriation*: release the funds on the basis of the progress on the ground to counter misappropriation and continuously monitor the DDR process to avoid corruption and lack of capacity to achieve the expected results. (3) *Reconciliation of Hutu and Tutsi in Rwanda*: We have seen that part of the problem of security instability is due to the conflict in Rwanda between the Hutu and the Tutsi; thus, there is imperative need to encourage or even facilitate a reconciliation process in Rwanda between Hutu and Tutsi. (4) It is known that *Impunity encourages violence*: provide the needed funds to the government but make sure that all the suspected perpetrators of child soldier recruitment and use are held responsible and they face justice. This means, in other words, not favoring the impunity of the authors of war

crimes, make sure nobody who has used children remains unpunished and integrated into the national forces.

To families and communities. War, conflict, child abduction, affect everything, including relationships, and nothing remains as before: everything change. I call the community or the families: (1) to be open to dialogue with the rescued children, receive them with tolerance, acceptance and care, and treat them with patience, compassion and solidarity;

(2) Send the children to school and collaborate fully with DDR program; (3) Pay attention to the various needs of the children, especially girls who, most likely, and even culturally, happen to be more vulnerable; (4) *Listening to heal*: give space and let the reintegrated children freely talk, tell their stories without holding back any emotion and listen accurately to them and be attentive to their emotions; (5) Identify the cultural contributing factors of child recruitment and use and let them together with culture or other beliefs be challenged by the Human Rights discourse, especially the rights of the child.

To the actors of child protection: One of the functions of religion is to “offer people security by giving them something to hold on to beyond ordinary reality.” In this regard, “religions are called to help defuse the disagreements and heal the ruptures that destabilize the planet and diminish our common humanity.”¹⁷⁵ I suggest therefore, (1) to draw from religious wisdom to complete the language of rights in their everyday struggle and raising awareness on child protection. This means, to explore the richness of themes such as compassion, solidarity, human dignity, love of neighbor, sacredness

¹⁷⁵ Gort, *Religion, Conflict and Reconciliation*, 9.

of life, common good, etc. In other words, the Congo is more than 75% Christian and in dealing with the question of child abuse, these themes of human dignity, sacredness of life, the life of the ancestors, love of neighbor, solidarity with the most vulnerable, etc. make sense in peoples' minds and life. Even traditional religions as well as Islam, that we mostly find in Maniema Province, also share these same values. (2) We have seen that child recruitment and use renders a child victim and guilty perpetrator, or even stranger to her/his community, thus there is need to establish or promote more a restorative justice than a retributive justice based on reconciliation between all the involved parties (child victim and perpetrator, the family and the communities), i.e., restore dignity, move from *innocent-victim-approach* to *responsibility-based-reparation-approach*.¹⁷⁶ In this way, the child recognizes her/his crimes and takes responsibility for them, even symbolically by a sincere apology, works of repentance in the service of the community or restitution if possible. (3) I believe, moreover, given the testimony of the rescued children, that there is something wrong with those adults who recruit and use children; and so, there is need to initiate, spiritual, psychological, medical or mental actions and care in their favor. Their actions/crimes damage not only the children and the community, but also subsequently themselves: they become estranged from their essential selves and no longer know who they are and neither does their community. To counter this, one could draw from Ignatian spirituality, and I suggest the *Examen* and the *Contemplation of God's love* (see Spiritual Exercise n.230-

¹⁷⁶ Restorative justice focuses on the harm caused by crime: repairing the harm done to victims and reducing future harm by preventing crime. It requires offenders to take responsibility for their actions and for the harm they have caused. It seeks redress for victims, recompense by offenders, and reintegration of both within the community. It is achieved through a cooperative effort by the communities and the government. (see Van Ness and Heetderks Strong, *Restorative Justice*, 2nd Edition, (Cincinnati, OH: Anderson, 2002), 50.

237). The aim is to help the victim and the perpetrator to reflect on their life, to rediscover God in themselves and in everything, to rediscover their place and their expected role in the world, and learn in return to love again and produce acts of love.

(4) organize actions and formation on peace and reconciliation not only for the different families of the rescued children but for their entire community. (5) the fitting follow up: lack of a well-structured follow up fragilizes the result of reintegration. (6)

Formation of entrepreneurship: The Congo is among the countries where holding school degrees is not a guarantee for job, so people need to get empowered in entrepreneurship skills for better self-reliance and sustainability.

General Conclusion

Can we build a world free of child abuse, recruitment and use? More specifically, can we dream or build a Great Lakes region, a Congo free of child soldiers' recruitment and use? Yes, we can but how? These have been the background working questions throughout this thesis. We all believe that the future of every human society lies in its young members who, perpetually, renew and continue the life of the ancestors. The future of a human society, thus, depends of how it treats its young generations. This work addressed the danger the Great Lakes region is facing, especially the Congo that has and is still resorting on the use of children, exposing them to constant violence and death by recruiting and using them in armed conflict and even on battlefield. I advocated for a Congo free of child soldiers. The achievement of such a Congo entails the adoption of a new way, methodology of dealing with child soldier recruitment and use. I suggested a move toward a more holistic methodology which, not only focuses on the language of human rights, a language which is moreover limited; but which encompasses, religious and African tradition wisdom. I drew mainly on few themes from the Roman Catholic Social Teaching, notably human dignity, solidarity, love of neighbor, option for the poor, etc., and on African wisdom of *ubuntu* theology.

In chapter one, I looked at the situation of child recruitment and use in the Great Lakes region considering its sociopolitical context. It showed how the socio-historic-political context in this region offers a fertile field for the emergence of child recruitment and use given the lack of peace among communities and nations. This

issue of peace and instability started already since colonization and leaders have failed to reconcile communities and states for various reasons. Relations between States are not sincere and true. The second chapter considered the key underlying factors of this criminal phenomenon in the Congo. I showed that child recruitment is today a reality in the Great Lakes region, in general and particularly in the Congo, where it started late in 1996. This situation is, in one way, a result of a reversal of scale of values regarding the protection of the most vulnerable noncombatants during war and conflict. The ancient and traditional standards of sparing the weak are simply ignored and so, make the children the target. Light weaponries industries are also factors, besides poverty, escalation of civil wars, misuse of some beliefs and ideologies, crises of leadership, hunger for power and domination, etc. This chapter also pointed out the suffering inflicted to the recruited children turning them into killing machines, exposing them to hazardous conditions of life and thus, preventing them access to a fitting and thorough preparation for a full leadership, human and professional skills for the development of their society, etc. I showed that in the context of Africa, the harm done to children has incredible implications to their communities: the living, the dead and the yet to born.

The third chapter considered the ideologies, beliefs and attitudes behind child recruitment and use. It also pointed out the keys actors and the profit that is driving the whole systemic enterprise. The Eastern Congo is the most affected given its geopolitical situation in the Great Lakes region which has been facing security instability for decades. The big and primary beneficiaries, demonstrated this chapter,

are the armed groups' leaders as well as commanders and all the associated forces together with some Congolese officers.

Yes, this challenging and complex criminal reality, critically analyzed in the three first chapters, cannot remain nevertheless without actions and initiatives that counter it, given the level of danger to the growth and development of the society and the flourishing of the human person, especially the young generations, future of the society. That is why the fourth chapter considered the various responses and the ethical perspective of child recruitment and use. Responses have been initiated at both the international and the local level by private individuals and structures as well as by the State or government organizations. These responses are of various forms, notably legal and juridical, political, financial, and social. Progress has been made but still, for a more comprehensive and fitting response, there remains a lot to be done. This chapter suggested key ethical themes from the religious and African tradition wisdom that could be considered and integrated in any effort dealing with the question of child recruitment and use in the context of the Congo. Also, the chapter underscored practical responses for tackling, in a more fitting way, the issue of child recruitment and use in the Congo. These practical responses must be initiated at all the levels of the life of the community, such as structural, individual, international and local level, by creating a well-coordinated and structured network.

I learned from this thesis that the Great Lakes sociopolitical situation that gave rise to this unending sad, reality of targeting the children and thus, endangering the future, owes its current security challenges, in a way, from its colonial socio-economic-historical context and the leadership that followed the independence period. The most

key systemic factors of child recruitment and use are the rampant insecurity and the degradation of the social and economic fabric aggravated, for sure, by the hunger for power and wealth accumulation of leaders, resulting in a moral oblivion on their behalf and on behalf of the key actors. There are, in addition, ideologies, beliefs and attitudes internal to the culture, and related to the perpetrators and all involved agents which also, strongly, contribute to the spread of this criminal practice of child recruitment and use. Child recruitment does harm to the recruited children, to their families and the community of the living, the dead and the yet to born, and even to the perpetrators themselves. It renders children strangers, enemies to their own community. The perpetrators also are not spared from this strangeness related to the destructive aspect linked to any strange behavior, atrocities or acts committed by a member of a given community against his own community or its members. In such a situation, the victim, the perpetrator and the community need healing, and restorative justice fits well to bring about that healing. Children and their perpetrators lose their humanity, their self. They do not know who they have become; they have become alienated, they live a life of someone else. Thus, they become estranged from their essential self and they no longer know who they are. Agent alienated from their community, from God, and their deepest self. They have lost their wholeness, they are unable to see God in them and the other or in every dimension of their daily routine. Thus, they have lost the right direction, and they need change, conversion (*metanoia*), recovery of their true direction. I suggested the *Examen* and the *Contemplation of love of God* (seeing God in everything) from Ignatian spirituality as a pathway for that *metanoia*. This pathway helps to gain freedom from any excessive attachment, source of evil, including denying

humanity, dignity to the other. Moreover, I also learned that the common methodology of Demobilization, Disarmament and Reinsertion which is used to end child soldiers has shown its limits. It focuses more on the language of rights and fails to consider or to integrate the local context, including the victim and perpetrators' voice. I suggested that this methodology be completed by the religious wisdom especially the wisdom of the Catholic Social Teaching through some themes shared also with other religious traditions such as human dignity, solidarity, common good, love of neighbor, option for the poor, etc. This wisdom is completed with the one of African traditional wisdom such as *ubuntu* theology of Desmond Tutu, sacredness of life, etc. I believe that a family environment in the atmosphere of happiness, love, understanding, etc. guarantees the full and harmonious growth of the child and thus permits him to fully assume his responsibility within the community. Given the fact that the child soldier becomes victim and offender at the same time, reconciliation with him-self and with the community or the family offended becomes an imperative for a more sustainable and reconciled family environment marked by love and a peaceful cohabitation. The child's responsibility also must be recognized and envision restorative process which takes into consideration the interest and the dignity of both the victim and de offender. Equal dignity impels every conscious human being a duty to protect, care and provide. In the same vein and following Marcia J. Bunge I could affirm that to honor a claim [of caretakers] means diligently to care for children and for a world that, in the sight of God, does right by them, that does not diminish or destroy them, that gives them and us something of a just and generous peace.¹⁷⁷ Let us

¹⁷⁷ Marcia J. Bunge, ed. *Children, Adults and Shared Responsibility. Jewish, Christian, and Muslim Perspectives* (New York: Cambridge University Press, 2012). 98.

not dehumanize, not forget, not neglect, the children, remembering that when we love and protect the little ones, we follow in the footsteps of Jesus, the “sacrament of God”, who, when he wished to paint the picture of God’s kingdom, pointed on children.

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