

Combatting Child Soldiering: A Pernicious Form of Child Trafficking

Tom Lantos Human Rights Commission

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Thank you to the co-chairs of the Lantos Human Rights Commission for holding this important briefing. It's a pleasure to be here with my friend and collaborator, General Romeo Dallaire.

I've worked on the issue of child soldiers for nearly 20 years, and during that time have seen both positive and negative developments. Some of the good news is that since 2000, over 100,000 child soldiers have been released or demobilized from armed groups and forces, the number of countries where children are actively fighting has dropped by a third over the last 20 years, and at least 26 governments and armed groups have signed UN action plans to end their use of child soldiers.

But in some countries, the situation is becoming much worse. In Yemen, for example, the UN reported that the rate of child recruitment increased by five times in just one year. In Afghanistan, child recruitment doubled between 2014 and 2015. In South Sudan, at least 16,000 children have been recruited as soldiers in the three years since the most recent conflict erupted.

I'm going to focus my remarks today on the role of the United States in addressing the use of child soldiers. The US exerted leadership in 2002 by ratifying the UN treaty that prohibits the use of children in hostilities. After ratification, all four branches of the armed services immediately issued new rules to keep under-age soldiers out of combat. This has helped to set a positive example for other militaries worldwide.

Congress, to its great credit, decided to tackle the issue further in 2008, when it adopted the Child Soldiers Prevention Act. The principle behind the Child Soldiers Prevention Act is simple – foreign governments should not get US military assistance paid by US taxpayers if they use or support the use of child soldiers. The law applies to 6 categories of US military assistance, including foreign military financing, direct commercial sales, and foreign military sales.

The Child Soldiers Prevention Act sends a powerful message: If you want US military assistance, you can't use child soldiers. This legislation, first proposed by Senators Sam Brownback of Kansas and Senator Dick Durbin of Illinois, garnered strong bipartisan support and was signed into law by President George W. Bush.

The law requires the State Department to issue a list every year of governments involved in the use of child soldiers. Since the law came into effect in 2010, between 6

and 10 countries have been listed each year. Five have been listed every year since 2010: Burma, the Democratic Republic of Congo, Somalia, Sudan, and Yemen.

Under the Child Soldiers Prevention Act, we've seen several success stories, but poor implementation of the law has also resulted in many missed opportunities.

One success story is the Democratic Republic of Congo. At the height of Congo's war in the 1990's, an estimated 30,000 children were fighting on all sides of the conflict. The government had a long history of using child soldiers and even promoted military officers who were charged or convicted of using child soldiers to high-ranking positions. In 2011, the Obama administration announced that under the CSPA, it was withholding foreign military financing from Congo due to its use of child soldiers. The following year, the US announced that not only was it withholding foreign military financing, but it was also withholding training of a Congolese battalion until Congo signed an action plan with the UN to end its use of child soldiers. Until that point, Congo had been dragging its feet for seven years on signing the plan, but agreed to its terms just 5 days after the US announcement. Since then, recruitment of children by government forces has dropped to almost zero.

This example shows the potential of the law to effect change. But unfortunately, under the Obama administration, there have been many more missed opportunities. Over the past 7 years, President Obama use his authority to issue full or partial waivers to the law in 33 out of 43 cases, citing national interest. If given a waiver, countries continue to receive military assistance, even if they have done little or nothing to curb their use of child soldiers. Unfortunately, these waivers have become the norm, not the exception. The Stimson Center has estimated that in the first five years of the law, the administration authorized at least \$1 billion dollars to countries using child soldiers that would otherwise have been sanctioned under the law. In contrast, only \$35 million – a small fraction of what could have been sanctioned – was withheld due to child soldier use. Virtually the only countries that have gotten no waivers are those that receive no US military assistance anyway.

Going forward, we hope that Congress will insist that the administration use this law effectively for its intended purpose, and take advantage of its considerable leverage to help end the exploitation of children as soldiers around the world.

Thank you.