



SPECIAL BRIEFING:

CHILD SOLDIERS AND THE WEST ASIAN CRISIS

September 2001

»I handed him over to the school to learn the Qu'ran, not to handle guns. He is too young to fight in a war.« –father of 13 year old Maroof Ahmad Awan, sent by his local Jamia Islamia school to fight in Afghanistan in 1997¹.

Amidst intensive coverage of the terrorist attacks on New York and Washington and the west's preparations for a military response, there have been suggestions in the media that Osama Bin Laden's Al Qaida organisation may have recruited and trained children for military actions. CNN, for instance, carried archive footage purportedly taken from a training camp in which boys who appeared to be 10 or 11 were participating in military training exercises with Al Qaida fighters. Alongside these serious concerns, the current military crisis highlights patterns of child recruitment and use as soldiers by other forces likely to be involved in the conflict.

The Coalition to Stop the Use of Child Soldiers has monitored patterns of child recruitment in Afghanistan and Pakistan closely.² While it has not been possible to confirm reports of Al Qaida using children under the age of 18 as soldiers, their previous and continuing use by Taleban and United Front forces in Afghanistan and associated Islamist groups in neighbouring Pakistan is evident. Under these conditions the current military crisis could see

unprecedented levels of child recruitment and mobilisation. Also at risk in the west asian crisis are under-18s recruited into western military forces including United States and British militaries, both of which regularly deploy under-18s.

Context

Under-18 year olds have been used as soldiers by all warring factions throughout 20 years of resistance and civil war in Afghanistan. Two generations of Afghan children have been raised in a highly militarised 'kalashnikov culture': in schools both inside the country and refugee camps, textbooks and teaching methods have used images of tanks, guns and bullets in mathematics and reading classes. Some informal Islamic schools or *madrasas*, have emerged as centres for indoctrination and recruitment of young fighters.

Recruitment of children

The Taleban has in the past shown extreme sensitivity to reports that it uses child soldiers, and has strenuously denied such recruitment. Taleban representatives told a visiting Danish delegation in November 1997 that "all men aged over 18 can become soldiers" and that all recruitment is voluntary.³ In 1998, the

¹ Amnesty International, Children in South Asia: Securing their Rights; ASA 04/01/98; April 1998

² Coalition representatives conducted field research in Pakistan in November 2000.

³ Danish Immigration Service; Fact-finding mission to Afghanistan; July 1998; www.udlst.dk



Supreme Leader of the Taleban, Mullah Mohammad Omar, decreed that any followers who are too young and who are not yet growing a beard must leave his fighting militia. He warned that anyone violating this order would face severe punishment.⁴ While this directive relates recruitment to puberty and physical appearance in Islamic terms, it does not rule out the possibility of under-18 recruitment.

There have been many reports of children and adolescents being recruited by the Taleban. In 1999, after UNICEF warned that there were increasing numbers of child soldiers in the Taleban's ranks, the UN Secretary-General, Kofi Annan, made a report to the Security Council in which he noted that the "Taleban offensive was reinforced by 2,000 to 5,000 recruits, mostly emanating from religious schools within Pakistan, many of them non-Afghans and some below the age of 14".⁵ Again the Taleban reacted strongly to the claim, insisting on taking UN officials to the frontline to see that the claim was untrue. On 1 December 1999 Erik de Mul, the head of the UN's humanitarian mission in Afghanistan, visited the front-line and reported no evidence of children being used in combat; the only child he saw was a cook.⁶

But reports of child recruitment continued to emerge, particularly in connection with *madrasas* – religious schools in Pakistan – whose young Afghan refugee students became a main source of recruits for the Taliban when they first became party to the civil war in 1994 (the term *Taleban* signifies 'students'). As the conflict receded in Taleban-held areas recruitment has progressively taken place within Afghanistan, but the Taleban continue to draw recruits from networks of *madrasas* in Pakistan sponsored by various Islamist parties and groups. Where once these institutions were confined largely to the border regions, today they are spread throughout the country (even in urban centres of Punjab and Sindh) and draw beyond the Afghan refugee diaspora.

⁴ BBC News, »Row over Taleban child soldier claim«, 1 December 1999.

⁵ Report of the Secretary General to the UN Security Council on the situation in Afghanistan; UN Doc S/1994/994, 21 September 1999, paras 7 and 40.

⁶ Associated Press, »Taleban leader attacks UN report«, 30 November 1999; BBC News, »Row over Taleban child soldier claim«, 1 December 1999; Associated Press, »UN sees no Afghan child soldiers«, 1 December 1999.

Taleban representatives have claimed that recruitment occurs only on a voluntary basis, in the traditional style of *lashkar* or tribal militias whereby local mullahs and shura heads deliver rousing speeches to attract recruits. Individual commanders are responsible for recruiting soldiers, paying and maintaining them in the field. Soldiers are reportedly not paid beyond their keep and there is no set length of service, with considerable rotation amongst family members. Soldiers are also reportedly free to leave their units, although anyone that deserts in combat could face detention or flogging. The Deputy Governor of Jalalabad said there was no actual enrolment or central roll of soldiers, but that commanders know who is in their units.⁷

However, UN sources indicate that recruitment is not always voluntary. A Danish fact-finding mission in 1997 was told that local communities were ordered to select and supply a given number of able-bodied men for recruitment, or to buy exemption for the equivalent of USD 200-300 per person.⁸ An Afghan aid worker based in Pakistan reported in 1999 that "each land-owning family was required to provide one young man and 2.4 million Afghans (about USD 500) in expenses. Each draftee can expect to spend two months fighting every 6 to 12 months."⁹ In January 1997 the Taleban reportedly faced a revolt over forcible recruitment in Kandahar, Wardak and Paktia provinces, with Taleban recruiters killed or driven out of villages.¹⁰ According to some NGO staff in Pakistan, no girls have been recruited by the Taleban, but there have been reports of forced marriage of girls from Shamali and Mazar.¹¹

The madrasa system

Many *madrasas* are legitimate, informal educational institutions, serving poor students with few alternative educational opportunities. But some networks of *madrasas* are run by

⁷ Ibid; see also Danish Immigration Service, op cit.

⁸ Danish Immigration Service, op cit.

⁹ South China Morning Post, »Young Men Flee to Avoid Taleban Conscription«, 4 May 1999.

¹⁰ Rashid, A., *Taleban: Militant Islam, Oil and Fundamentalism in Central Asia*, UK; 2000.

¹¹ Information provided to Coalition by reliable sources in Pakistan who requested anonymity.



different religious sects, political parties and factions affiliated to warring factions in Afghanistan, Jammu and Kashmir – and potentially dissident or 'terrorist' organisations active further afield. In February 2000, Pakistan's Interior Minister claimed that only »one per cent« of *madrasas* in Pakistan sent their students for military training in Afghanistan.¹²

But the Pakistan Government has recognised the problem, particularly as *madrasas* feed neighbouring conflicts as well as sectarian violence in Pakistan itself. In April 2000, the Interior Minister warned that sectarian parties were »spreading poison« and »polluting the minds« of children: »All their *madrasas*, inappropriate literature, weapons and their activities will be stopped.« The Pakistan Government began work on a law to regulate and monitor these schools, and the establishment of a Religious Education Board was mooted. But these moves were expected to falter in the face of fierce opposition from that religious parties that had similarly blocked a tightening of the blasphemy laws. Through its administration of *zakat tithes* the Pakistan Government has been an important conduit of financial support to the *madrasas*, but many of the schools have independent sources of income through their links to international Islamist networks.

Military recruitment in Afghanistan is often cyclical, with large scale recruitment drives associated with significant defeats or major offensives and the turn of the seasons. In 1998 the UN Special Mission in Afghanistan estimated that the Taliban and United Front (Northern Alliance) have a typical strength of 30-40,000 fighters on each side; both can mobilise approximately 80-100,000 soldiers during crisis periods but these levels are difficult to sustain.¹³ For instance, Samiul Haq, a Taliban supporter who runs a network of large *madrasas* in Pakistan, boasted that many of his students had joined the Taliban after its defeats in the north in May 1997.¹⁴ In November 2000, reliable sources with access to the northern areas informed the Coalition to

Stop the Use of Child Soldiers of a major new recruitment drive in the Panjshir Valley and Badakshan as the military position of United Front forces worsened in the face of a major Taliban offensive.¹⁵ Given these patterns the current military crisis, with impending attacks by western forces and the assassination of United Front commander Ahmed Shah Masood, could see unprecedented levels of conscription and mobilisation.

Madrasas sponsored by networks which support the Taliban periodically close (eg for holidays) and send students for military service – presented as a form of *jihad* and, therefore, part of their religious obligation and education. Many of these students return after one or two months 'experience' and are not used on the frontline but rather to police urban centres and checkpoints, thus freeing more experienced manpower for the front. (It has been suggested that this is one reason journalists and other visitors observe an apparently higher incidence of child involvement in Taliban forces).¹⁶

Amnesty International reported one such case of a man who filed a petition in the Sindh High Court in Karachi, Pakistan, after his 13-year-old son was reported missing while studying in the local Jamia Islamia school. The father accused the principal of the school of having sent his son to fight in Afghanistan without consulting the parents. The school finally admitted that the young boy left to fight in Afghanistan, supposedly of his own volition. One month later the boy returned saying "I was persuaded to go to Afghanistan by the *nazim* of the school". Some 600 other juveniles were reportedly taken in buses to Afghanistan on the same day. The father withdrew his petition after the Pakistan police registered a criminal case, although no investigation or arrests were made.¹⁷

Foreign groups and neighbouring conflicts

Throughout the resistance to the Soviet Union and subsequent civil war, many Afghan factions were joined by fighters from Wahabbist networks in countries of the Middle

¹² Baruah, A.; The Hindu, »Pakistan bans display of arms«, 17 February 2000.

¹³ Danish Immigration Service; op cit. Current figures are difficult to estimate.

¹⁴ The Dar ul-Uloom in Pakistan's North West Frontier Province and the Jamia Uloomul-Islamiya in Karachi; Rubin, B.R.; »Who are the Taliban?«, Current History, February 1999.

¹⁵ Information provided to Coalition representatives, November 2000.

¹⁶ Ibid.

¹⁷ Amnesty International, Children in South Asia: Securing their Rights; ASA 04/01/98; April 1998



East and North Africa and sometimes even further afield. Osama Bin Laden, for instance, was reported to have brought a brigade of 400 fighters from various countries to Afghanistan during 1999.¹⁸ Many of these fighters have also subsequently been inducted into armed groups fighting in the secessionist conflict in neighbouring Jammu and Kashmir. This transnational recruitment has been one of key factors behind the current compact between Bin Laden and the Taleban (and by extension, some would argue, Pakistan's intelligence services).¹⁹

There are reportedly also connections between Afghan factions and armed groups fighting in neighbouring countries. Child soldiers were used extensively by both sides during the civil war in Tajikistan, and there have been reports of cross-border recruitment by the United Front forces of Ahmed Shah Masood.²⁰ The Islamic Movement of Uzbekistan has reportedly received training in Afghanistan and includes boys under 18 in its ranks.²¹ Russian military sources claimed on 11 September 2001 that Chechen rebels receiving training in Kunduz and Balkh provinces included many children aged 15 to 17.²²

While little information is available, most foreign recruits are likely to be older, having received higher levels of indoctrination and training and sometimes served previously in Afghanistan, Kashmir or other conflicts.

Children are also less likely to be used in highly sensitive and cross-border operations by armed groups. Armed groups fighting in Jammu and Kashmir, for instance, might identify prospective recruits at the age of 15 or 16 (often from poor and disadvantaged families), but they are generally over 18 by the time they infiltrate Indian-controlled Kashmir or engage in operations, given the high value of such cadres after they have received sophisticated training.²³ In May 1999, Reuters reported on 250 young recruits at a Lashkar-e-Taiba camp in Pakistani-controlled Kashmir: »The training is divided into three stages: 21

days of small weapons training, wilderness skills and fitness. The boys are then sent home, where they are monitored by party elders to see if they are spiritually and physically fit enough to continue.«²⁴ This pattern was confirmed by Kashmir government sources who reported only a few instances of teenage infiltrators being intercepted as they crossed the line of control.²⁵ In April 2000, however, Kashmir's first suicide bomber turned out to be just 18 years of age.²⁶

For their part, the government armed forces of Pakistan and India both recruit volunteers at 16, but claim there is no deployment before 18 due to extended training periods.

Child recruitment by western powers

The use of child soldiers is not confined to the developing world or countries wracked by armed conflict. In no less than 13 of the 19 NATO members, national legislation permits the recruitment of under-18s into military forces. Of the five permanent members of the UN Security Council, only Russian legislation does not permit recruitment below age 18.

The United States of America accepts volunteers from the age of 17 years and until now has deployed 17 year olds in operations such as the Gulf War, Somalia and Bosnia. The United Kingdom accepts voluntary recruits from age 16; there are currently 6000-7000 under-18s in the British armed forces. The UK is also the only European country which routinely sends under-18s into combat, including during the Gulf War. In the current crises, the youngest sailor with the Royal Navy task force now heading for Oman a 17 year old girl.²⁷

Both the United States and the United Kingdom have signed (but not yet ratified) the new Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, but it remains to be

¹⁸ Rashid, A; Daily Telegraph, »Taleban ready for decisive push,« 22 July 1999.

¹⁹ See for instance Rashid, A; Taleban: Militant Islam; op cit.

²⁰ Reliable source who requested confidentiality.

²¹ Ibid

²² Interfax News Agency, 11 September 2001.

²³ Information gathered by Coalition in Pakistan, November 2000.

²⁴ Reuters, »Pakistani Holy Warriors Kill for Islam«, 2 May 1999.

²⁵ Kashmir Government representative's statement at Asia-Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000.

²⁶ Radda Bamen, Children of War newsletter, 2000.

²⁷ BBC News, UK Task force youngster 'ready' for battle, 26 September 2001.



seen whether this will bring any change to current policies.

International standards

The new Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted by the UN General Assembly in May 2000, *prohibits governments and armed groups from using children under the age of 18 in hostilities; bans all compulsory recruitment of under 18s; and raises the minimum age and requires strict safeguards for voluntary recruitment.*

Article 4 of The Optional Protocol also provides: *»armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.«* It requires States Parties to take *»all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalise such practices.«*

Pakistan announced it would sign the Optional Protocol during the UN General Assembly Special Session on Children in September 2001.²⁸ This event was postponed in the current crisis, and the status of Pakistan's commitment remains unclear.

UN Security Council, in its resolutions 1261 and 1314 on children and armed conflict, called for concerted international action, including by regional groupings, to stop the use of children as soldiers. In his report to the Security Council in August 2000, the UN Secretary General called upon Member States *»to consider taking measures to make any political, diplomatic, financial, material or military assistance for State or non-state parties to conflict contingent on compliance with international standards that protect children in armed conflict.«* While the UN Special Mission on Afghanistan has reported on human rights violations against children, the UN Security Council has not to date addressed this aspect in its resolutions on Afghanistan.

²⁸ Communication from Ministry of Foreign Affairs to the Coalition to Stop the Use of Child Soldiers, August 2000.

The Organisation of the Islamic Conference (OIC), in Resolution 16/9-C on Child Care and Protection in the Islamic World adopted in Dohar, Qatar in November 2000, called for *»the non-involvement of [refugee] children in any armed conflict and not to enlist them in the armed forces or for any other actions which may expose their personal safety and security to danger«*. It called for *»the convening, at the earliest possible date of the Ministerial Conference on the Child and Social Affairs, and commission[ed] the Secretary General to make the necessary consultations with the member states in this connection, particularly those which have outstanding expertise in this field.«*

Two major conferences organised in Asia and the Middle East by the Coalition to Stop the Use of Child Soldiers issued strong political declarations against the military recruitment of children in each region. The Kathmandu Declaration of May 2000, inter alia, called upon *»Asia-Pacific States and States outside the Region to use their influence to bring pressure to bear on any government or armed group which recruits or uses children as soldiers by refraining from providing them, whether directly or indirectly, with arms, military equipment, training, personnel, safe haven, and other measures including bringing such use to public attention and making leaders accountable for their actions«*. The Amman Declaration of April 2000 called on states of the region to *»criminalise«* the recruitment and use of child soldiers and *»not to supply small arms or light weapons to any government or armed group which recruits or uses children as soldiers, and to take steps to prevent individuals and companies from doing so.«*

Recommendations

To UN Security Council

- integrate specific measures for child protection into its political actions on Afghanistan, including by incorporating action to stop child recruitment;



- Task the UN Special Mission on Afghanistan with monitoring the recruitment of children and deploy child protection advisers with any future UN peacekeeping or humanitarian operations;

To all governments

- End all political, financial and material support, including by private networks and institutions, to armed forces and armed groups that recruit and use children for military purposes;
- Sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
- Ensure there is no deployment of under-18s with military forces involved in response to the current crisis;
- Take all feasible measures to prevent the recruitment of children by armed groups within domestic jurisdiction, making such recruitment a criminal offence;
- Support donor action in Pakistan to regulate the madrasa system and bolster education and employment opportunities, particularly for vulnerable children in refugee diaspora and tribal areas;
- Convene the foreshadowed OIC Ministerial Conference on Child and Social Affairs to develop a comprehensive plan of action for child protection in the current crisis;

- Grant refugee status to children under 18 fleeing persecution in Afghanistan including possible military recruitment;

To the Government of Pakistan

- publicly denounce the use of children as soldiers or operatives by all armed forces and armed groups;
- sign and ratify the Optional Protocol without reservations and take effective steps to criminalise underage recruitment by non-state actors and prosecute those responsible;
- deploy police to monitor *madrasas* during the current situation, particularly any signs of closure and movement of students;
- introduce comprehensive legal standards for *madrasa* schools including public registration by age of all students and strict prohibition on all military training and recruitment;
- grant refugee status and protection to children under 18 fleeing persecution in Afghanistan, including military recruitment;
- restrict the movement of children under 18 out of Pakistan unless accompanied by their guardians and for an verifiable civilian purpose.

Coalition to Stop the Use of Child Soldiers, September 2001.