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Crianças Soldado

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Sobre Crianças Soldado Crianças Associadas com Forças Armadas ou Grupos Armados Definições

O Conceito de Criança Soldado baseado no "Cape Town Principles" (1997)

"Child soldier" in this document is any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks, porters, messenger and anyone accompanying such groups, other than family members. The definition includes girls recruited for sexual purposes and for forced marriage. It does not, therefore, only refer to a child who is carrying or has carried arms."

Fonte:

Cape Town Principles and Best Practices on the Recruitment of Children into the Armed Forces and on Demobilization and Social Reintegration of Child Soldiers in Africa (1997) – UNICEF (p. 8)

[http://www.unicef.org/emergencies/files/Cape_Town_Principles\(1\).pdf](http://www.unicef.org/emergencies/files/Cape_Town_Principles(1).pdf)

"Para os propósitos de programas de desarmamento, desmobilização e reintegração, a UNICEF define como "criança soldado" qualquer criança – menino ou menina – abaixo dos 18 anos, a qual faz parte de qualquer tipo de força armada, tanto regular quanto irregular ou grupo armado em qualquer competência, incluindo, mas não limitado à: cozinheira, carregadora, mensageira e qualquer um que acompanhe esses grupos a não ser de suas famílias. Isso inclui meninos e meninas recrutados para fins de exploração sexual e/ou casamento forçado. A definição, portanto, não somente se refere a uma criança que esteja portando armas ou que já o tenha feito."

(Baseado no "Cape Town Principles", 1997). (UNICEF, Factsheet, Child Soldiers)".

Fonte:

Buscando soluções para a questão das crianças-soldado na República Democrática do Congo (2013) - IX Fórum FAAP de Discussão Estudantil (p. 9)

http://www.faap.br/forum_2013/pdf/CDH.pdf

O Conceito de Crianças Associadas com Forças Armadas ou Grupos Armados baseado no "The Paris Principles" (2007)

"DEFINITIONS

For the purpose of these Principles

2.0 "Child" refers to any person less than 19 years of age in accordance with the Convention on the Rights of the Child.

2.1 "A child 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, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.

2.2 "Armed forces"² refers to the military institution of a State with a legal basis, and supporting the institutional infrastructure (salaries, benefits, basic services, etc),

2.3 "Armed groups" refers to groups

distinct from armed forces as defined by Article 4 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

2.4 "Recruitment" refers to compulsory, forced and voluntary conscription or enlistment of children into any kind of armed force or armed group".

Fonte:

The Paris principles: the principles and guidelines on children associated with armed forces on armed groups (2007) – Unicef (p. 7)

<http://www.unicef.org/emerg/files/ParisPrinciples310107English.pdf>

Child soldier/ Children associated with armed forces or groups:

"Any child – boy or girl – under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including, but not limited to: cooks, porters, messengers, and anyone accompanying such groups other than family members. It includes girls and boys recruited for forced sexual purposes and/or forced marriage. The definition, therefore, does not only refer to a child who is carrying, or has carried, weapons. (UNICEF definition based on the 'Cape Town Principles', 1997) More recently, however, practitioners use the term '**children associated with armed forces or groups**' to dispel a commonly held view that combatant boys are the only children that are concerned."

Fonte:

Definitions of select child protection terms (2010) – Unicef (p. 7)

http://www.unicef.org/protection/conceptual_clarity_definitions_-_28_Jan_2010_-_clean_1.doc

A child associated with an armed force or armed group is any person under 18 years of age who is part of any kind of regular or irregular armed force or



Foto de: UNICEF-NYHQ2008-0231-Cranston

armed group in any capacity – including, but not limited to, combatants, cooks, porters, messengers and anyone accompanying such groups, other than family members. The definition includes girls recruited for sexual purposes and for forced marriage. The term “child soldier” is discouraged as it does not accurately reflect the range of roles in which boys and girls are recruited and used for military purposes, and for whose release UNICEF advocates.

Fonte:

Acedido em 23 de Julho de 2013 no Site da Unicef Child Recruitment by Armed Forces or Armed Groups

http://www.unicef.org/protection/57929_58007.html

What is CABAC?

"Children affected by armed conflict" (CABAC) is a very broad category referring to the various groups of children that are adversely affected by armed conflict. There is no single universally agreed upon definition of the term, which has been used in various ways. The Movement's 1995 Plan of Action on Children Affected by Armed Conflict promoted the principle of non-recruitment and non-participation in armed conflict of children under 18, but CABAC does not refer only to child soldiers. Children are the victims of serious violations of international humanitarian law, including recruitment into armed forces and armed groups. They are also

victims of the indirect consequences of armed conflict and violence, suffering both physically and mentally. In times of war or armed violence, children are at high risk of either losing their loved ones to death or being separated from them. Children and their families are often forced to relocate and move from place to place to escape conflict. Many children witness violence or themselves suffer violence or abuse. Children's educational development is often interrupted. CABAC has also been used to describe a school-based psychosocial programme as well as its accompanying manual. In this report, CABAC is used to refer to children and young people who directly or indirectly suffer the consequences of armed conflict or armed violence. CABAC activities cover a wide range: nationwide campaigns aimed at promoting applicable law, instruction in humanitarian values and life skills, activities specifically targeting children living in high-risk communities, initiatives addressing the psychosocial needs of children, social reintegration programmes for children released from armed forces or armed groups, and so on".

Fonte:

Children affected by armed conflict and other situations of violence (2011) - International Committee of the Red Cross (p. 9)

<http://www.icrc.org/eng/resources/documents/publication/p4082.htm>

Atividades realizadas por crianças soldado

"As atividades realizadas pelos meninos-soldados são variadas. São enviados aos campos de batalha, lutando juntamente com soldados adultos, matando e sendo mortos sem qualquer distinção. Também são utilizados para fazer e testar campos minados. Realizam tarefas domésticas, como colher frutos ou cozinhar alimentos, além de serem abusados sexualmente pelos adultos. Podem ainda ser mensageiros, atravessando fogo cruzado para levar informação de um lado para o outro.

Pode-se especular sobre os motivos de se utilizarem crianças como soldados. Um deles seria o fato de conflitos armados internos tenderem a exterminar os jovens. Como normalmente tais conflitos ocorrem em países pobres, notadamente africanos, onde praticamente não há controle de natalidade e a expectativa de vida é baixa, a quantidade de crianças é alta e a de velhos, baixa. Outro motivo vem da própria natureza das crianças: como ainda estão em processo de desenvolvimento e formação de suas individualidades e caráter, obedecem com facilidade aos adultos, além de serem inseqüentes, exatamente o que os exércitos recrutadores querem.

No processo, as crianças transformam-se em vítimas e também em algozes, tendo as suas individualidades, ainda em formação, completamente violentadas. Transformam-se em seres sem autonomia, sem passado – já que sofrem verdadeira lavagem cerebral por seus recrutadores –, sem presente – já que não têm qualquer controle sobre suas ações – e sem futuro – pois a



Foto de: UNICEF_Eric_Kanalstein

vida passa a ser vivida no dia após dia, sem qualquer expectativa voltada para o futuro, sem sonhos, sem objetivos, somando-se ao fato de a qualquer momento serem mortos. Transformam-se em seres disciplinados, completamente controláveis e controlados: em outras palavras, são transformados em corpos dóceis".

Fonte:

Conflitos armados e vítimas: da necessidade de se preocupar com elas para uma maior efetividade da proteção dos direitos humanos (2008) – Dissertação de Mestrado de Jan Yuri Figueiredo de Amorim (p. 49-50)

<http://repositorio.unb.br/handle/10482/2446>

The Six Grave Violations

"Children are affected by armed conflict in many different ways. In order to advance the goal of protecting children during armed conflict and ending the impunity of perpetrators, the United Nations Security Council identified six categories of violations – the so-called six grave violations.

They serve as the basis to gather evidence on violations and include:

Killing or maiming of children;

War is, and has always been, a dangerous place for children. Many girls and boys are killed and maimed during conflict. The changing nature of conflict and the use of landmines and unexploded ordnances also pose a particular threat to children.

Changing nature of conflict putting children at risk

The humanitarian principles of distinction and proportionality require fighters to distinguish between combatants and

civilians, and they prohibit civilian damage beyond the scope of military advantage. However, in current warfare, this principle is eroding among armed forces and groups because of the changing nature of conflict. Children are often killed and injured in the course of military operations, including in cross-fire, aerial bombardment and shelling.

Another worrisome trend is the rise in suicide attacks, and the use of children to carry them out, that lead to the death or serious injuries of children.

Landmines and unexploded ordnances
Although thousands of children are injured and killed during military operations, many are also victims of landmines and unexploded ordnance.

Prohibition under International law

The right to life and the prohibition of killing and maiming civilians are principles enshrined in humanitarian law, human rights treaties, and jurisprudence. With Security Council resolution 1882 (2009), the Council defined patterns of killing and maiming of children in contravention of international law as a trigger for the Secretary-General's annual list of shame.

Recruitment or use of children as soldiers;

Hundreds of thousands of children are used as soldiers in armed conflicts around the world. Many children are abducted and beaten into submission, others join military groups to escape poverty, to defend their communities or out of a feeling of revenge.

Combat and support roles

In many conflicts children take direct part in combat. However, their role is not limited to fighting. Many girls and boys start out in support functions which also entail great risk and hardship. One of the common tasks assigned to children is to serve as porters, often carrying

very heavy loads including ammunition or injured soldiers. Some children act as lookouts, messengers, cooks and implement other routine duties. Girls are particularly vulnerable and are often forced to serve as sexual slaves. Moreover, the use of children for acts of terror, including as suicide bombers has emerged as a phenomenon of modern warfare.

A long healing process

Regardless of how children are recruited and of their roles, child soldiers are victims, whose participation in conflict bears serious implications for their physical and emotional well-being. They are commonly subject to abuse and most of them witness death, killing, and sexual violence. Many are forced to perpetrate these atrocities and some suffer serious long-term psychological consequences. The reintegration of these children is a very complex process.

Prohibition under International Law

Recruiting and using children under the age of 15 as soldiers is prohibited under international humanitarian law – treaty and custom – and is defined as a war crime by the International Criminal Court. Furthermore, human rights law declares 18 as the minimum legal age for recruitment and use of children in hostilities. Parties to conflict that recruit and use children are added by the Secretary-General in his annual list of shame.

Sexual violence against children;

Sexual violence is increasingly a characteristic of conflict and is often perpetrated against girls and boys in a rule of law vacuum. In some instances sexual violence has been used as a tactic of war designed to humiliate a population or to force displacement.

Devastating consequences

Children who experience sexual violence suffer from long-term psychological

cal trauma, health consequences including transmitted infections such as HIV/AIDS and early pregnancies. Their reintegration is even a greater challenge as communities often stigmatize girls who have been associated with armed groups and are suspected of having been raped.

Young mothers of babies born of rape often stay with the armed group because of the family ties and dependency that have evolved over time and to avoid social stigma in the communities at home. These girls and their children are particularly vulnerable to all forms of exploitation including prostitution and trafficking and need special protection.

Sexual violence and boys

Boys are also victims of sexual violence in conflict. For example, in Afghanistan the practice of Baccha Baazi (dancing boys), remains a widespread phenomenon. It is a form of sexual slavery and child prostitution in which boys are sold to wealthy or powerful men, including military and political leaders for entertainment and sexual activities.

Another aspect that tends to be underestimated is the trauma boys face as witnesses or perpetrators of sexual violence. They may be forced to commit rapes either directly by their commander or indirectly through peer pressure.

Prohibition under International Law

Rape and other forms of sexual violence against children are human rights violations, and may amount to grave breaches of international humanitarian law. If committed as part of a widespread or systematic attack against a civilian population, sexual violence can constitute war crimes and crimes against humanity under the Rome Statute of the International Criminal Court.

Under Security Council resolution 1882 (2009), the Council designated sexual violence committed against children as

a critical priority and called on parties to armed conflict to prepare and implement action plans to address the violation. Sexual violence is also a trigger for the Secretary-General's list of shame of parties to conflict committing grave violations against children in armed conflict.

Attacks against schools or hospitals;

Schools and hospitals must be zones of peace, where children are granted protection even in times of conflict. Yet, there is an increasing trend of schools and hospitals being attacked with detrimental effects on children.

Direct impact of conflict

Apart from the direct and physical damage to schools and hospitals, conflict can result in the forced closure or the disrupted functioning of these institutions. Children, teachers, doctors and nurses are also subject to threats by parties to conflict if suspected, for example, to support the other party to the conflict. Also of great concern is the use

of schools for military purposes, as recruitment grounds and polling stations.

Indirect impact of conflict

Some armed groups are opposed to secular and girls' education, or to girls being treated by male medical personnel and subsequently hamper access to these services. A general climate of insecurity as a result of conflict also prevents children, teachers and medical personnel from attending school or seeking medical assistance. Parents, for example, may find it too risky to send their children to school in a volatile security situation, or children may be denied timely access to hospitals because of checkpoints and roadblocks.

Prohibition under International Law

Under international humanitarian law, both schools and hospitals are protected civilian objects, and therefore benefit from the humanitarian principles of distinction and proportionality. Direct physical attacks and the closure of these institutions as a result of direct threats have since 2011 been added as



Foto de: UNICEF-Olivier-Chassot

Denial of humanitarian access for children;

Humanitarian access is crucial in situations of armed conflict where civilians including children are in desperate need of assistance. Denial of humanitarian access entails blocking the free passage or timely delivery of humanitarian assistance to persons in need as well as the deliberate attacks against humanitarian workers.

Reasons of denied or hampered access

It is estimated that in today's conflicts around the globe, 80 millions of children are denied humanitarian assistance. Access can be denied or hampered by parties to conflict for security or political reasons. In many parts of the world, humanitarian assistance is sometimes

interrupted because of ongoing fighting.

Prohibition under international law

Denial of humanitarian access to civilians including children and attacks against humanitarian workers assisting children are prohibited under the 4th Geneva Convention and its Additional Protocols and may amount to a crime against humanity and a war crime. Moreover, it is a principle in customary international law.

Abduction of children.

In times of conflict, children are abducted from their homes, schools and refugee camps. Child abduction often leads to other violations against children such as forced labour, sexual slavery and recruitment. Many children also get traf-

ficked across borders. Parties to conflict have used this practice in systematic campaigns of intimidation and reprisal against civilian populations.

Prohibition under International Law

Abducting children against their will and the will of their adult guardians, either temporarily or permanently, is illegal under international law. It may constitute a grave breach of the Geneva Conventions and amount to a crime against humanity and a war crime".

Fonte:

Acedido em 31 de Julho de 2013 no Site do Office of the Special Representative of the Secretary-General for Children and Armed Conflict

<http://childrenandarmedconflict.un.org/effects-of-conflict/the-most-grave-violations/>

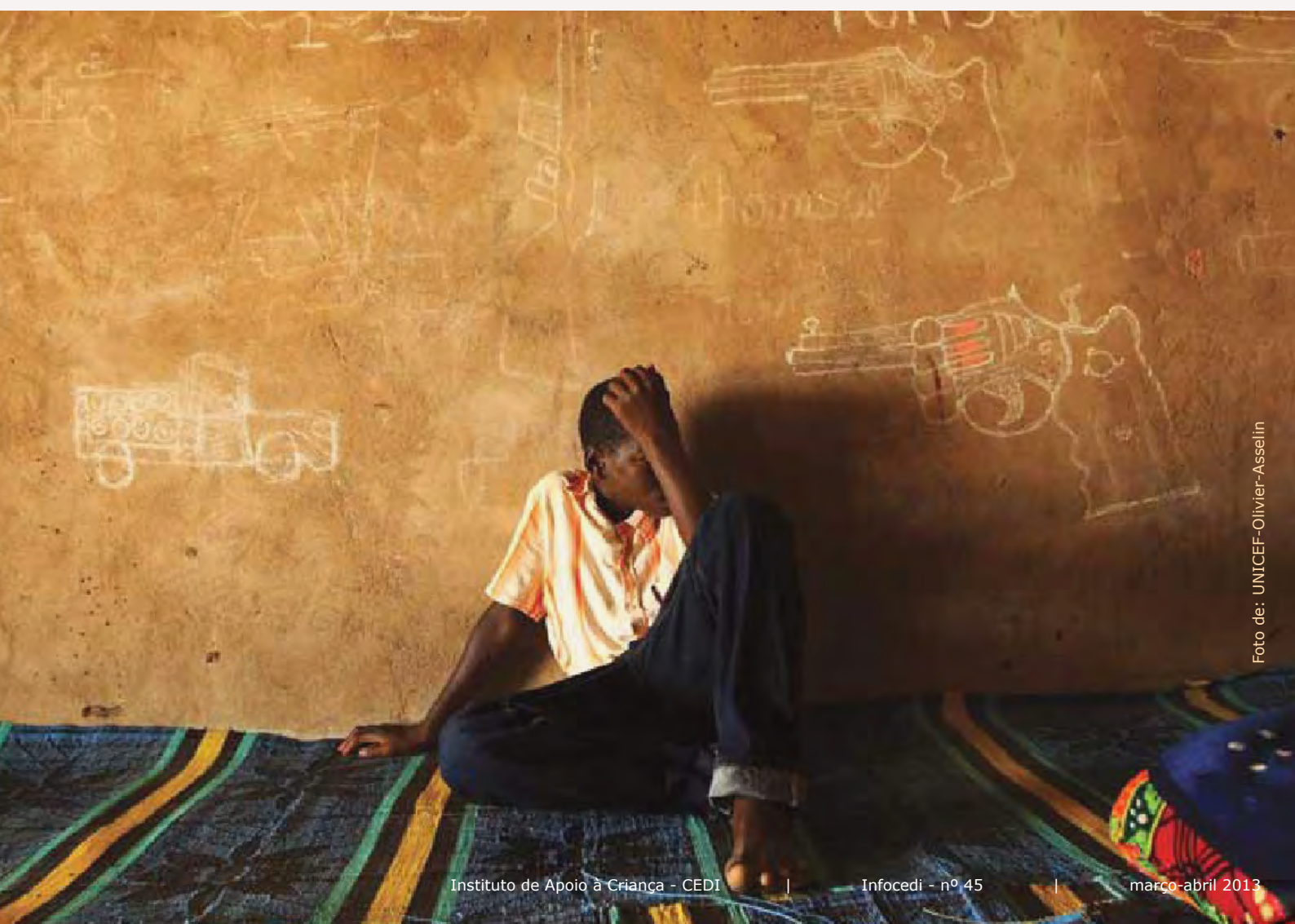


Foto de: UNICEF-Olivier-Asselin

Sobre Crianças Soldado / Criança Associada com Forças Armadas ou Grupos Armados recomendamos os seguintes documentos:

triggers for the Secretary-General's list of shame.

The Arms Trade Treaty and its implication for preventing child soldiers - a preliminary assessment (2013) - Publicação da Coalition to Stop the Use of Child Soldiers: "The ATT sets as its object the establishment of international standards for the regulation of the international trade in conventional arms and prevent the illicit trade of these arms and their diversion (Article 1). The categories of conventional arms are spelled out in Article 2 and, of particular relevance for the prevention of the recruitment and use of child soldiers, are the "small arms and light weapons". It also covers categories of ammunitions (Article 3) and parts and components (Article 4)".

http://www.child-soldiers.org/research_report_reader.php?id=658

Children and armed conflict Report of the Secretary-General (2013) - Relatório das Nações Unidas : "The present report, which covers the period from January to December 2012, is submitted pursuant to Security Council resolution 2068 (2012), by which the Council requested me to continue to submit annual reports on the implementation of its resolutions and presidential statements on children and armed conflict".

http://www.un.org/ga/search/view_doc.asp?symbol=S/2013/245

Les enfants accusés de crimes internationaux : d'une justice hétérogène à une homogénéité des théories et des pratiques (2013) - Tese de Doutorado de Kokouvi Dodzi Luc Akakpo : "La question de la pertinence de la poursuite juridique des enfants pour crimes internationaux soulève une querelle doctrinale. Par ailleurs, les procès de droit pénal des enfants établissent des précédents jurisprudentiels controversés. Le tout met en exergue une vision bipolaire de la problématique des enfants soldats : les partisans de l'approche punitive mettant l'accent sur le comportement criminel des mineurs et la protection des communautés contre ceux de l'approche réhabilitative, préconisant la réinsertion et la réadaptation des jeunes contrevenants. Notre thèse est une critique de cette vision dichotomique. La forme punitive de la justice traditionnelle ignore les effets des peines plus sévères sur les enfants trouvés coupables de crimes graves, et les conséquences pour les enfants soldats des séjours dans les prisons pour grands criminels de guerre. Nous soutenons que les mécanismes de rétribution isolent et aliènent les enfants soldats. Critique de la voie répressive, cette thèse est aussi une sérieuse censure de la politique qui privilégie la démobilisation et l'intégration des enfants, encourageant du coup l'impunité des enfants. Nous proposons de dépasser le débat bipolaire et d'offrir une solution médiane : une approche qui ne punit pas les enfants soldats, mais qui ne les déresponsabilise pas complètement non plus. Nous sommes d'avis que cette solution est ancrée dans la justice restaurative".

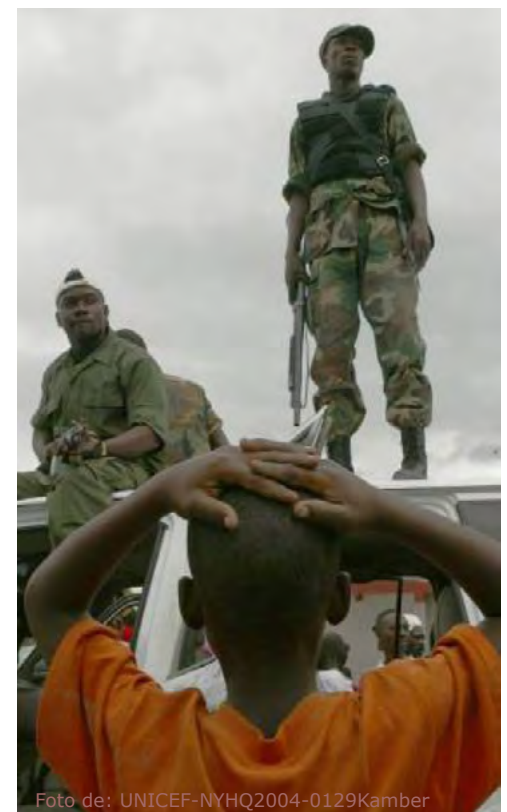
<http://hdl.handle.net/10393/23683>

Child Soldiers: A Handbook for Security Sector Actors (2012) - Publicado pela The Roméo Dallaire Child Soldiers Initiative: "This training manual aims to highlight and reinforce the various roles that security sector actors (i.e. military, police and peacekeepers) can play in protecting all children affected by war. In particular, it focuses upon national and international military and police forces who, by accident or design, are in direct contact with child soldiers in the field. This handbook serves as a resource to accompany in-class training and simulations developed by the Initiative".

<http://www.childsoldiers.org/files/handbook.pdf>

War-Affected Children: a comprehensive bibliography (2012)- Publicado pela Manitoba Education

<http://www.edu.gov.mb.ca/k12/docs/support/law/bibliography.pdf>



No Place for Children : Child Recruitment, Forced Marriage, and Attacks on Schools in Somalia (2012) – Relatório da Human Rights Watch :

"This 104-page report details unlawful recruitment and other laws-of-war violations against children by all parties to the conflict in Somalia since 2010. The report is based on over 164 interviews with Somali children, including 21 who had escaped from al-Shabaab forces, as well as parents and teachers who had fled to Kenya".

http://www.hrw.org/sites/default/files/reports/somalia0212ForUpload_0.pdf

Louder than words: An agenda for action to end state use of child soldiers (2012) – Relatório da Child Soldiers International :

"The report 'Louder than words: An agenda for action to end state use of child soldiers' is published to mark the tenth anniversary year of the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. It examines the record of states in pro-

tecting children from use in hostilities by their own forces and by state-allied armed groups. It finds that, while governments' commitment to ending child

flicts by 20 states since 2010, and that children are at risk of military use in many more".

http://www.child-soldiers.org/global_report_reader.php?id=562

Report of the Special Representative of the Secretary-General for Children and Armed Conflict (2012) – Relatório das Nações Unidas :

"Covering the period from August 2011 to August 2012, the present report provides an overview of progress on the children and armed conflict agenda, followed by an account of new developments. Section II details progress made over the past year, including in efforts to combat impunity and to end the recruitment and use of children; the identification of good practices in the monitoring and reporting of grave violations against children; steps taken towards universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; the mainstreaming of

child protection within the United Nations system; collaboration with child protection partners; and awareness-raising. Section III highlights emerging



The EU supports education projects for children in conflict.
ec.europa.eu/echo/EU4children



soldier use is high, the gap between commitment and practice remains wide. Research for the report shows that child soldiers have been used in armed con-

issues of concern and opportunities for ensuring the protection of conflict-affected children, focusing on three themes: the prevention of recruitment and use of children by armed forces and groups; the development of further co-operation with regional organizations on the children and armed conflict agenda; and the challenge posed by explosive weapons, in addition to possible avenues for tackling that challenge. The report concludes with a set of actionable recommendations on the protection of children affected by conflict for the attention of the General Assembly”.

<http://www.refworld.org/docid/50a0cfcc2.html>

Child Soldiers: A Handbook for Security Sector Actors (2012)

- Publicado pela The Roméo Dallaire Child Soldiers Initiative : “Throughout the past few years, this Initiative has consulted with numerous academic partners, field practitioners, and military men and women to design the most comprehensive handbook for military and police on the phenomenon of child soldiering to date. Our work has shown that the training of security sector actors changes attitudes, which

in turn change behaviours and actions, allowing uniformed personnel to identify and counteract recruitment tactics and better protect children at risk. This requires innovation and collaboration by all concerned”.

<http://www.childsoldiers.org/files/handbook.pdf>

A Construção Social das Crianças-Soldado: representações e dilemas dentro do marco regulatório da ordem internacional do Pós-Guerra Fria (2012)

- Dissertação de Mestrado de Luisa Café Figueiredo Façanha : “A presente dissertação pretende investigar o processo de construção social das crianças-soldado com o objetivo de analisar criticamente a formação de um discurso dominante que autoriza representações

e narrativas centradas, sobretudo, na necessidade de proteção dos meninos e meninas envolvidos nos conflitos armados contemporâneos. A emergência do discurso será compreendida como constitutiva da estrutura normativa da ordem internacional do Pós-Guerra Fria, visando revelar as tensões produzidas e reproduzidas pelas narrativas e consequentes representações sobre tais crianças”.

http://www.maxwell.lambda.ele.puc-rio.br/Busca_etds.php?strSecao=resultado&nrSeq=19380@2

Estatuto da criança em contexto de conflito armado (2011)

- Artigo de Ana Paula Pinto Lourenço (p. 43-81) : “Neste texto pretende avaliar-se em que medida os princípios da CDC encontram eco nos instrumentos internacionais de DIDH e, mais especificamente, de DIH, quando se trate de crianças que se encontrem envolvidas nos conflitos armados como participantes, isto é, como «crianças-soldado». Trata-se, em suma, de verificar, nesta dicotomia, se a comunidade internacional faz prevalecer a sua qualidade de criança, ou de soldado”.

http://www.academia.edu/1930464/Estatuto_da_crianca_em_contexto_de_conflito_armado_a_crianca_soldado

The hidden crisis: Armed conflict and education (2011)

- Relatório da Unesco : “Violent conflict is one of the greatest development challenges facing the international community. Beyond the immediate human suffering it causes, it is a source of poverty, inequality and economic stagnation. Children and education systems are often on the front line of violent conflict. The 2011 Global Monitoring Report examines the damaging consequences of conflict for the Education for All goals. It sets out an agenda for protecting the right to education during conflict, strengthening provision for children, youth and adults

affected by conflict, and rebuilding education systems in countries emerging from conflict. The Report also explores the role of inappropriate education policies in creating conditions for violent conflict. Drawing on experience from a range of countries, it identifies problems and sets out solutions that can help make education a force for peace, social cohesion and human dignity”.

<http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2011-conflict/>

Child Soldiers as the Opposing Force (2011)

- Relatório da Nato/OTAN: “The war on terrorism is an example of asymmetrical warfare: an armed conflict in which the conventional armed forces of one party, which uses regular means, is opposed by an unconventional enemy using irregular means. A very sad example of the unconventional enemy is the child warrior, sometimes exploited as a suicide terrorist, other times recruited and trained in a very cruel tradition of local warlords.

Based upon frontline observations and two case studies of mental health problems stemming from confrontations with child warriors, the root cause of the moral dilemma in this confrontation is analysed. By transactional analysis of a parental role, an adult role and a childhood role in the theatre of war it appears that war has its attraction, next to its very dark and disgusting sides. From the intrinsic conflict between the childhood role and the adult role in war it appears that the demarcation between the two roles is not only determined by age, but also by maturity, which increases fast by the increase of wartime experiences”.

[http://ftp.rta.nato.int/public/PublicFullText/RTO/TM/RTO-TM-HFM-159/\\$\\$TM-HFM-159-ALL.pdf](http://ftp.rta.nato.int/public/PublicFullText/RTO/TM/RTO-TM-HFM-159/$$TM-HFM-159-ALL.pdf)

The role and effect of small arms in

the recruitment of child soldiers in Africa: can the international law be strengthened? (2011) – Dissertação de

Mestrado de Hans Awuru Anykame :

"The proliferation, use and misuse of small arms have devastating impact on children in general and child soldiers in particular. Some of these consequences include death, injuries, development of a culture of violence, hindrance to education, health and development, psychological imbalance, long term trauma, separation from families, family displacement, instilling in them terrorist ideas, and above all, rendering the children to be recruited as child soldiers. These impacts have been recognised internationally but efforts to control small arms and efforts to protect children have remained separated. Thus the child soldier phenomenon has demonstrated the importance of linking their recruitment to small arms initiatives".

http://etd.uwc.ac.za/index.php?module=etd&action=viewtitle&id=gen8Srv25Nme4_5815_1365584973

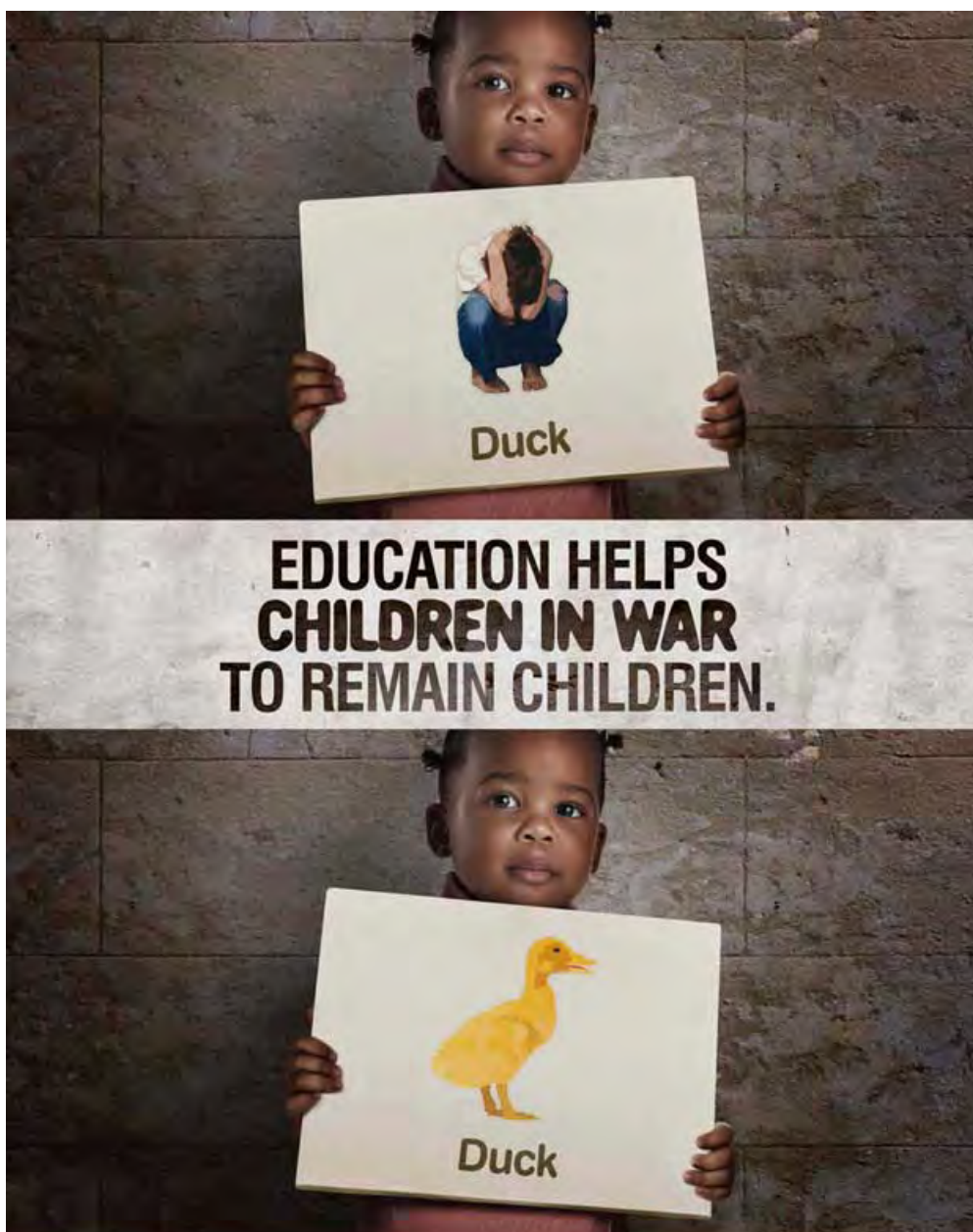
Figures d'enfants soldats. Vulnérabilité et puissance d'agir (2011) - Dissertação de mestrado de Sylvie Bodineau : "Ce mémoire porte sur la pro-

publique Démocratique du Congo. Dans la lignée des travaux anthropologiques sur l'intervention humanitaire, à partir de l'étude des discours des acteurs

des interventions contenus dans les documents qu'ils produisent, cette recherche vise à connaître les figures de l'enfant soldat pour mieux en appréhender les significations. Y sont explorés les valeurs et enjeux des interventions, les représentations du phénomène et les programmes et politiques préconisés pour y répondre. En ressortent un certain nombre de facettes, allant de la vulnérabilité inhérente à la figure de victime sur laquelle se fonde l'intervention de protection, à une certaine puissance d'agir consacrée par une approche basée sur les droits; ces facettes sont solidaires des figures de l'enfance marquées par une diversité à l'image de la diversité de l'intervention".

<http://www.theses.ulaval.ca/2011/28331/28331.pdf>

Les enfants-soldats et la justice transitionnelle : les impératifs d'imputabilité face à l'intérêt supérieur de l'enfant



The EU supports education projects for children in conflict.
ec.europa.eu/echo/EU4children



tection des enfants dans le cadre de l'intervention humanitaire et de l'aide au développement, plus précisément sur le cas des enfants soldats en Ré-

(2011) – Dissertação de Mestrado de Karine Bolduc : “L'objectif de ce mémoire sera d'évaluer les mécanismes les plus appropriés pour tenir responsables les enfants-soldats ayant perpétré des crimes internationaux. Bien qu'il faille d'abord et avant tout considérer les enfants-soldats comme des victimes, il appert qu'il soit dans leur intérêt supérieur d'être imputables de leurs actes lorsque les crimes qu'ils ont commis sont d'une gravité incommensurable. Notre recherche traitera donc des obligations des États au regard de la lutte contre l'impunité, des droits des victimes et des droits des enfants en période transitionnelle. L'intérêt supérieur de l'enfant-soldat sera au coeur de notre analyse”.

<http://www.archipel.uqam.ca/3966/1/M11981.pdf>

The grossest of human indecencies : The horrible option : generic guidelines for the use of force against child soldiers in peace operations (2011) – Artigo de Francisco Leandro

http://comum.rcaap.pt/bitstream/123456789/2651/1/The-GrossestofHumanIndecencies_FranciscoLeandro.pdf

La protección del niño en los conflictos armados por el derecho internacional humanitario. Los niños soldados (2011)

– Artigo de José Luis Rodríguez-Villasante y Prieto : “El Derecho Internacional Humanitario determina una protección especial para personas particularmente vulnerables como los niños en los conflictos armados. Se protege al niño como miembro de la población civil y se le otorga una protección especial en los conflictos armados internacionales e internos. Se prohíbe reclutarlos, alistarlos y que participen directamente en las hostilidades y, conforme al Protocolo Facultativo a la convención de los Derechos del Niño de 2000, se eleva la edad hasta los 18 años. La Corte Penal



Foto de: ONU-Olivier Chassol

Internacional se encuentra investigando y presuntos responsables de crímenes de guerra cometidos contra los niños en África. Se tipificaron en el Código Penal español de 1995 los "Delitos contra las personas y bienes protegidos en caso de conflicto armado" y por Ley Orgánica 5/2010 se ha mejorado la protección penal de la infancia, incriminando el reclutamiento y participación directa de los niños menores de 18 años en los conflictos armados”.

<http://www.uam.es/otros/afduam/pdf/15/Jose%20Luis%20Rgez.pdf>

Child soldiers - and other children associated with armed forces and groups. Policy brief (2010) – Documento da Save the Children : “This brief outlines:

- Why children are recruited by armed groups
- How to prevent the targeted recruitment and use of children
- How children affected by armed conflict can be reintegrated
- The actions that must be taken

<http://resourcecentre.savethechildren.se/sites/default/files/documents/1538.pdf>

Transitional Justice and Youth Formerly Associated with Armed Forces and Armed Groups: Acceptance, marginalization and psychosocial adjustment (2010) – Documento da Unicef :

“To support true healing of war-affected populations, including children formerly associated with armed forces and armed groups, transitional justice efforts must attend to the often lasting psychosocial consequences of war in the post-conflict environment. We use key informant and focus group interviews (2002, 2004) to examine the war and post-war experiences of youth, with particular attention to the reintegration experiences of former child soldiers. We found that war-affected youth continued to struggle with a number of issues that thwart their desires and efforts to fulfil their life ambitions, including limited school access, economic instability, social isolation and stigma. Young people were better able to navigate daily stressors when endowed with individual agency and perseverance and surrounded by robust family and community supports. Our findings support the need to adopt a broader view of transitional justice to meet the needs of war-affected children and families, particularly former child soldiers. A developmental view of the impact of war experiences on children is needed that includes advocacy for investments in social services to monitor and support healthy family and community reintegration over time”.

<http://www.unicef-irc.org/publications/614>

Prosecuting International Crimes against Children: The legal framework (2010) –

Documento da Unicef : “States in post-conflict situations are faced with extremely difficult choices as they try to find the right balance between judicial and non-judicial means to improve accountability for crimes committed during the conflict and to contribute to national reconciliation. These choices are made on the basis of the specific circumstances of each state. Nevertheless, due consideration should be given to the duties imposed on states by international law. This paper presents a short overview of the obligations of states under international law to prosecute persons accused of genocide, war crimes, crimes against humanity, torture and enforced disappearances, specifically focusing on crimes against children. It also reviews international norms regarding children who may be accused of having participated in the commission of such crimes themselves - for example, as child soldiers - and identifies some outstanding questions regarding their criminal responsibility for such acts”.

<http://www.unicef-irc.org/publications/610>

The reintegration of female child soldiers : fact and fiction (2010) –

Dissertação de Mestrado de Charlotte V. Reed : “The use of child soldiers is one of the most universally condemned human rights abuses in the world, yet an estimated 300,000 children are currently believed to be fighting in over 30 conflicts around the globe. Due to their relative naiveté and malleability, children are forced to play numerous roles as child soldiers; including that of porters, cooks, fighters on the front line and sex slaves. While many of these children die before they are released others escape, are rescued or are returned by their captors. These children then face the daunting task of reintegrating into society. Despite the broad nature of the issue, and its huge individual and societal impacts, relatively little is known about child soldiers, their time in service and their experience of reintegration. What little research is available focuses almost exclusively on male child soldiers. Despite this, female child soldiers make up an estimate 30% of all child soldiers and, due to their gender specific experiences, often face greater challenges in reintegration”.

<https://repository.library.georgetown.edu/bitstream/handle/10822/553887/reed-Charlotte.pdf?sequence=1>

Girls and Boys at War: Child Soldiers in International Law (2010) –

Dissertação de Mestrado de Elin Hedkvist : “The recruitment, enlistment and use of children younger than fifteen to participate actively in hostilities is prohibited in customary international law as well as in several international legal instruments. The use of child soldiers is, despite of the prohibition, a widespread phenomenon with 300 000 as the estimated number of child soldiers in national armies as well as in various rebel and insurgent groups in the world today. Although the problem is worldwide; most recent focus have been on Africa where children have served and still serve in ongoing conflicts in various functions including but not limited to front line soldiers, messengers, guards and sex-slaves. Many of the world’s child soldiers are girls that are facing the risks of sexual abuse and discrimination. In this thesis the 1996-2002 civil war in Sierra Leone will serve as an example of a conflict were children were used as soldiers”.

<http://urn.kb.se/resolve?urn=urn:nbn:se:oru:diva-9453>

Child Soldiers in Northern Uganda: An Analysis of the Challenges and Opportunities for Reintegration and Rehabilitation (2010) –

Tese de Doutorado de Arthur Bainomugisha : “The level of brutality and violence against children abducted and



Foto de: UNICEF

forcefully conscripted by the Lord's Resistance Army (LRA) in northern Uganda pricked the conscience of humanity. The suffering of the people in northern Uganda was described by Jan Egeland, the former United Nations Under-Secretary for Humanitarian Affairs, as 'the biggest forgotten humanitarian crisis in the world'. This study is primarily concerned with the plight of child soldiers in northern Uganda and how their effective reintegration and rehabilitation (RR) could lead to successful peace-building. The study is premised on the hypothesis that 'the promotion of the RR of former child soldiers by providing psychosocial support based on traditional and indigenous resources may contribute to conditions of peace and stability in northern Uganda.' The main contribution of this research is that it explores the relevance of psychosocial support based on the traditional and indigenous resources to the RR of child soldiers and peacebuilding of war-torn societies".

<http://hdl.handle.net/10454/5284>

How to Reintegrate Former Girl Soldiers in African Countries Back to their Societies (2010) – Dissertação de Mestrado de Neda Farsad: "Studies show that 40 percent of existing child soldiers are girls. In order to make and sustain peace in war-affected countries, it is important to ensure that all members of a community, including women and girls, are reintegrated successfully. Failure of successful reintegration of former girl soldiers may result in a collapse back into war. This research attempts to find current gaps in reintegration programs for girl combatants. Numerous research papers, related articles, and filed studies have been consulted. This thesis proposes that women involved in rebel forces are a microcosm of what is happening in society. Therefore, in order to have a successful reintegration program, it is important to receive direct

feedback from these girls so the programs can be implemented successfully in the society".

<http://hdl.handle.net/10402/era.27892>

Machel Study 10-Year Strategic Review: Children and conflict in a changing world (2009) – Publicação da Unicef

: "The 1996 Machel Study challenged the world to recognize that "war affects every right of the child." This follow-up report analyses the progress – and challenges – of the subsequent decade. More than 40 UN agencies, non-governmental organizations and academic institutions – along with children from nearly 100 countries – contributed to this review, which was co-convened by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF. The Strategic Review is part of ongoing advocacy efforts to bring the issues of children in conflict to the forefront".

http://www.unicef.org/publications/index_49985.html

The Six Grave Violations against Children during Armed Conflict: The Legal Foundation (2009) – Documento do Office of the Special Representative of the Secretary-General for Children and Armed Conflict : "The six grave viola-

tions against children during times of conflict, enumerated by the Security Council in its resolutions, form the basis of the Council's architecture in protecting children during war. Monitoring and Reporting mechanisms set up around the world use this framework to gather evidence of grave violations against children in reporting to the Council. This Working Paper attempts to analyse the six grave violations more deeply, exploring their basis in international law. In doing so, we hope to bring clarity to the issues concerned and to strengthen the arguments of child protection partners as they confront these violations in their field of work".

http://childrenandarmedconflict.un.org/publications/WorkingPaper-1_SixGraveViolationsLegalFoundation.pdf

Children in war (2009) – Documento da International Committee of the Red Cross : "This brochure examines the risks faced by children caught up in armed conflict, the steps taken by the ICRC to address their specific needs, and the rules of law defined to protect them".

http://www.icrc.org/eng/assets/files/other/icrc_002_4015.pdf



Foto de: UNICEF-HQ01-0093-Stevie Mann

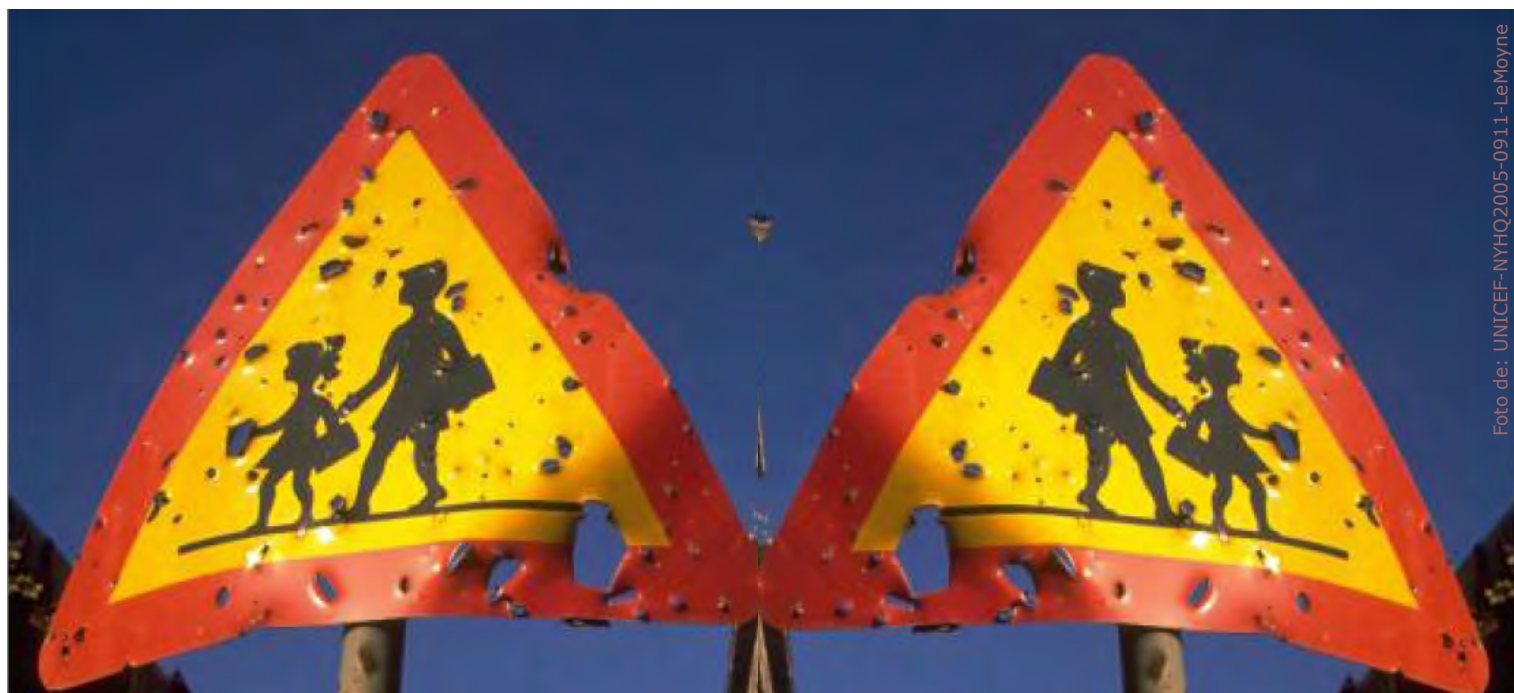


Foto de: UNICEF-NYHQ2005-0911-LeMoyne

Livret illustré sur l'interdiction de l'utilisation d'enfants soldats en RDC (2009) – Publicação da Coalition to Stop the Use of Child Soldiers: "Ce livret illustré présente, de manière conviviale, les lois nationales et internationales interdisant le recrutement d'enfants et qui sont en vigueur dans la République démocratique du Congo (RDC). Le livret a été publié et imprimé en octobre 2009 en français, swahili et lingala, et des milliers d'exemplaires ont été distribués à nos partenaires en protection de l'enfant à des fins de formation, sensibilisation et plaidoyer. Cet outil s'est avéré être si utile qu'il a dû être réimprimé en 2011, puis à nouveau en 2012".

http://www.child-soldiers.org/francais_report_reader.php?id=632

As Vozes de Ex-Crianças Soldado Reflexões Críticas sobre o Programa de Desarmamento, Desmobilização e Reintegração das Nações Unidas (2009) – Dissertação de Mestrado de Jana Tabak: "Tendo como referenciais teóricos o instrumental do campo de resolução de conflito e a discussão feita por Michel Foucault em Vigiar e Punir, esta

dissertação tem por objetivo verificar a relação entre o programa de Desarmamento, Desmobilização e Reintegração (DDR) desenvolvido pela ONU e a percepção das ex-crianças soldado acerca do processo de transição à vida civil no pós-conflito armado".

http://www.dominiopublico.gov.br/pesquisa/DetalheObraForm.do?select_action=&co_obra=167547

Child soldiers: an end in sight for Africa? (2009) – Dissertação de Mestrado de Karen Joy Meyer: "This paper discusses the problem of child soldiering, specifically the child soldiering occurring on the continent of Africa. It gives a detailed overview of all aspects of child soldiering and the conflicts involving child soldiers in African countries. This paper explores the push-pull factors that lead children to become child soldiers. It follows these child soldiers from life within the armed group to life upon leaving the armed group, where upon these children enter rehabilitation centers, and finally seek reintegration back into society. It also looks at the

reasons for some of the conflicts involving child soldiers, pointing out how part of this crisis stems from colonialism. This paper also asks the question of how to stop this crisis, and examines what developed nations are doing to stop child soldiering while claiming that the ultimate responsibility for the issue lies within Africa".

<http://purl.umn.edu/59923>

The criminal accountability of child soldiers in the light of armed conflict (2009) – Dissertação de Mestrado de Windell Nortje: "It is estimated that there are over 300 000 child soldiers in the world today, with children serving in at least 11 armed conflicts across the world.¹ Child soldiers have served in recent and ongoing conflicts in Africa, Asia and Central and South America.² Although often seen as victims, child soldiers have committed atrocious crimes. The question arises whether these children could be held accountable for the aforementioned atrocities. The various statutes relating to children's rights fail to establish a comprehensible description of a child as a perpetrator.³

International and domestic courts differ in their approach towards this sensitive situation”.

http://etd.uwc.ac.za/index.php?module=etd&action=viewtitle&id=gen8Srv25Nme4_4135_1365584342

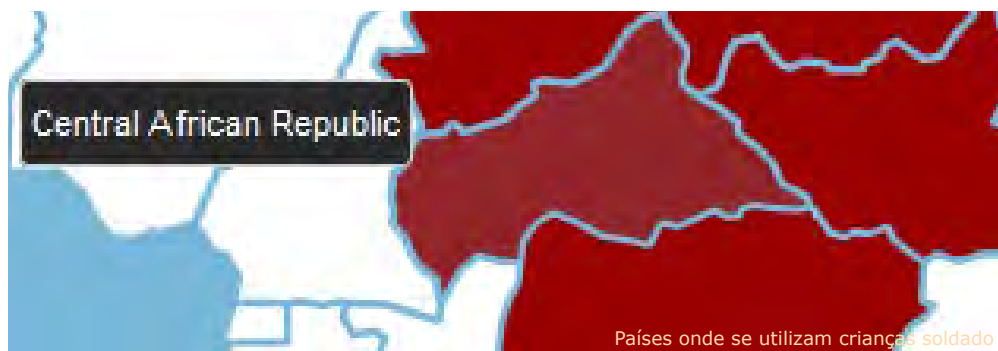
Good Intentions, Little Effect: International Norms and the Use of Child Soldiers (2009)

– Dissertação de Mestrado de Mbungu Grace Kageni : “The continued use of child soldiers is testimony that the presence of international norms alone is ineffective in protecting children because conditions within sovereign states to enlist often supersede international norms. In a period of fewer than fifteen years, two international treaties specifically designed to protect children were adopted by the United Nations General Assembly: the Convention on the Rights of the Child (1989) and its Optional Protocol on the involvement of children in armed conflict (2002). Despite these actions, the recruitment and use of child soldiers in wars and conflicts continues to take place globally in many countries and territories. This work examines the challenges to the development, implementation, and enforcement of the Optional Protocol to the CRC on the involvement of children in armed conflict”.

http://rave.ohiolink.edu/etdc/view?acc_num=bgusu1256696958

Monitoring & Reporting Mechanism on Children and Armed Conflict (2008)

– Relatório da Watchlist on Children and Armed Conflict: “In July 2005, the United Nations Security Council (UNSC) unanimously adopted Resolution 1612. In addition to calling for other important measures to protect children, the Security Council requested that the Secretary-General establish a mechanism to monitor and report on violations of children’s rights in situations of armed conflict. Still in its infancy, the United Nations-led Monitoring and Reporting



Mechanism (MRM) has met with notable achievements in a relatively short amount of time. Since 2005, interagency Taskforces on monitoring and reporting have been formally established in at least eleven countries, and the Security Council Working Group on Children and Armed Conflict (SCWG-CAAC) has used the information submitted by the MRM to issue conclusions on the situations of armed conflict in seven of these countries. The implementation of the MRM is an important step in improving the protection of children affected by armed conflict. However, some surmountable challenges remain. In an effort to address these challenges, Watchlist on Children and Armed Conflict undertook a global study on monitoring and reporting and the implementation of the MRM between July and November 2007”.

<http://watchlist.org/global-study-on-the-implementation-of-the-un-led-monitoring-and-reporting-mechanism-mrm/>

Child Soldiers Global Report (2008)

– Relatório da Coalition to Stop the Use of Child Soldiers : “The report is published every three to four years. Its 197 country entries document military recruitment legislation and practice, and child soldier use in hostilities by governments and armed groups across the globe. Each entry documents methods of recruitment, who recruits and what roles children play. It also provides information on the treatment of child soldiers

captured by government forces and on disarmament, demobilization and reintegration (DDR) programs for child soldiers where these have been put in place. The report’s 25-page introduction contains an analytical overview of developments over the last four years as well as discussing core themes and policy directions.

The report shows that while substantial attention and resources have been devoted to child soldiers internationally, the results to date fall far short of what might have been expected in since the last report was published in late 2004. Child soldiers continue to be used in armed conflicts by some governments. Governments also use captured children for intelligence gathering, or detain them rather than supporting their rehabilitation and reintegration. A wide array of armed groups – with diverse aims, methods and constituencies – continue to use children as soldiers and they have proved resistant to pressure or persuasion to stop the practice”.

http://www.child-soldiers.org/global_report_reader.php?id=97

Conflitos armados e vítimas: da necessidade de se preocupar com elas para uma maior efetividade da proteção dos direitos humanos (2008)

– Dissertação de Mestrado de Jan Yuri Figueiredo de Amorim: “A presente dissertação de mestrado tem como tema principal a aplicação da justiça restaurativa após conflitos armados e como essa aplicação é fundamental para a defesa dos



Foto de: UNICEF-Wojtek Lembryk

direitos humanos. Para que o estudo pudesse se desenvolver, o trabalho foi dividido em três capítulos. No primeiro, é feita uma reconstrução do conceito de vítima a partir da idéia de corpos dóceis de Michel Foucault. Para que tal reconstrução pudesse ser feita e para dar uma noção da complexidade que se encontra por trás do termo vítima, utilizaram-se os casos dos prisioneiros detidos na base naval de Guantánamo e dos meninos-soldados – crianças e adolescentes recrutados para combater em conflitos armados. A justiça restaurativa é tratada no segundo capítulo. Nele, é explicado o que se entende por esse modelo teórico-prático de justiça e como ele vem sendo aplicado. Em seguida, no mesmo capítulo, discutem-se as possibilidades de aplicação do modelo penal e do modelo restaurativo e de como pode haver um equilíbrio entre os dois ao fim de um conflito armado. Finalmente, o terceiro capítulo traz para o debate o Tribunal Penal Internacional e a excessiva ênfase na punição de criminosos de guerra. A função desse capítulo é propor uma maior colaboração dessa Corte na aplicação da justiça restaurativa”.

http://repositorio.unb.br/bitstream/10482/2446/1/2008_JanYuriFigueiredoAmorim.pdf

Child soldiers in the Lord's Resistance Army factors in the rehabilitation and reintegration process (2008) – Dissertação de Mestrado de Rachel L. Muth :

“This thesis describes the rehabilitation and reintegration process for children who served as child soldiers in the Lord's Resistance Army (LRA) in Northern Uganda. It examines the rehabilitation and reintegration process, arguing that a more clearly gendered approach should be in place because the current process does not adequately deal with the range of psychological effects or the particular kinds of traumas that the girls experience. Even though rehabilitation programs describe their programs as individualistic where girls' needs are addressed, there are many reasons why different rehabilitation and reintegration protocols should be in place for handling the differences for girls. This thesis examines the background of the conflict, modes of abduction and coercion into the LRA, the roles of the children in the LRA, and the ways they leave the rebel forces. This thesis serves as a reference and resource for individuals interested in the conflict in Northern Uganda and the complex rehabilitation and reintegration processes that follow”.

<http://hdl.handle.net/1920/3005>

Crianças Soldados: desespero, retorno a barbárie e conflito (2008) – Artigo de John P. Sullivan:

“A guerra contemporânea já não é mais domínio exclusivo dos adultos e das forças estatais. Cada vez mais há crianças envolvidas em conflitos travados por atores não-estatais: guerrilheiros, terroristas, grupos de jihad, gangues, criminosos e chefes guerreiros. Esses grupos que utilizam crianças soldados operam à margem das normas da guerra e do império da lei e deixaram de lado as proibições ao terrorismo, a ataques a não-combatentes, a tortura, à vingança e à escravidão, que vigoraram por muito tempo. Esses atores lutam entre si e contra Estados por controle territorial, lucro e saques, acelerando o retorno da guerra à barbárie. Este artigo trata do uso de crianças na guerra e nos conflitos armados. Em especial, examina a questão contemporânea das crianças soldados e discute as crianças combatentes em três circunstâncias: conflitos internos (guerras civis e insurgências), terrorismo e gangues criminosas. Finalmente, descreve como essas crianças se tornam soldados e considera modos de reagir ao problema”.

<http://www.airpower.maxwell.af.mil/apjinternational/apj-p/2008/3tri08/sullivan.htm>

Shadow report child soldiers (2007) – Relatório da German Coalition to Stop the Use of Child Soldiers : “The present Shadow Report refers to the initial report of the Federal Republic of Germany to the United Nations concerning the Optional Protocol on the Involvement of Children in Armed Conflicts.

This report was adopted by the Federal Cabinet in late 2006 and has been presented to the UN Committee for examination. The Committee will discuss it in early 2008. Since, from the point of view of non-governmental organisations, the report has shortcomings and gaps, terre des hommes and Kinder-nothilfe have made up their minds to have a Shadow Report compiled. It is published on behalf of both organisations and the German branch of the Coalition to Stop the Use of Child Soldiers, an alliance of non-governmental organisations founded in 19991. In this context we would like to thank Dr Hendrik Cremer, who supported us with his expertise as a legal scholar. We are glad that he has contributed to our project as an author. We would also like to thank Martin Nagler, EU Eureach Officer of the Coalition to Stop the Use of Child Soldiers in Brussels, who assisted us with advice and practical help, and all others who have helped us”.

http://en.kindernothilfe.org/multimedia/KNH/Downloads/Material/Shadow+report+childsoldiers+2007+%28pdf_+845+KB%29.pdf

Will you listen? Young voices from conflict zones (2007) – Relatório da Unicef : “This report, a companion to the Machel Study 10-Year Strategic Review, compiles the views and recommendations of some 1,700 children and young people in 92 countries, including many who have experienced conflict. Their thoughts and ideas were collected as a key contribution to the Strategic Review through a series of focus group discussions and an online questionnaire. “Will

you listen?” presents a wide range of voices and concerns documented from these discussions”.

http://www.unicef.org/publications/index_41267.html#

The Paris principles : the principles and guidelines on children associated with armed forces on armed groups (2007)

– Documento da Unicef : “The Paris commitments to protect children from unlawful recruitment or use by armed forces or armed groups and the Paris principles and guidelines on children associated with armed forces or armed groups were adopted at the international conference ‘Free children from war’ in Paris, February 2007. Together, they consolidate global humanitarian knowledge and experience in working to prevent recruitment, protect children, support their release from armed forces or armed groups and reintegrate them into civilian life. The Paris commitments and Paris principles build on the seminal Cape Town principles and best practices on the recruitment of children into the armed forces and on demobilization and social reintegration of child soldiers in Africa (Cape Town principles) which were adopted in 1997.”

<http://www.refworld.org/docid/465198442.html>

The Paris Commitments : Consolidated Version (2007) – “To make every effort to uphold and apply the Paris principles (“The Guidelines to Protect Children from Unlawful Recruitment or Use by Armed Forces and Armed Groups”) wherever possible in our political, diplomatic, humanitarian, technical assistance and funding roles and consistent with our international obligations”.

<http://www.crin.org/docs/Paris%20Commitments.pdf>

PTSD and Collective Identity in Former Ugandan Child Soldiers (2007) – Tese de Licenciatura de Franka Glöckner: “Worldwide hundred thousands of chil-

dren and adolescents are recruited and misused as fighters. However, only little research exists that has investigated psychological well-being and trauma-related symptomatology of this particular population. This study aimed to explore this issue in the war-torn North of Uganda – an area that is characterized by almost 20 years of civil war and brutal child abduction for military and sexual purposes led by the Lord Resistance Army (LRA). This work further represents a pilot study for a subsequent therapy study with former Ugandan child soldiers”.

http://kops.ub.uni-konstanz.de/xmlui/bitstream/handle/urn:nbn:de:bsz:352-opus-33085/Gl%C3%B6ckner_DA.pdf?sequence=1

As armas não são brinquedos : guia de actividades para professores (2007)

– Documento da Amnistia Internacional Portugal : “Este guia foi construído com base em diversos manuais e ferramentas de Educação em Direitos Humanos, com o objectivo de fomentar o conhecimento sobre a situação das crianças que vivem em situações de conflito armado e incentivar a participação das



OS 14 PAÍSES QUE UTILIZAM CRIANÇAS-SOLDADO SÃO O AFGANISTÃO, CHADE, COLOMBIA, FILIPINAS, IEMEN, IRAQUE, MIANMAR, NEPAL, REPUBLICA CENTRO-AFRICANA, REPUBLICA DEMOCRATICA DO CONGO, SOMALIA, SRI LANKA, SUDÃO (INCLUI SUDÃO DO SUL E DARFUR) E UGANDA.

Fonte: infografia amnistia internacional

crianças e jovens na defesa dos direitos humanos e na resolução destes problemas”.

http://www.amnistia-internacional.pt/dmdocuments/Guia_Profs_Armaz_nao_sao_brinquedos.pdf

International legal standards governing the use of child soldiers: International legal standards governing the use of child soldiers (2007) – Dissertação de Mestrado de Dorcas Buteba Mulira:

“This paper seeks to analyze the international laws governing the use of children in armed conflict. Despite the prohibition of the use of child soldiers in armed conflict in international law, States and non-State actors continue to actively recruit, abduct, and directly use children, some as young as eight, in hostilities. International humanitarian laws limited scope prevents it from protecting the world's most vulnerable children, child soldiers, while human rights instruments adopted to make up for these limitations lack enforcement mechanisms, therefore rendering the much-needed protection for child soldiers inadequate. As development of international law concerning child soldiers progresses on paper, progress on the ground lags behind, thus creating a gap between progress in the law and the enforcement of this law on the ground. The international community needs to take steps to bridge this gap so that the practice on the ground is at par with the law. The term use of child soldiers means recruitment, utilization, and participation of children in armed conflict.

<http://purl.galileo.usg.edu/uga%5Fetd/mulira%5Fdorcas%5Fb%5F200712%5Fllm>

Así retrata Ahmadou Kourouma a los niños y niñas soldados de África (2007)

– Artigo de Isabel Esther González Alarcón: “En Liberia, una pequeña élite reina en el país. Esta pequeña élite es dirigida por el dictador que en ese

momento se encuentra a la cabeza del poder. Mientras que la tribu de tal dictador disfruta de un cierto tipo de privilegios, el resto de tribus son explotadas. La población que se encuentra completamente oprimida, exenta de derechos, no puede participar en ninguna decisión. Es así como comienza a desarrollarse una corriente de oposición. El hecho de fundar partidos que representen los deseos de la población no es posible. Es entonces cuando se inicia la lucha contra la situación miserable del país como el hambre y la brutalidad. Se desean cambios, pero qué difíciles son de obtener...

Y aquí es cuando surge la guerra tribal en Liberia, y como consecuencia de ésta, la guerra en Sierra Leona. Los niños y niñas soldados, niños que al volver de la escuela encontraron sus casas destruidas, sus madres y hermanas muertas tras ser violadas, son víctimas de un pasado así como huérfanos de un mañana inmediato, asesinos de una guerra tribal y violadores de niñas desafortunadas”.

<http://dialnet.unirioja.es/descarga/articulo/2554381.pdf>

Les droits de l'enfant dans le conflit armé (2006) – Dissertação de Mestrado de Donia Zerrari:

“La prise de conscience de la présence des enfants dans les guerres est récente en dépit de l'ampleur du phénomène. Au cours de la dernière décennie, les guerres ont fait de nombreuses victimes parmi les enfants : 2 millions d'enfants tués, 6 millions blessés, 1 million devenus orphelins. Aujourd'hui même, au Darfour, des enfants sont victimes de meurtres, de viols, d'enlèvements. A cela s'ajoute la problématique des enfants soldats qui, comme l'appellation semble l'indiquer, prennent part aux hostilités et peuvent ainsi se rendre coupables de brutalités ou commettre les pires formes ou les plus inimaginables atrocités. Dans ce contexte où l'enfant n'est



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en réalité qu'un « pion » dans le conflit armé, il n'est pas étonnant et il n'est pas rare que de nombreux droits reconnus à l'enfant, qu'il s'agisse de droits fondamentaux ou de droits nécessaires au développement de l'enfant, soient bafoués. Il paraît par conséquent nécessaire de s'attacher dans un premier temps à une analyse du statut de l'enfant dans le cadre d'un conflit armé (Section 1) avant de s'atteler à l'examen des conséquences des conflits armés sur les droits de l'enfant (Section 2)”.

http://eddoctorale74.univ-lille2.fr/filadmin/master_recherche/T_I_chargeement/memoires/intercomm/zerrari06.pdf

Youth, Poverty and Blood : The Lethal Legacy of West Africa's Regional Warriors (2005) – Relatório da Human Rights Watch :

“The lives of “regional warriors” are documented in this 66-page report. Based on interviews with some 60 former fighters who have crossed borders to fight in Liberia, Sierra Leone, Côte d'Ivoire and Guinea, the report explores the forces driving the phenomenon of cross-border mercenary activity in West Africa”.

<http://www.hrw.org/sites/default/files/reports/westafrica0405.pdf>

Military Training for Officers - Children in Armed Conflict (2005) – Documento da Nuffield Foundation e da Crisis States Research Centre:

“These pages

summarise the key rules for the protection of children in situations of armed conflict and should guide the actions of officers of national armed forces and the soldiers under their command. Officers should know these rules, or at least know where to look them up. They should also make sure that their soldiers know the main rules, as appropriate in the particular circumstances. Ideally, nongovernmental forces should also be guided by these rules”.

<http://www.lse.ac.uk/collections/law/staff%20publications%20full%20text/JennyKuperSite.pdf>

Forgotten Casualties of War: Girls in armed conflict (2005) – Relatório da Save the Children : “This report highlights an aspect of conflict that has rarely been exposed before. Around the world, there are up to 120,000 girls, some as young as eight, who have been forced to become front-line fighters, or are otherwise supporting armed groups. This report shows how girls are being overlooked in current efforts to release children from armed groups and support their return home. It challenges existing systems and argues that the international community must fund programmes designed to meet girls’ needs”.

<http://shop.rb.se/Product/Product.aspx?ItemId=2966416>

Factsheet : Child Soldiers (2004) – Documento da Unicef

<http://www.unicef.org/emergencies/files/childsoldiers.pdf>

Children in war information kit (2004)

– Documento da International Committee of the Red Cross : “The kit describes those activities carried out by the ICRC to restore family links, provide care and protect unaccompanied children and child soldiers, among others. As both a work tool and a source of information, it covers the legal protection of children



in situations of armed conflict and contains a summary of those provisions of international humanitarian law that apply specifically to children”.

http://www.icrc.org/eng/assets/files/other/icrc_002_0577k_children_in_war_kit.pdf

Child Soldier Use (2004) – Documento da Coalition to Stop the Use of Child Soldiers : “Throughout 2003 thousands of children were deployed as combatants, to commit abuses against civilians, as sex slaves, forced labourers, messengers, informants and servants in continuing and newly erupting conflicts. Children were usually used to perform multiple roles, and girls in particular often acted as combatants as well as being sexually exploited”.

<http://www.hrw.org/reports/2004/01/16/child-soldier-use-2003>

Guide to the Optional Protocol on the Involvement of Children in Armed conflict (2003) – Guia da Unicef : “As armed conflict proliferates around the world, increasing numbers of children are exposed to the brutalities of war. In numerous countries, boys and girls are recruited as child soldiers by armed



forces and groups, either forcibly or voluntarily.

Children are susceptible to recruitment by manipulation or may be driven to join armed forces and groups because of poverty or discrimination. Often they are abducted at school, on the streets or at home. Once recruited or forced into service, they are used for a variety of purposes. While many children participate in combat, others are used for sexual purposes, as spies, messengers, porters, servants or to lay or clear landmines. Many children serve multiple roles”.

http://www.unicef.org/emergencies/files/option_protocol_conflict.pdf

Eu Guidelines on Children and Armed Conflict (2003) – Documento da União Europeia :

“They commit the EU to address the impact of armed conflicts on children in a comprehensive manner. This is done through monitoring and reporting by its Heads of Mission, military commanders and special representatives; diplomatic initiatives; political dialogue; multilateral cooperation; and crisis management”.

<http://www.consilium.europa.eu/uedocs/cmsUpload/GuidelinesChildren.pdf>

Sweet Battlefields: Youth and the Liberian Civil War (2003)

– Tese de Doutoramento de Mats Utas : “This dissertation presents an ethnography of youth in Liberia and of how their lives became affected by a civil war which raged in the country between 1990 and 1997. The focus is on the experiences, motivations, and reflections of young combatants who fought for a variety of rebel factions. For these young people, the daily prospect of poverty, joblessness and marginalisation effectively blocked the paths to a normal adulthood; drawing them instead into a subculture of liminality, characterised by abjection, resentment and rootlessness. As opportunity came, their voluntary enlistment into one of the several rebel armies of the civil war therefore became an attractive option for many. Based upon one year of fieldwork during 1998, conducted among groups of ex-combatant youths in both the capital Monrovia and in a provincial town in the rural hinterland, I describe and analyse the young people’s own accounts of their involvement in the civil war; their complicity in atrocities, their coping strategies in the context of armed conflict, their position as ex-combatants in a post-war environment, and their outlook on their past, present and future”.

<http://uu.diva-portal.org/smash/get/diva2:163000/FULLTEXT01.pdf>

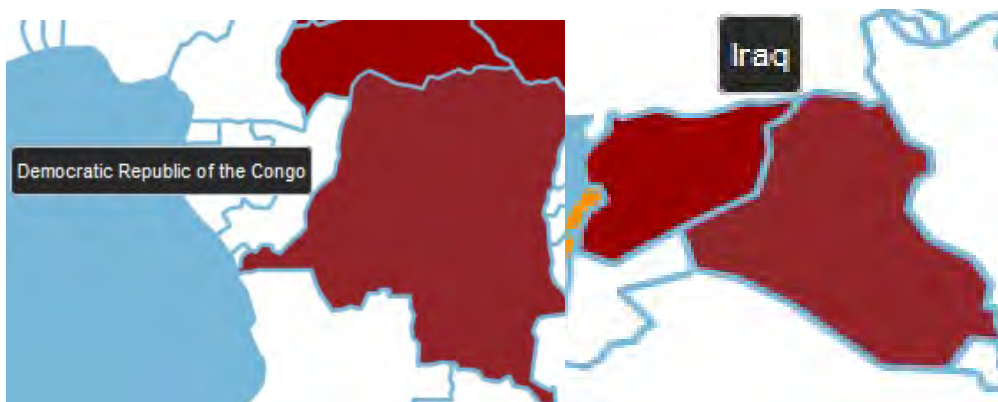
Adolescents volunteering for armed forces or armed groups (2003)

– Artigo de Rachel Brett : “The focus of attention with regard to “child soldiers” has tended to be on abducted children or those forced or coerced into fighting. When asked, however, many children and young people themselves say that they volunteered”.

<http://www.icrc.org/eng/resources/documents/article/other/5wnjfx.htm>

Children and Armed Conflict - International Standards for Action (2003)

– Documento da ONU : “This compen-



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dium brings together relevant treaties and instruments on the protection of children affected by armed conflict rendering easier dissemination as well as providing the reference point for a more systematic monitoring and reporting. I am pleased with the close collaboration of my Office with the Austrian Foreign Ministry as the Chair of the Human Security Network in producing this compendium. I am confident that it would be a valuable tool for practitioners, policy makers, academics, researchers and all those involved in the protection of children affected by armed conflict”.

<http://www.unicef.org/emergencies/files/HSNBook.pdf>

Directrizes da UE sobre as crianças nos conflitos armados (2003)

– Documento da União Europeia : “A promoção e protecção dos direitos das crianças é uma prioridade da política da UE em matéria de direitos humanos. A União Europeia (UE) considera de fundamental importância que se aborde a questão das crianças no contexto dos conflitos armados, não apenas por as crianças sofrerem no presente e deverem construir o futuro, mas também porque possuem direitos inerentes e inalienáveis, consignados na CDC, nos seus Protocolos Facultativos e noutros instrumentos internacionais e regionais em matéria de direitos humanos. A UE pretende aumentar a sensibilidade para

esta questão conferindo maior destaque às suas acções neste domínio, tanto no interior da UE como nas suas relações com terceiros”.

http://europa.eu/legislation_summaries/human_rights/human_rights_in_third_countries/r10113_pt.htm

No Guns, Please: We are Children! (2001)

– Documento da Unicef : “Small arms and light weapons kill and disable more children and adults than any other instrument of violence. Since 1990, over 2 million children have been killed in wars and 6 million have been seriously injured -- the vast majority of these casualties are directly attributable to small arms and light weapons. Deaths linked to these destructive instruments run into the hundreds of thousands every year, with those injured exceeding 1 million. This booklet lays out the guiding principles in the campaign against small arms and light weapons and details UNICEF's efforts”.

http://www.unicef.org/publications/index_4420.html

Child Soldiers : Care & Protection of Children in Emergencies A Field Guide (2001)

– Documento da Save the Children : “This Field Guide to Child Soldier Programs in Emergencies is a step in building Save the Children’s capacity to respond to these concerns, and should be considered as a resource not only

for those working in refugee settings but also in any situation where young people

may become militarized and drawn into armed groups. With programs and strong advocacy, we can work towards protecting children from this most vicious form of exploitation in conflict”.

<http://www.savethechildren.org/publications/technical-resources/emergencies-protection/ChildSoldiersFieldGuide.pdf>

Guidelines regarding initial reports of States Parties under article 8(1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2001) – Documento da ONU : “Pursuant to article 8 paragraph 1 of the Optional Protocol, States Parties shall, within two years following the entry into force of this Protocol for the State Party concerned, submit a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Optional Protocol. Thereafter, pursuant to article 8, paragraph 2 of the Optional Protocol, States Parties shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44, paragraph 1(b) of the Convention any further information with respect to the implementation of the Optional Protocol. States Parties to the Optional Protocol, who are not parties to the Convention, shall submit a report every five years, after the submission of the comprehensive report”.

[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.OP.AC.1.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.OP.AC.1.En?Opendocument)

Optional Protocol on the involvement of children in armed conflict to the Convention on the Rights of the Child (2000) – Artigo de Daniel Helle : “The present paper provides a brief overview

of the background to the development of the new Protocol, and examines the first four articles contained therein in the light of other provisions of international law and the position adopted by the International Red Cross and Red Crescent Movement. These four articles set out the main substantive standards regulating the recruitment and participation of children in hostilities, while the remaining provisions can be considered as dealing more with measures of implementation or procedural issues”.

<http://www.icrc.org/eng/resources/documents/article/other/57jqqe.htm>

The Impact of Armed Conflict on Children A critical review of progress made and obstacles encountered in increasing protection for war-affected children (2000) – Documento de Graça Machel :

“This document reviews the wide-ranging series of actions taken in response to the recommendations of the 1996 Machel Report. Many of the significant achievements are woven into this text, which constitutes an early summary of a book that will be published in early 2001. The book is currently being prepared by Ms. Machel and will provide a glossary of achievement since 1996 and recommend forward-looking strategies to increase children’s protection in armed conflict. The current review document addresses the major themes of the 1996 report and brings new and expanded focus to five areas: small arms and light weapons, women’s role in peace-building, peace and security, HIV/AIDS, media and communications”.

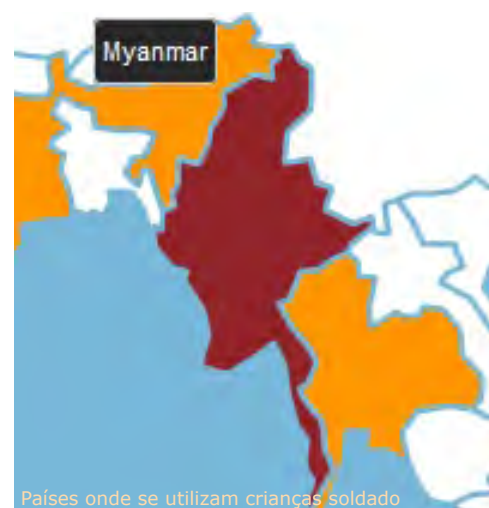
http://rsx23.justhost.com/~victimas/recursos_user/documentos/kb5736.pdf

The International Conference on War affected Children: From Words to Action (Winnipeg Conference) (2000) – Documento da Canadian International Development Agency : “The Winnipeg Conference brought together a critical mass of individuals and organizations

working on the issue of children and armed conflict to create an international plan of action. More than 800 delegates participated in the Conference: governments worked side by side with non-governmental organizations, journalists debated issues with researchers and academics, young people challenged government ministers to action”.

http://www.unicef.org/emergencies/files/icwac_report.pdf

Child soldiers: theory and reality of their existence: the question of international protection available to them in contemporary times (2000) – Tese de Doutoramento de Chitralekha Marie Massey : “Children are regarded as holders of specific rights and special privileges, and yet more and more children continue to be abused in one form or the another. One of the worst forms of abuse is the willingness of adults today to use children on the numerous frontlines of the world. This aim of this thesis is to develop an argument against the practice of child recruitment and participation and for the practice of non-recruitment and hence non-participation in any form of all children under 18 in armed conflicts. Chapter One introduces the problem, it reflects on the impact and effect of armed conflict on Children, Chapters Two and Three pres-





ent the moral arguments and the legal basis for extending protection to children from this form of abuse. Chapters Four and Five considers the issues of recruitment and subsequent treatment on capture for these child soldiers. Chapter Six is a case study of Uganda. This case study attempts to answer questions that might help in reaching out realistically to help children in this situation. Chapter Seven emphasises on the right to rehabilitation. Chapter Eight analyses the response of the international Community to the problem of Child Soldiers and Chapter Nine in the form of concluding remarks summaries the conclusions of this thesis, that it is possible to stop this practice but we need a stronger and united political stand for this purpose. It presses for the adoption and enforcement of a Optional Protocol to the Convention on the Rights of the Child which will establish a flat ban on all forms of participation by all children under 18".

<http://www.dart-europe.eu/full.php?id=354596>

Psychosocial Rehabilitation of Children Affected by Armed Conflicts and/or Violence A manual for semi- and non pro-

fessional helpers (1999) – Manual da Danish Red Cross: "This manual is intended to support and guide the Red Cross and Red Crescent National Societies (hereafter NS) in initiating psychosocial rehabilitation of children affected by armed conflict and/or violence. This manual aims to help in the process of developing, implementing, and monitoring programmes for children affected by armed conflict, as well as assessing the impact of these programmes on the beneficiaries. It reaches out to staff, helpers of the NS with information and guidelines on how to link such programmes to local professionals and resources. To ensure cultural appropriateness, helpers from the local area are to be involved in the programme throughout the development and implementation phases. Initiation of activities and programmes of psychosocial rehabilitation of war traumatised children requires that many issues are considered in the preparing and developing phase. Some of these issues are outlined below".

<http://mhpss.net/wp-content/uploads/group-documents/49/1342694479-CABAC-DanishRedCrossMHPSSManual.pdf>

Impact of armed conflict on children Report of the expert of the Secretary-General, Graça Machel (1996) – Documento de Graça Machel: "In the study, the expert proposes the elements of a comprehensive agenda for action by Member States and the international community to improve the protection and care of children in conflict situations, and to prevent these conflicts from occurring. The study demonstrates the centrality of these issues to the international human rights, peace and security and development agendas, and should serve to promote urgent and resolute action on the part of the international community to redress the plight of children affected by armed conflicts".

<http://www.unicef.org/graca/>

Versão em português - Relatório de Graça Machel no seguimento da Resolução 48/157 da Assembleia Geral das Nações Unidas Doc. A/51/306 de 28 de Agosto de 1996

http://www.unric.org/html/portuguese/peace/Graca_Machel.htm

Legislação

Da responsabilidade da Organização das Nações Unidas

Protocolo Facultativo à Convenção sobre os Direitos da Criança relativo à Participação de Crianças em Conflitos Armados (2002) – Da ONU

Artigo 1.º

Os Estados Partes devem adoptar todas as medidas possíveis para garantir que os membros das suas forças armadas menores de 18 anos não participem directamente nas hostilidades.

Artigo 2.º

Os Estados Partes devem garantir que os menores de 18 anos não sejam compulsivamente incorporados nas respectivas forças armadas.

Artigo 3.º

1. Os Estados Partes devem elevar a idade mínima de recrutamento voluntário nas forças armadas nacionais para uma idade superior à que se encontra referida no n.º 3 do artigo 38.º da Convenção sobre os Direitos da Criança, tendo em conta os princípios contidos naquele artigo e reconhecendo que, nos termos da Convenção, os menores de 18 anos têm direito a protecção especial”.

<http://www.gddc.pt/direitos-humanos/textos-internacionais-dh/tidhuniversais/protocolo-crian%E7as1.html>

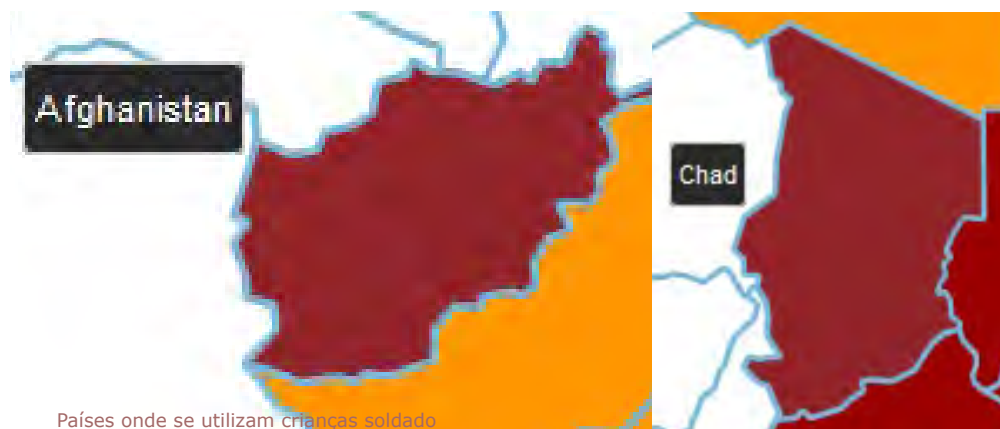
Convenção sobre os Direitos da Criança (1989) – Da ONU

Artigo 38.º

1. Os Estados Partes comprometem-se a respeitar e a fazer respeitar as normas de direito humanitário internacional que lhes sejam aplicáveis em caso de conflito armado e que se mostrem relevantes para a criança.

2. Os Estados Partes devem tomar todas as medidas possíveis na prática para garantir que nenhuma criança com menos de 15 anos participe directamente nas hostilidades.

3. Os Estados Partes devem abster-se de incorporar nas forças armadas as pessoas que não tenham a idade de 15 anos. No caso de incorporação de pessoas de idade superior a 15 anos e inferior a 18 anos, os Estados Partes devem incorporar prioritariamente os mais velhos.



4. Nos termos das obrigações contraídas à luz do direito internacional humanitário para a protecção da população civil em caso de conflito armado, os Estados Partes na presente Convenção devem tomar todas as medidas possíveis na prática para assegurar protecção e assistência às crianças afectadas por um conflito armado.

<http://www.gddc.pt/direitos-humanos/textos-internacionais-dh/tidhuniversais/dc-conv-sobre-dc.html>

Protocolo I Adicional às Convenções de Genebra de 12 de Agosto de 1949 relativo à Protecção das Vítimas dos Conflitos Armados Internacionais (1979) – Da ONU

Artigo 77.º

Protecção das crianças

1 - As crianças devem ser objecto de um respeito particular e protegidas contra qualquer forma de atentado ao pudor. As Partes no conflito dar-lhes-ão os cuidados e a ajuda necessária em virtude da sua idade ou por qualquer outra razão;

2 - As Partes no conflito tomarão todas as medidas possíveis na prática para que as crianças de menos de 15 anos não participem directamente nas hostilidades, abstendo-se nomeadamente de a recrutar para as suas forças armadas. Quando incorporarem pessoas de mais de 15 anos mas de menos de 18 anos, as Partes no conflito esforçar-se-ão por dar a prioridade às mais velhas.

3 - Se, em casos excepcionais e apesar das disposições no n.º 2, crianças que não tenham 15 anos completos participarem directamente nas hostilidades e caírem em poder de uma Parte adversa, continuarão a beneficiar da protecção especial assegurada pelo presente artigo, quer sejam ou não prisioneiros de guerra.

4 - Se forem presas, detidas ou internadas por razões ligadas ao conflito armado, as crianças serão mantidas em locais separados dos dos adultos, salvo

nos casos de famílias alojadas como unidades familiares, como previsto pelo n.º 5 do artigo 75.º

5 - Não será executada uma condenação à morte por infracção ligada ao conflito armado, contra pessoas que não tenham 18 anos no momento da infracção.

<http://www.gddc.pt/direitos-humanos/textos-internacionais-dh/tidhuniversais/dih-prot-I-conv-genebra-12-08-1949.html>

Protocolo II Adicional às Convenções de Genebra de 12 de Agosto de 1949 relativo à Protecção das Vítimas dos Conflitos Armados Não Internacionais (1978) – da ONU: Artº 4, nº 3

3 - As crianças receberão os cuidados e a ajuda de que careçam e, nomeadamente:

a) Deverão receber uma educação, incluindo educação religiosa e moral, tal como a desejarem os seus pais ou, na falta destes, as pessoas que tiverem a sua guarda;
b) Todas as medidas adequadas serão tomadas para facilitar o reagrupamento das famílias momentaneamente separadas;

c) As crianças de menos de 15 anos não deverão ser recrutadas para as forças ou grupos armados, nem autorizadas a tomar parte nas hostilidades;

d) A protecção especial prevista no presente artigo para as crianças de menos de 15 anos continuará a ser-lhes aplicável se tomarem parte directa nas hostilidades, apesar das disposições da alínea c), e forem capturadas;

e) Serão tomadas medidas, se necessário e sempre que for possível com o consentimento dos pais ou das pessoas que tiverem a sua guarda, de acordo com a lei ou costume, para evacuar temporariamente as crianças do sector onde as hostilidades se desenrolarem para um sector mais seguro do país, e para as fazer acompanhar por pessoas responsáveis pela sua segurança e bem-estar.

<http://www.gddc.pt/direitos-humanos/textos-internacionais-dh/tidhuniversais/dih-prot-II-conv-genebra-12-08-1949.html>

Convenção IV, Convenção de Genebra Relativa à Protecção das Pessoas Civis em Tempo de Guerra, de 12 de Agosto de 1949 (1950) – Da ONU :

Artigo 24.º

As Partes no conflito tomarão as disposições necessárias para que as crianças com menos de 15 anos que fiquem órfãs ou separadas de suas famílias em consequência da guerra não sejam abandonadas a si próprias para que sejam facilitadas, em todas as circunstâncias, a sua manutenção, a prática da sua religião e a sua educação. Esta será, tanto quanto possível, confiada a pessoas da mesma tradição cultural.

As Partes no conflito facilitarão o acolhimento destas crianças num país neutro durante a duração do conflito com o consentimento da Potência protectora, se a houver e se tiverem a garantia de que os princípios enunciados no primeiro parágrafo são respeitados. Além disso, esforçar-se-ão por tomar as medidas necessárias para que todas as crianças com menos de 12 anos possam ser identificadas, pelo uso de uma placa de identidade ou por qualquer outro meio.

<http://www.gddc.pt/direitos-humanos/textos-internacionais-dh/tidhuniversais/dih-conv-IV-12-08-1949.html>

Resoluções do Conselho de Segurança das Nações Unidas sobre Crianças e Conflitos Armados e Declarações do Presidente do Conselho de Segurança

S/PRST/1998/18

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20PRST199818.pdf>

1261(1999)

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20SRES%201261.pdf>

1296 (2000)

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Civilians%20SRES1296.pdf>

1314(2000)

<http://www.crin.org/Law/instrument.asp?InstID=1056>

1379(2001)

http://portal.unesco.org/education/en/file_download.php/2c3abe02d85bf8c3173624c73162ff6aN0165110.pdf

S/PRST/2002/12

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20PRST200212.pdf>

1460(2003)

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/SE%20SRES%201460.pdf>

1539(2004)

<http://watchlist.org/wordpress/wp-content/uploads/SCR-1539.pdf>

1612(2005)

<http://watchlist.org/un-security-council-resolution-1612-of-2005-the-mrm-the-un-security-council-working-group-and-an-enhanced-protection-from-recruitment-and-use-of-children-by-parties-to-a-conflict/>

S/PRST/2008/28

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20SPRST%202008%2028.pdf>

1882(2009)

<http://watchlist.org/un-security-council-resolution-1882-of-2009-further-enhanced-protection-from-killing-and-maiming-and-rape-and-sexual-violence/>

1998 (2011)

<http://watchlist.org/un-security-council-resolution-1998-of-2011-further-enhanced-protection-from-attacks-on-schools-and-hospitals/>

2068 (2012)

<http://watchlist.org/un-security-council-resolution-2068-strengthening-measures-against-impunity/>

S/PRST/2013/8

<http://watchlist.org/wordpress/wp-content/uploads/CAC-PRST-2013.pdf>

Da responsabilidade da OIT

Convenção nº 182 da OIT relativa à Interdição das Piores Formas de Trabalho das Crianças e à Acção Imediata com Vista à sua Eliminação (2000)

Artigo 3.º

Para os efeitos da presente Convenção,

a expressão "as piores formas de trabalho das crianças" abrange:

a) Todas as formas de escravatura ou práticas análogas, tais como a venda e o tráfico de crianças, a servidão por dívidas e a servidão, bem como o trabalho forçado ou obrigatório, incluindo o recrutamento forçado ou obrigatório das crianças com vista à sua utilização em conflitos armados;

b) A utilização, o recrutamento ou a oferta de uma criança para fins de prostituição, de produção de material pornográfico ou de espectáculos pornográficos;

c) A utilização, o recrutamento ou a oferta de uma criança para actividades ilícitas, nomeadamente para a produção e o tráfico de estupefacientes tal como são definidos pelas convenções internacionais pertinentes;

d) Os trabalhos que, pela sua natureza ou pelas condições em que são exercidos, são susceptíveis de prejudicar a saúde, a segurança ou moralidade da criança.

http://www.ilo.org/public/portugue/region/eurpro/lisbon/pdf/conv_182.pdf

Da responsabilidade do Tribunal Penal Internacional (TPI)

Estatuto de Roma do Tribunal Penal Internacional (2002)

Artº 8(2)(b)(xxvi) e (2)(e)(vii)

xxvi) Recrutar ou alistar menores de 15 anos nas forças armadas nacionais ou utilizá-los para participar activamente nas hostilidades;

vii) Recrutar ou alistar menores de 15 anos nas forças armadas nacionais ou em grupos, ou utilizá-los para participar activamente nas hostilidades;

http://direitoshumanos.gddc.pt/3_23/IIPAG3_23_16.htm

Da responsabilidade da Organização de Unidade Africana (OUA)

The African Charter on the Rights and



Welfare of the Child (1999) – Carta da Organização de Unidade Africana – OAU Artº22

Children should not be recruited as soldiers, nor should they take a direct part in fighting wars.

http://www.unicef.org/esaro/children_youth_5930.html

Legislação Portuguesa

Aviso n.º 211/2003. D.R. n.º 251, Série I-A de 2003-10-29

<http://www.dre.pt/pdf1s%5C2003%5C10%5C251A00%5C71947194.pdf>

Nos termos do n.º 2 do artigo 3.º do Protocolo Facultativo à Convenção sobre os Direitos da Criança Relativo à Participação de Crianças em Conflitos Armados, Portugal declara que a sua legislação interna fixa em 18 anos a idade mínima a partir da qual é autorizado o recrutamento voluntário das suas Forças Armadas.

Lei n.º 174/99 de 21 de Setembro Lei do Serviço Militar

Artigo 1.º

6 — O período de sujeição dos cidadãos portugueses a obrigações militares, nos termos do número anterior, decorre entre o primeiro dia do ano em que completam 18 anos de idade e o último dia do ano em que completam 35 anos de idade.

Artigo 13.º

Finalidades

O recrutamento normal tem por fi-

nalidade a admissão de cidadãos com o mínimo de 18 anos de idade, que se proponham prestar, voluntariamente, serviço militar efectivo nas Forças Armadas.

<http://www.dre.pt/util/getpdf.asp?s=dip&serie=1&idrr=1999.221A&idip=19993243>

Estatística

Shadow Report Child Soldiers (2013)

– Relatório da German Coalition to Stop the Use of Child Soldiers : “However, despite these successes, rough estimates reveal that there are still around 250,000 child soldiers across the world”. (p. 4)

http://www.kindersoldaten.info/kindersoldaten_mm/downloads/Lobbyarbeit/Shadow+Report+Child+Soldiers+2013.pdf

EU support to children affected by armed conflict (12/02/2013)

– Press Release da União Europeia : “For example, over 1 billion children lived in the conflict zones in 2009. In 2011, 28 million of those children were out of primary school education; 7 million were refugees and 12,4 million were internally displaced. It is also estimated that approximately 250 000 children are used directly in conflict at any given time”.

http://eeas.europa.eu/top_stories/2013/120213_children-and-armed-conflict_en.htm

The hidden crisis: Armed conflict and education (2011)

– Relatório da Unesco: “Around 300,000 children are being exploited as soldiers, placed on the front line by warring parties”. (p. 142)

<http://unesdoc.unesco.org/images/0019/001907/190743e.pdf>

Directrizes da UE sobre as crianças e os conflitos armados (2008)

– Documento da União Europeia : “Calcula-se que só no último decénio os conflitos armados tenham custado a vida a mais de dois milhões de crianças e mutilado mais seis milhões. O conflito priva as crianças dos pais, de prestadores de cuidados, de serviços sociais elementares, de cuidados de saúde e de educação. Há cerca de vinte milhões de crianças deslocadas e refugiadas, bem como de um milhão de crianças órfãs, enquanto outras são mantidas reféns, raptadas ou vendidas. Os sistemas de registo de nascimentos e os sistemas de justiça de menores estão a soçobrar. Seja qual for o momento considerado, calcula-se que haja pelo menos 300 000 crianças-soldados a participar em conflitos.”. (p. 1)

http://europa.eu/legislation_summaries/human_rights/human_rights_in_third_countries/r10113_pt.htm

Shadow report child soldiers (2007)

– Relatório da German Coalition to Stop the Use of Child Soldiers : “However, there is a wide gap between law and reality. This is particularly obvious when looking at the situation of child soldiers. Their rights continue to be violated in many parts of the world. The problem is most critical in Africa where an estimated 120,000 boys and girls are part of the armed forces and of armed groups; across the world there are approximately 250,000 to 300,000 child soldiers. They are forced to fight in armed conflict; they work as messengers, cooks and porters; many of them are sexually abused, tortured and murdered”. (p. 4))

<http://en.kindernothilfe.org/multime->



Países onde se utilizam crianças soldado



dia/KNH/Downloads/Material/Shadow+report+childsoldiers+2007+%28pdf_+845+KB%29.pdf

FACTSHEET: CHILD SOLDIERS (2004) –

Documento da Unicef : “It is estimated that some 300,000 children – boys and girls under the age of 18 – are today involved in more than 30 conflicts worldwide. Children are used as combatants, messengers, porters and cooks and for forced sexual services. Some are abducted or forcibly recruited, others are driven to join by poverty, abuse and discrimination, or to seek revenge for violence enacted against them or their families”. (p. 1)

<http://www.unicef.org/emergencies/files/childsoldiers.pdf>



Foto de: UNICEF-NYHQ2004-0654-Brooks

Sites

[Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)

[Child Soldiers International](#)

[Human Rights Watch](#)

[Children and armed conflict – Unicef](#)

[Child recruitment by armed forces or armed groups - Unicef](#)

[Security Council Working Group on Children and Armed Conflict](#)

[International Committee of the Red Cross](#)

[The Roméo Dallaire Child Soldiers Initiative](#)

[CRIN Armed Conflict](#)

[The Children and Armed Conflict Unit](#)

[Watchlist on Children and Armed Conflict](#)

[War Child](#)

[Deutsche Bündnis Kindersoldaten](#)