



Despite Promises: Child Soldiers in Burma's SPDC Armed Forces



Human Rights Education Institute of Burma
(HREIB)



Despite Promises : Child Soldiers in Burma's SPDC Armed Forces

Despite Promises: Child Soldiers in Burma's SPDC Armed Forces

A Research Study Reviewing Current Trends and
Developments Regarding the Use and Recruitment of Child Soldiers in Burma

Copyright : Human Rights Education Institute of Burma (HREIB)
September 2006
Printed in Thailand

Cover Design : mmm1win

Published by : Human Rights Education Institute of Burma (HREIB)
G.P.O.Box 485,Chiang Mai 50000, Thailand.
Email : hreburma@loxinfo.co.th
web site : [http:// www.hreib.com](http://www.hreib.com), <http://www.hreib.org>





**Despite Promises:
Child Soldiers in Burma's SPDC Armed Forces**

Table of Contents

Preface.....5

Executive Summary.....6

Objectives, Timeframe, Research Methodology9

Child Soldier Definition10

Despite Promises: The SPDC Continues to Ignore.....11
 An Introduction.....11
 Child Soldiers: A Global Pandemic.....13
 The Current Situation of Children in Burma.....15
 Basic Indicators on Children and Poverty in Burma.....17

Despite Promises: The SPDC Continues to Deceive.....18
 The Committee for the Prevention of Military
 Recruitment of Underage Children.....18

Despite Promises: The SPDC Continues to Recruit.....20

Despite Promises: The SPDC Continues to Train.....26

Despite Promises: The SPDC Continues to Deploy.....29

Despite Promises: The SPDC Continues to Reject.....32



Despite Promises : Child Soldiers in Burma's SPDC Armed Forces

Disarmament, Demobilization, Reintegration(DDR).....32

Conclusion.....37

Recommendations.....38

Appendix

International Standards.....40

Work Cited.....43



Preface

Three years have passed since the Human Rights Education Institute of Burma (HREIB) decided to take on the issue of child soldiers. This decision was made upon discovering the magnitude of the situation inside Burma as reflected in stories told by former child soldiers. Along with these former child soldiers, HREIB shares a vision of a world in which all children are protected from armed conflict.

Many governments around the world are committed to promoting and protecting child rights and have recently denounced the use and recruitment of child soldiers. In 2005 the United Nations Security Council passed UN Resolution 1612 calling on governments and armed groups to immediately stop using and recruiting child soldiers. Nevertheless, tens of thousands of children are still involved in armed conflicts around the world, particularly in Burma. Despite promises from the military government in Burma, children are still being recruited and used in government armed forces.

This report outlines the trends and developments regarding the use and recruitment of child soldiers in Burma's government armed forces and is based on research conducted by HREIB and Yoma (3) News Group. This report seeks to update the international community about the situation of child soldiers in Burma with particular consideration of the promises made by the military government's Committee for the Prevention of Military Recruitment of Under-age Children, which was founded in January, 2004. Research clearly shows that this committee has not, in any substantial way, contributed to ending the use and recruitment of child soldiers in Burma.

On behalf of HREIB, I gratefully acknowledge contributions from Yoma (3) News. I wish to thank Michael Paller and Anna Rose for helping me write this report. Thanks are also due to Theresa Limpin of the Asia Regional Resource Center (ARRC), Ryan Silverio, of the Southeast Asia Coalition to Stop the Use of Child Soldiers, and Joe Becker of Human Rights Watch (Asia) for their suggestions. Also I wish to thank Kristen Beifus for her wise editorial advice.

I would also like to acknowledge all of the HREIB staff and trainers who supported this effort and special thanks to our research team, who for security reasons cannot be named.

Aung Myo Min
Director, HREIB
September , 2006

Executive Summary

Child involvement in armed conflict is a disturbing trend of modern times. Nowhere is this trend more evident and extreme than in Burma, where children are aggressively recruited and forced to join the military.

"While going to school, I was taken against my will by an unnamed person. I was brought to Danyingone New Recruitment Center and then to the 9th Basic Military Training School. I attended the training and passed. I was brought to Hpa-An Township, Karen State, to serve in the Signal Battalion."

Former child soldier, recruited into the SPDC armed forces in 2004 at age thirteen

The government of Burma, the State Peace and Development Council (SPDC), has been expanding its armed forces—the "*Tatmadaw*"—at an alarming rate; and this expansion is sustained by the recruitment of children. In 1988 there were approximately 200,000 men serving in the *Tatmadaw*, in 2004 estimates were nearly 380,000 troops,¹ and it is reported that the SPDC wants to increase that number to 500,000.²

This report examines the ongoing recruitment and use of child soldiers in Burma. Most children interviewed for this report were forcibly recruited into army ranks; they were coerced and deceived. Other child recruits cited economic hardships and social pressures as their reasons for joining, the very conditions that make them easy targets for SPDC recruiters.

Recruiters also use intimidation tactics to convince children to join the armed forces. "Join the military or go to jail," were the "options" that many children were offered. This fear-inducing strategy is effective, almost guaranteeing that the child will "choose" to join the military.

Once recruited, children are detained at local army posts, police stations or recruiting offices. They are instructed on how to fill out registration forms;

¹ *Child Soldiers Global Report: 2004*, Coalition to Stop the Use of Child Soldiers

² *Growing Up Under the Burmese Dictatorship*, International Confederation of Free Trade Unions (ICFTU), August 2003.

including lying about their age, as officially children under the age of 18 years are not permitted to join the army. However authorities at all levels circumvent this rule by forcing every recruit to say they are at least 18 years old.

"I was brought to the recruitment center, where they [military personnel] immediately started cutting my hair and filling out forms for me. I was only requested to give a thumb print. They asked me how old I was and I told them that I was 14. They told me to say 18. Then I was given a medical examination. At first the doctor wouldn't let me join the army because I didn't have any pubic hair. But, the corporal who recruited me bribed the doctor."

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

According to interviewees, children are then sent to complete military training programs and subsequently sent to the frontlines to fight "enemy" rebel groups or serve as porters, cooks, or servants for higher ranking officers. If sent to the frontlines they rarely know who they are fighting or why.

Children report that conditions in the detention centers and training camps are horrible; the barracks are overcrowded and they are bullied by older recruits. Moreover, children are routinely beaten if they make mistakes during training.

These conditions cause child soldiers to suffer from mental, emotional, and physical exhaustion. Children, still in varying stages of development, are unable to accommodate the stress generated by military activities. As reported by many of the interviewees, child soldiers often cry themselves to sleep in quiet humiliation, scared any show of weakness could invite additional reproach from fellow soldiers and officers.

As soldiers, children are forced to perpetrate violence and commit human rights violations. They take part in destroying villages suspected of supporting ethnic insurgent movements; they also participate in extrajudicial killings. Children are not prepared for the physical, emotional or psychological experience of war. Therefore some run away from the army, some attempt suicide, while most attempt to rationalize their experiences, which distorts their fundamental sentiments of right and wrong.

The SPDC has promised action and in an effort to quell the recruitment and use of child soldiers, has created the 'Committee for the Prevention of Military



Despite Promises : Child Soldiers in Burma's SPDC Armed Forces

Recruitment of Under-age Children.' However, rather than spending its time aggressively fighting against the recruitment and use of child soldiers, the committee focuses on contesting allegations from the UN and international and national human rights groups about the use of child soldiers in the country.

The SPDC must stop recruiting and using children in the military. The government's official policies, which prohibit children from entering the military, must be implemented and those who violate such policies should be punished. The SPDC must play a central role in disarming, demobilizing, and rehabilitating (DDR) former child soldiers and invite assistance from international and local organizations willing to help with DDR programs.

The SPDC promises change; but despite promises, evidence continues to point to SPDC's continued recruitment, training, and deployment of child soldiers.



Objectives:

1. To offer first hand accounts of the situation of child soldiers in the SPDC armed forces.
2. To determine factors rendering children vulnerable to military recruitment.
3. To review trends and developments regarding SPDC recruitment practices.
4. To examine progress made in regards to the implementation of Disarmament, Demobilization and Reintegration (DDR) programs.

Timeframe:

Documentation and information gathering started in December, 2004 and continued through December, 2005. Interviews were conducted during this period of time. Writing commenced in late September, 2005 and editing began in March, 2006.

Research Methodology:

The report primarily draws on extensive interviews with former child soldiers conducted by HREIB and Yoma (3) News Service. Researchers focused on 50 documented cases of former child soldiers who now reside near the Thai-Burma border. Researchers also conducted short interviews with members of the Burmese exile community in Thailand. In addition, the report draws on relevant secondary resources; including but not limited to books, magazines, newspapers and websites of organizations working on the issue of child soldiers.

Obtaining exact figures and statistics from inside Burma is incredibly difficult due to the sensitivity of the issue and security concerns. Therefore this report is based on research that is largely qualitative.

What is a Child Soldier?

"A Child Soldier is any person under 18 who is part of any kind of regular or irregular armed force/group in any capacity, carrying or not carrying arms; including but not limited to cooks, porters, messengers, and those accompanying such groups, other than purely as a family member; includes girls recruited for sexual purposes and forced marriage."

-Taken from the Annotated Principles and Best Practices on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa, also known as the Cape Town Principles, 1997

Despite Promises: The SPDC Continues to Ignore...

An Introduction

Despite international laws and standards protecting children's rights and ongoing criticism from the United Nations and human rights groups, Burma's State Peace and Development Council's (SPDC) armed forces continues to systematically recruit and use child soldiers.

"I was at the train station when suddenly a sergeant came up to talk with me. He asked, 'Where are you going?' 'I'm going to the toilet' I replied and continued on my way. He followed me and waited for me outside the bathroom. When I came out he started asking me a lot of questions, he inspected my things; and then out of nowhere someone from behind put me in handcuffs and took me to the Danyingone New Recruitment Center."

Former child soldier, recruited into the SPDC armed forces in 2003, at the age of fourteen

In response to allegations of being the world's number one recruiter of child soldiers, the SPDC created the 'Committee for the Prevention of Military Recruitment of Under-age Children' in January, 2004.

However, statements of over 50 former soldiers, interviewed by Human Rights Education Institute of Burma (HREIB) and Yoma (3) News Service throughout 2004 and 2005, prove that this committee has done little to protect children from being recruited into the military. Neither does the committee take any serious action on complaints from family members of children currently serving in the armed forces. By continuing to use and recruit children into the army and by failing to demobilize child combatants, the SPDC is in violation of the United Nations' Convention on the Rights of the Child.

The Convention on the Rights of the Child (CRC), to which Burma is a signatory, declares that "States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces." (CRC: article 38, section 3). The Optional Protocol on the CRC, an agreement Burma has yet to sign, raises that age to eighteen.



In Burma, children as young as eight years old are forced to join the *Tatmadaw*.¹ The moment they become soldiers they begin their untimely entrance into adulthood.

In 2002, the Human Rights Watch (HRW) published a research study entitled "My Gun Was as Tall as Me." This report indicates that there are around 70,000 children in the 350,000 strong SPDC armed forces. According to these statistics; one in five soldiers of the SPDC armed forces is a child.

"I met sergeant U Win Tun on my way home from the jungle. He asked me, 'Do you want to join the army?' I answered, 'No! I have to return home.' But he forbid me to leave and threatened to kill me if I didn't follow him. I begged him to let me go home, but he refused. He took me to Danyingone New Recruitment Center and forced me to attend a series of military workshops. He also took some other boys. We had to help build a new hostel for the police women and we had to clean the entry gate and the central guard tower."

Former child soldier, recruited into the SPDC armed forces in April 2003, at the age of fifteen

With this study, the Human Rights Education Institute of Burma (HREIB) attempts to update the international community on the status of child soldiers in Burma, with particular consideration to those children vulnerable to recruitment. This report is a follow up to the 2002 Human Rights Watch findings. It is HREIB's contribution to the advocacy and lobbying work against the recruitment and use of child soldiers. It is also a response to the challenge posed by the UN to strengthen documentation and monitoring of violations and abuses committed against children in situations of armed conflict.

This report will examine the formation of the 'Committee for the Prevention of Military Recruitment of Under-age Children' in light of key recommendations that have been made to the State Peace and Development Council. Additionally, this report will offer definitive recommendations to the SPDC.

¹ International Confederation of Free Trade Unions (ICFTU), *Growing Up Under the Burmese Dictatorship*, August, 2003.

Child Soldiers: A Global Pandemic

According to the Coalition to Stop the Use of Child Soldiers, there are an estimated 300,000 children currently engaged in active combat around the world.¹ Children fight in wars taking place in Afghanistan, Burma, Congo, Liberia, Sierra Leone, Sri Lanka, and the Sudan, some of the most protracted and deadly conflicts of the modern age. Many armed groups ignore rules and international standards for war; one of the most basic of these standards, stipulating protection for children, is blatantly disregarded.

Children are recruited into armed forces and compelled to fight alongside adults. They are not only eye witnesses to the tragedies of war, but they are also perpetrators of violence. Children are systematically taught how to fire machine guns, lay mines, rape, destroy and pilfer villages. Some children are forcibly recruited into military services and others according to Human Rights Watch "... are voluntarily recruited as means of survival in war torn areas after family, social and economic structures have collapsed. Many joined because of poverty, unemployment, lack of access to education, or to escape domestic violence, abuse or exploitation."² In the Asia Pacific Region, children are active combatants in Burma, India, Indonesia, Nepal, the Philippines, and Sri Lanka.

The presence of child soldiers in military ranks is too visible to ignore. Human rights groups are collaborating on advocacy campaigns and international governing bodies are becoming progressively more vocal. The International Criminal Court (ICC) introduced the Rome Statue in 1998, which states "conscripting or enlisting children under the age of fifteen years into national armed forces or using them to participate actively in hostilities" (Article 8(2)(b)(xxvi)). The International Labor Organization (ILO) introduced Convention 182, on the worst forms of child labor, which maintaining, that ratifying states must "take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency." Also, mounting pressure from the UN has been particularly acute; the Secretary General, the Security Council, the General Assembly, and the Special Rapporteur of the Commission on Human Rights have all repeatedly condemned the use of child soldiers in recent years.

¹ Coalition to Stop the Use of Child Soldiers: Some Facts, <http://www.child-soldiers.org/>

² Human Rights Watch, *Child Soldiers: Global Report 2004*, London, 2004.

The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (also known as the 'child soldiers' treaty), adopted by the General Assembly on May 25, 2000 explicitly denounces the use of child soldiers and sets 18 as the minimum age for direct participation in hostilities, for recruitment into armed groups, and for compulsory recruitment by governments.

Also, the United Nations' Security Council has introduced several resolutions—1261 (1999), 1314 (2000) 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005)—on children and armed conflict. The most recent of these resolutions, 1612, stresses that governments are responsible for providing "effective protection and relief to all children affected by armed conflicts," including preventing the recruitment and use of child soldiers.

The international community has increasingly focused its attention towards individual governments that turn a blind eye to the issue of child soldiers in the ranks of its military. And over the past few years countless reports have emerged singling out the SPDC. Secretary-General Kofi Annan's report to the Security Council on January 15, 2003, distinguishes 23 parties, one of which is the State Peace and Development Council, that continue to recruit and use child soldiers. Also, Vacláv Havel, former President of the Czech Republic and Archbishop Desmond Tutu's report entitled *Threat to the Peace: A Call for the UN Security Council to Act in Burma* identifies Burma's continued use and recruitment of child soldiers as a contravention to UN Resolution 1612 and to Burma's obligations as a signatory to the Convention on the Rights of the Child. These and other examples point to the efforts of the international community to publicly name and hold those responsible for children being used as soldiers, most notably for this report the SPDC.

The Current Situation of Children in Burma

The policies of the State Peace and Development Council (SPDC) have left a once prosperous country in dire political, economic and social turmoil. The children of Burma are exposed to widespread poverty, poor education and healthcare, forced labor and forced combat. Children lack the most basic human rights.

The gross national income for 2004 in Burma was \$220 per year, less than one-fifth the average gross national income of other countries in the region (State of the World's Children, 2006). Since then inflation has continued to increase, natural resources such as minerals and timber continue to be extracted and more people are struggling to feed their families as the kyat (official currency in Burma) continues to lose value. As the economic situation in Burma continues to deteriorate, the burden on children intensifies. Increasingly, children are expected to help their families survive. They are put to work begging on the streets, in teashops and other business establishments, and/or forced into working in economic grey areas (prostitution, drug trafficking/smuggling, domestic servitude, etc.). While trying to feed themselves and their families, they are exposed to severe physical and psychological trauma.

The SPDC spends 29% of its national budget on defense and 3% on health care (State of the World's Children, 2006) despite ongoing threats of diseases such as TB, malaria and HIV/AIDS. The lack of a significant health care system has disproportionately affected Burma's children. Very few children have access to immunizations and basic medical care. Also, as many children are not properly nourished, their natural immune systems are not developed leaving them vulnerable to opportunistic illness and infections. While the SPDC does not provide proper healthcare for its people, it also consistently and systematically denies international aid organizations access to areas where the need is the most critical. The health of Burma's future generations is in danger.

Similarly, the education system in Burma is being destroyed by lack of government support. UNICEF has estimated that close to 50% of all school age children do not attend school, and that only half of those who enroll in primary level education will move on to middle school, and only one in four teenagers enroll in high school. The government's own estimates put 84% of the annual dropouts from primary school in rural areas, where the children have the least access to educational services. For the student who manages to go to school, he or she will find that schools have limited resources, outdated books and under

paid teachers. The government controlled schools also favor rote learning and memorization, rather than critical thinking. The All Burma Federation of Student Unions (ABSFU) has remarked that the state curriculum stresses the importance of the military and might reinforce ethnic prejudices. In addition, gender disparities in education persist. Girls are expected to juggle education and traditional domestic roles, leading to poor performance and high drop out rates.

A further consequence of Burma's economic and social decline is the increase in child trafficking. Some parents sell their children, sometimes in hopes of giving their children a better life, sometimes in desperation for the little money they receive. Many of these children end up as bonded laborers and are at risk of being trafficked into the sex industry (especially in border areas). Children without parents are even more vulnerable to trafficking and as the armed conflict continues more and more children must live without parents.

Save The Children UK has identified children of minority ethnic groups as the greatest risk group. Living in remote areas and under attack from government forces, they lack basic social services. Sometimes they are lost or abandoned while families are forcibly relocated or in flight from military hot zones.

Many children face a combination of stresses. Children who are conscripted into the armed forces lose whatever limited chances for an education they might have. Parents are afraid to send girls to school in SPDC-controlled areas for fear of rape and abuse. Trafficked children lack the possibility of education, and face threats to their health. Ongoing armed conflict has put into serious jeopardy the country's most important resource: its children.

Basic Indicators on Children and Poverty in Burma

Indicator	Burma	Average in the East Asia and Pacific Region
Total Population	50,004,000	
Total Population Under 18	18,111,000	
Gross National Income Per Capita (US\$ 2004)	220	1686
% of Central Government Expenditure allocated to		
Health	3	1
Education	8	9
Defense	29	12
Net Primary School Enrolment/ Attendance (%)	80	96
% of Primary School Entrants Reaching Grade 5	78	
Internet Users, Number per 100 Population	0	8

Source: The State of the World's Children 2006

Despite Promises: The SPDC Continues to Deceive

The Committee for the Prevention of Military Recruitment of Underage Children

The Office of the Chairman of the State Peace and Development Council established the Committee for the Prevention of Military Recruitment of Underage Children on January 5, 2004. The Committee is composed of key officials from the SPDC government, including: the Minister for Home Affairs, the Minister for Foreign Affairs, the Minister for Social Welfare, Relief and Resettlement, the Minister for Labour, the Deputy Chief Justice, the Deputy Attorney-General, the Judge Advocate General of the Ministry of Defense, and the Vice Chief of Armed Forces Training of the Ministry of Defense. The Committee is chaired by the Secretary (2) of the SPDC and the senior officer of the Ministry of Defense serves as the Committee's Secretary.¹ With such high ranking officials the SPDC appears to be taking the issue of child soldiers seriously; however the SPDC is actually more interested in changing its image among the international community than in taking concrete actions.

The Committee is tasked with enforcing Burma's Child Law and ensuring that under-age persons are not recruited for military services; the official objectives are as follows:

1. To prevent the forced recruitment of under-age children as soldiers
2. To protect the interests of under-age children
3. To ensure faithful adherence to the orders and instructions issued for the protection of under-age children

In its first meeting, the Committee outlined its 'Plan of Action' and determined measures to achieve its objectives. The Plan of Action defines the Committee's responsibilities with regards to recruitment, the functions of the Directorate of Military Strength, discharge from military service, reintegration, measures for public awareness, action against transgressors, cooperation with international organizations, reporting, and the submission of recommendations.

¹ Plan of Action for the Implementation of the Objectives of the Committee to Prevent the Recruitment of Child Soldiers.

Despite the creation of this committee, official SPDC statements continue to deny forced conscription and the use of child soldiers. In order for the Committee to be adequately empowered to address the issue of child soldiers, the problem needs to be clearly identified by the SPDC. However, in response to pressure from the UN and several human rights monitoring groups, the SPDC sent a letter to the United Nations Security Council denouncing allegations of forced recruitment practices. It stated:

“The Myanmar Armed Forces is an all volunteer force and those entering military service do so of their own free will. There is neither a draft system nor forced conscription by the Government of Myanmar. Forced conscription by the Government is strictly prohibited throughout the country.”

Letter sent from the SPDC to the UN Security Council in January 2004

However, evidence gathered from 2004-2005 unequivocally shows that children are still being recruited into the SPDC armed forces. Although exact numbers cannot be obtained, observations from interviewees and calculations from previous reports estimate that there are 70,000 child soldiers.

Not only has the SPDC been on the defensive about these numbers, but the regime has also been increasingly hostile to outside groups, thus making it difficult to help child soldiers or those children vulnerable to recruitment. This concerning trend of hostility to and non-cooperation with outsiders is exemplified by the recent break in the relationship between the Global Fund to fight HIV/AIDS, tuberculosis and malaria and the SPDC. The Global Fund ended its relationship with Burma in 2005 less than a year after its programs started, because the SPDC made it difficult to access areas outside of Rangoon. Jon Liden, the Fund's spokesman asserts that, “What makes the situation worse in Burma is that the government of Burma is not allowing international organizations...to actually do the work and reach the people in Burma.”¹

As the SPDC makes it difficult for even the most humanitarian efforts to reach those in need, it is next to impossible to gain access to child soldiers hidden in the ranks of the military, posted in sometimes remote jungle areas.

¹ http://www.bbc.co.uk/burmese/highlights/story/2005/08/050819_globalfund.shtml



Despite Promises: The SPDC Continues to Recruit

“At the age of 15, I was kidnapped on my way to my parents’ house. While waiting at the railway station I was abducted by SPDC authorities. The authorities told me that I would be temporarily used as a porter for the military.”

Former child soldier, recruited into the Burmese military in 2003, at the age of fifteen

“The term ‘**recruitment**’ refers to three different means by which persons become members of armed forces or armed groups: compulsory, voluntary, and forcible (or forced). Compulsory recruitment is defined in national legislation and thus typically applies to regular conscript armed forces. Voluntary recruitment is usually regulated by law or policy and occurs without conscription or force. Forcible (or forced) recruitment entails the use of force outside the law, for instance in the form of abduction or other duress. It is important to note that the lines between compulsory, voluntary and forced recruitment are often blurred. Children may be subjected to various political and economic pressures that provide them with little alternative than to “voluntarily” join armed forces or armed groups.”¹

No matter what the tactic, recruitment of children into the military is unacceptable. International legal standards uphold this principle; even the Myanmar Defense Services Act of 1947 explicitly prohibits the recruitment of child soldiers. The Directorate of Military Strength, which was established on July 23, 2004, is responsible for ensuring no one under 18 years of age is recruited into the armed forces.

However, before recruitment practices can be evaluated, the conditions leading to recruitment must be explored. The Human Rights Watch (HRW) report entitled *My Gun Was as Tall as Me* outlines a number of conditions that lead to the recruitment of child soldiers. As stated in the previous section, economic, educational, and political factors create complex pressures for children; such pressures can be capitalized on by the military. The HRW investigation asserts

¹ Coalition to Stop the Use of Child Soldiers Research Guide for the Child Soldiers Global Report, 2004



that the underlying causes for children to 'voluntary' join the military can be traced to poverty spawned by corrupt military rule.

Burma, once a wealthy and vibrant nation, is now extremely poor and has been designated by the United Nations as one of the least developed nations in the world. Burma is rich in natural resources and enjoys an advantageous geopolitical location. Nevertheless, years of military rule and economic mismanagement have left the country in ruins, both in terms of economy and environment. Economic disparity leaves a majority of children in critical need of basic survival resources.

When children barely have enough food or clothing, education is a secondary concern. Education, however, is paramount to a child's development and educated children are less likely to be recruited. For example, a child is less likely to be approached by a recruiter during the day if s/he is in school. But, when school fees are outrageously high, which in this case concerns all fees preventing children from going to school, and educational materials are too costly, poor children cannot attend school.

SPDC recruiters systemically and strategically prey on poor children. Recruiters lurk in train stations and other places where impoverished children not attending school can be found during the day. Children, desperate to help support their families financially, are inclined to believe recruiters' promises of good salaries and future opportunities. They make life-changing decisions, subjecting themselves to the whims of military recruiters. SPDC recruiters exploit this economic motivation and deceive children into thinking they will be able to support their families. Poor children are defenseless against recruiter's tactics.

"I entered the military because my family is poor. I wanted to become a captain in the army. My father is a farmer and my mother is just a housewife. My father's income from the farm is not enough to support all of us because most of our farmland has been confiscated by the army and used to build military camps in our area. I have four siblings and all of us depend on our father's income".

Former child soldier, recruited into the SPDC armed forces in 2004, at age fifteen

Other conditions that lead to recruitment are the SPDC's insatiable desire for militaristic domination over its population, its ongoing civil war with insurgent groups, and its fear of an ill-defined foreign threat. These factors encourage the



authorities to continuously expand the armed forces and children are recruited to supply this ever-growing need

If children do not “voluntarily” join the armed forces for economic reasons, they are at risk of being forced to join. The most common tactic used according to interviewees was the ultimatum: Go to jail or serve in the military. Children are tremendously susceptible to threats so this tactic is very successful.

“I had no interest in entering the military service. But I was forced to go to a military recruitment center by a group of police while I was on my way home from a restaurant where I was working. They asked me, ‘do you want to go to jail?’ I replied, ‘No, I don’t want to go to jail. I guess I’ll join the military service instead.”

Former child soldier, recruited into the SPDC armed forces in 2004, at the age of fifteen

“I met sergeant U Win Tun at the Battalion on my way back from the jungle. And he asked me, ‘Do you want to join the Army?’ I answered, ‘Not yet.’ I was supposed to return home but he forbid me to go and took me to a cycle workshop at Danyinkone. He also took some other boys and gave us cigarettes to smoke. The next morning we were taken to the Danyinkone Soldier Collection Center.”

Former child soldier, recruited into the SPDC armed forces in 2003

“While my friend and I were playing in the school, six soldiers approached us and asked us, ‘Do you want to join the army or want to go to prison?’ We were very afraid so we chose the army. They took us to the Danyingone New Recruitment Center.”

Former child soldier, recruited into the SPDC armed forces in 2004, at the age of fifteen

Recruiters also take advantage of underlying value systems that highly regard hyper-masculine models of men. In “War is no Child’s Play: Child Soldiers from Battlefield to Playground” Lilian Peters notes that “...The Participation in military or warlike activities is glorified and children are taught to revere military

leaders. Value systems that endorse bearing arms as a sign of masculinity may draw youngsters into the armed forces or group.”¹ Recruiters also exploit traditional community structures in order to bring children into military service. The Yoma (3) News Service account below illustrates how recruiters pressure village leadership into helping provide fresh recruits.

On 12 November 2004, first lieutenant Aung Myint Oo, corporal Hla Win and their squad went to _____ Township, _____ Village and called the Chairman, _____ and secretary, _____ of the village council. First lieutenant Aung Myint Oo ordered them [the village chairman and secretary] to collect the males under 35 for a meeting, which would go from 10:00 a.m. to 2:30 p.m. First lieutenant Aung Myint Oo and his squad called four young students to _____ Village at 3:30 p.m. At about 8:00 p.m. they took the students to Yangon.

The students' parents asked the village council's chairman and secretary about their children's disappearance, but the village councilmen told the parents that the children were sent to the Army to fulfill quotas.

_____ The father of one of the students taken by the squad, went to Danyin Gong recruitment center and met with first lieutenant Aung Myint Oo. When he told him that his son was too young to enter the army and was still in school, first lieutenant Aung Myint Oo replied that he would set them free if the parents gave at least 200,000 Ks. Then, first lieutenant Aung Myint Oo let the parents meet with their children for a while before they sent the students to No.6 Basic Military School in Pathein.

The four students were in 10th standard at _____ school. Their parents are very angry that their children were captured and forced into the military.

Whether by economic exploitation or physical force, what motivates recruiters to conscript children? Some recruiters are motivated by financial incentives. The possibility of monetary or other rewards is one enticing factor inducing recruiters to conscript children. Some interviewees reported that recruiters receive payment in the form of cash and/or rice for each new recruit they bring in.

¹ "War is no Child's Play: Child Soldiers from Battlefield to Playground" Lilian Peters, Geneva Center for the Democratic Control of Armed Forces



“At first I couldn’t figure out why the corporal who recruited me bribed the doctor [to allow me to enlist], but then I later figured out that, he [the recruiter] got 3,000 Kyat and a bag of rice for each new recruit he brought in.”

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

Other recruiters are faced with carrot-and-stick incentives, such as quota systems. As reported by Andrew Selth in *Burma’s Armed Forces: Power without Glory*,¹ “If these authorities fail to achieve their quota, they can be fined. Conversely, rewards are granted for each recruit provided in excess of the quota. This procedure has resulted in many young men being forcibly recruited into the army, or fleeing to avoid conscription.” Quota systems, like the one described above, belie the cynicism of the SPDC’s Committee for the Prevention of Military Recruitment of Under-age Children. The reality of recruitment practices on the ground contradicts systematized policies from above.

Nevertheless, the burden of responsibility lies with those high ranking military officers and government officials and they must be held accountable. The Committee’s Plan of Action states that the SPDC is responsible for, “taking effective action against transgressors if recruitment is not done in conformity with orders, instructions, rules, and regulations.”² The Committee has been around for over two years, however there is no evidence of a case in which any officers have been held accountable for unlawful recruitment practices.

There are many reasons why the SPDC finds using child soldiers favorable, going to such lengths as instituting quota systems. Lilian Peters’ report on child soldiers for the Geneva Center for the Democratic Control of Armed Forces, reflects that, “the longer a conflict continues the more likely children are forcibly recruited because of shortage of adult soldiers. Children are also often recruited because they are believed to have special qualities, like obedience, they do not compete with the leadership; are quick, invisible, fearless, and mainly cheap.”³

Even when beseeched by parents, the SPDC does little to relinquish child soldiers from the military, though the Committee’s Plan of Action clearly states that any soldier found to be under the age of 18 should be returned to his

¹ Selth, Andrew. *Burma’s Armed Forces: Power Without Glory* (New York : Eastbridge)

² Committee’s Plan of Action

³ “War is no Child’s Play: Child Soldiers from Battlefield to Playground” Lilian Peters, Geneva Center for the Democratic Control of Armed Forces

parents or guardians. Parents will do almost anything to get their children back from recruitment centers.

“His father went to Danyingone [recruitment center], but they denied having child soldiers. So, my husband bribed a soldier and that soldier showed him the name roster. My husband saw our son’s name on the top of the roster, but the soldier wouldn’t allow him to meet with our son, even after coming to the center three times a day. My husband and I also went to the home of the sergeant who was in charge of the training center. We requested that he free our son from the army, but he told us that our son was done growing and well-built. He said that our son joined the army by choice and that self-determination is more important than a parent’s will. We tried again and again to meet with our son, in vain.”

Mother of a former child soldier

“I felt very sad, he is my youngest son. I spent a lot of money searching for him and trying to help him escape. Later we got news that he was in the army and went to the recruitment center right away. First, a soldier from that battalion told us that we can bribe him with a little bit of money, so I put some money into an envelope and gave it to him. I didn’t care how much money I had to spend. But they didn’t accept the money. They only wanted my son to be a soldier. I complained and told them that my son was too young and not smart enough to enter the army yet and that he would when he was 18...I worry about my son all the time.”

Mother of a former child soldier

The SPDC continues to intimidate children and force them to join Tatmadaw ranks despite the creation of the ‘Committee for the Prevention of Military Recruitment of Under-age Children.’

In its most recent declaration against the recruitment of child soldiers, the United Nations Security Council introduced resolution 1612. The resolution “*Strongly condemns* the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them and all other violations and abuses committed against children in situations of armed conflict;”¹ The SPDC has yet to acknowledge this resolution and/or make a concerted effort to halt the recruitment of children into its armed forces.

¹ http://www.un.org/Docs/sc/unsc_resolutions05.htm



Despite Promises: The SPDC Continues to Train

“In my barracks there were 52 people and at least 10 were under 18 years old.”

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

Military training by nature is a grueling physical and psychological challenge regardless of the age of the recruit or nation doing the recruiting. For a fourteen year old boy in Burma, it is nothing short of miserable. According to interviewees, the conditions of training camps in Burma are appalling. Barracks are crowded. Beds are uncomfortable. Hours are long. Work is exhausting. Beatings are cruel. Showers are freezing. Bathrooms are filthy. The list goes on.

The dismal conditions in the training camps are made worse by nutritional deficiencies and chronic homesickness. Trainees are provided with extremely low quality food. They are also deprived of contact with the outside world, their family and friends. These added sources of frustration only intensify the negative feelings induced by military service and liken the life of a soldier to that of a prisoner.

“Sometimes we had meat (beef tendon which is quite tough) but we had mostly vegetables. It wasn't enough food. We were given rations on a plate and once we finished we weren't allowed to have more. There was never enough curry.”

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

Training days are long, boring and repetitive. The average day consists of early morning exercises and running, mid-morning military marching, afternoon combat skills training and weapons work, and evening lectures and theory classes.

“We woke up at 5 o'clock in the morning and exercised for 30 minutes. Then we cleaned our barracks and the area around our compound. Then at 6 o'clock we had our breakfast—fried rice, tea or coffee, and one egg. After breakfast, at 7 o'clock we had to line up and do role call. Then we started training. We practiced military parade, how to salute our officers, etc. In the afternoon we practiced combatant skills. Each day was a little different, but that was the



basic routine. At 4 o'clock we had physical exercise again and at 5 we showered and cleaned up. At 6 we had dinner. From 7-9 in the evening we had lectures and sang military songs, basic educational propaganda."

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

"I attended one Basic Military Training School in Ming Gong Village, Hpaunggyi Township, 1st Squad, 4th Platoon Company. We practiced the military parade all the day long, even though we were all suffering from heatstroke. Even though I was interested in learning the strange military skills at first, I was so tired and fed up by the end that I didn't want to learn anymore. I wanted to go back home, but I was afraid to leave."

Former child soldier, recruited into the Burmese military in 2004, at the age of fifteen

Even though most trainees are afraid to escape from training, the emotional distress of being torn away from family and friends for the first time is intolerable for many young recruits. Some trainees, in utter desperation, try to run away, the consequences of which are terrifying. If a trainee is discovered while attempting to run, he will be severely beaten. One interviewee explained:

"[If somebody was caught running away from training] they had to carry bricks on their backs and work in the fields on their knees. Other punishments included group punishment. If someone from your unit managed to escape successfully, everyone in your unit would be beaten. If someone from your unit escaped and was caught then everyone in the unit had to punch that person and if you didn't punch hard you'd be punched."

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

"If somebody was caught [running away from training] he will get beaten by all the trainees. If a trainee didn't want to hit the runaway then he would also get beaten."

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fifteen

Although trainees are aware of such consequences, some still try to escape as a last resort, jeopardizing both themselves and fellow trainees.

“----Zaw ran away during his recruitment on Jan 15th 2004 but he was caught by military men at Hpaunggyi on the way to Yangon Bus Station, the next day. And they took him back to the recruitment centre.

His mom, found out that he was at the centre & she told Commander U Nyo Thint that ----Zaw was still only 17 years old, and that he was too young to be soldier and that she wanted to call him back. But the commander threatened ‘Don’t say anything more, if this child runs away again we shall go to your home & arrest you also.’

----Zaw’s mom worried about her child. In order to get her son released from service, she asked the ILO, based in Yangon, to sue (on March 22nd 2004) because her son wasn’t only under 18 years old but also didn’t want to serve in the Military.

On 5th May 2004, many soldiers came to her house and tried to force her to sign a statement saying that she allows her son to continue to serve in the army. Then three soldiers from the navy came to her house and gave her a bag of rice, 5,000 Ks and a military uniform.

But ----Zaw’s mom refused to sign and she replied asking that her son be allowed to resign from the military.

Yoma (3) News Service

Despite Promises: The SPDC Continues to Deploy

After training, child soldiers take on various roles and perform a variety of functions in the military. Some serve as spies and guards at checkpoints, others work as porters, cooks, and maids. Many are sent to the frontlines to engage in violent confrontations with rebel/insurgent groups. Children are expected to work alongside their adult counterparts; if they are unable to meet expectations they face severe consequences.

The most dangerous assignment is to be sent to the frontlines as an active combatant. Child soldiers face significant dangers on the battlefield and must relinquish childhood fantasies of invisibility; they are in no way immune to live ammunition. As active combatants, children are both perpetrators and victims of violence and must confront all of the perils of war. This section of the report examines the physical threats to child soldiers, as children are often directly in the line of fire.

Many of the children interviewed for this report were sent to the frontlines upon completion of basic training. They were deployed to areas where fierce fighting was taking place. After short and insufficient training periods, they were not at all prepared to go to the frontline. One child's account:

"After the first 3 months I was sent west of Davoy to Teta. There was an enemy outpost called A1 and I was sent there. My unit was assigned to diffuse landmines on the frontline. After that we were assigned to guard and secure the area around the bridge."

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

SPDC armed forces are currently involved in a number of active military engagements with armed resistance groups. At the frontlines children are exposed to insufferable conditions. One child explains:

"I was on the frontlines during the rainy season. I had trouble sleeping. I only had one tarpaulin. I spread it on the ground and slept on it. I had to sleep under a roof made of tree leaves. I couldn't sleep all night long. I also did not have boots."

Former child soldier, recruited into the Tatmadaw in 2004, at the age of fourteen

Because of such conditions, children are sleep deprived, malnourished, and exposed to tropical diseases like malaria and dengue fever. Conditions often lead to illness, for which there is inadequate treatment due to the lack of medical facilities.

On the frontlines hunger is often an issue. Without sufficient rations, children are sent on missions for days and sometimes weeks at a time. Child soldiers are compelled to beg for food from villagers. Some villagers are sympathetic to soldiers, especially children, but some are not because the soldiers are often seen as enemies. If villagers are averse to offering food, some soldiers resort to stealing. When soldiers are sent on missions to remote areas, they must hunt and/or gather fruits and vegetables. One child soldier relates:

"Sometimes we hunted for food and when there weren't any animals we would eat vegetables and fruit. We were given rations for 7 days, but after 7 days sometimes we were sent on another 7 day mission, without more rations. We had to hunt or pick fruits and vegetables. There were no villages, so we couldn't ask villagers for food. We were in the jungle."

Former child soldier, recruited into the SPDC armed forces in 2003 at the age of fourteen

Expected salaries for soldiers in the SPDC armed forces rarely materialize. But if soldiers do receive compensation for their duties, they usually only get a third of what was originally promised. Many child soldiers do not receive any salary at all.

"Our monthly salary was 3,000 kyats. But we never received the full amount. They [higher ranking officers] always make 2,000 kyats cuts. In reality, we only receive 1,000 kyats a month. They cut 2,000 kyats from each salary for "box costs," they even cut 100 kyats for the two seals, which we put on our uniforms. They also make cuts for the costs of religious ceremonies and the cost of flowers offerings. We had to pay for the damage of Chaymankwin which we put on our trousers. So they paid us only 1,000 kyats per month as salary. I have no idea what system they used in paying our monthly salaries"

Former child soldier, recruited into the Burmese military in 2003, at the age of seventeen

Periods of intense fighting leave children wounded and killed. Child soldiers are shot, blown up by grenades, and stabbed. The risk of injury and death is very high while fighting on the frontlines.

A Yoma (3) report reveals:

[A soldier], 16 years old, of the TA/ 237417, Light Infantry Battalion (340), Phapon , Karen State, had his leg amputated after stepping on a landmine in the Yangon Township, Mingaladon No. (1) Hospital, Special Treatment Hostel (3), Room (3).

Yoma (3) News Service

The future of a young person's life can be ended by one wrong step. With lack of proper training and no life survival skills, children are more likely to make devastating mistakes in battle.

Despite Promises: The SPDC Continues to Reject

What is DDR?

A Briefing for the 4th UN Security Council Open Debate on Children and Armed Conflict, January 16 2004, defines DDR as:

Disarmament: The collection of small arms and light and heavy weapons within a conflict zone. It frequently entails weapons collection, assembly of combatants and development of arms management programs, including their safe storage and sometimes their destruction. Because many child soldiers do not carry their own weapons, disarmament should not be a prerequisite for the demobilization and reintegration of child soldiers.

Demobilization: The formal and controlled discharge of soldiers from the army or from an armed group. In demobilizing children the objectives should be to verify the child's participation in armed conflict, to collect basic information to establish the child's identity for family tracing, to assess priority needs, and to provide the child with information about what is likely to happen next.

Reintegration: A long-term process which aims to give children a viable alternative to their involvement in armed conflict and help them resume life in a peaceful civilian environment. Elements of reintegration include family reunification (or finding alternative care if reunification is impossible), providing education and training, devising appropriate strategies for economic and livelihood support and in some cases providing psycho-social support."¹

Effective DDR programs are essential for child soldiers to successfully recover from military life. Effective DDR programs take into consideration the particular conflict that the child was involved in as well as factors relating to an individual-child's particular post-military needs. However, even before planning can commence, it is important to consider the preconditions for DDR, which primarily relate to the child's environment. A child must be out of harm's way, in a peaceful place.² Overall conflict resolution may not be on the horizon in Burma,

¹ United Nations Security Council, CHILD SOLDIER USE 2003: A Briefing for the 4th UN Security Council Open Debate on Children and Armed Conflict, January 16 2004

² International Peace Institute: Framework DDR

but it remains imperative for child soldiers to be taken out of immediate danger. Even if peace is not achieved, it is a priority to disarm and demobilize children.

Who is responsible for DDR programming? The onus of implementing DDR programs does not lay entirely with the national government or any other singular group. Many actors should be involved in the strategic planning and implementation of DDR programs, ranging from national and local government authorities and UN agencies to International NGOs and grassroots community organizations. The national government, however, must take a central role in the process in order for DDR to prosper and remain stable, according to the International Peace Academy's (IPA) workshop report entitled *A Framework for Lasting Disarmament*,

Demobilization, and Reintegration of Former Combatants in Crisis Situations. Ex-combatants should also help design DDR programs.

Once actors have been identified and planning and needs assessment has taken place, DDR programs should be implemented in a systematic fashion. First and foremost, child soldiers need to be disarmed and ensured a peaceful environment to live in. Children must be identified, registered with an NGO or UN or government agency, and if the situation permits reunified with their families and provided with a sufficient support network. IPA's workshop report maintains that once these steps have been taken there is a "need for training programs that are responsive to the needs of the community."¹ In many instances, training programs are skill- and labor- oriented; however, for children of school age, these trainings need to be adjusted to take into account primary educational needs.

Furthermore, as the IPA report emphasizes, "It is important that there be comprehensive and periodic assessments of the various components of any DDR program. These assessments provide objective criteria for judging whether particular initiatives were successful and for making decisions about how future programming should be adapted."² These assessments should be apart of an overall DDR program monitoring system. Monitoring, like the whole DDR process, should not be limited to the government or any other one actor.

¹ Ministry of foreign affairs of Japan <http://www.mofa.go.jp/policy/human/child/survey/profile2.html>

² IPA Report



Despite promises, the SPDC has failed to establish DDR programs. The 'Committee for the Prevention of Military Recruitment of Under-age Children' is expected to take a central role in generating a strategic DDR plan.

The SPDC could look at a number of cases to learn how to implement effective DDR programs. In Sierra Leone where child soldiers is also a major issue, for example, programs succeeded in disarming, demobilizing and reintegrating over 15,000 former child combatants.¹ Like Burma, armed groups in Sierra Leone utilize child soldiers and like Sierra Leone, Burma should take action to begin DDR activities. A survey of programs on the reintegration of former child soldiers, conducted by the ministry of foreign affairs of Japan, indicates some of the measures taken by government actors in the DDR process:

"The Government of Sierra Leone carried out an extensive needs assessment of war-affected areas as the basis for formulating a national plan for the resettlement, rehabilitation, and reconstruction of the country. The plan [was] referred to as the National Resettlement, Rehabilitation and Reconstruction Program (NRRRP)... At the core of the NRRRP was an initial Quick Action Program (QUAP) that focused on 17 different sectors or program areas considered crucial for the social and economic recovery and revitalization of the country. The QUAP specifically targeted short-term priority areas of post-war reconstruction, focusing on resettlement of displaced persons,

demobilization and reintegration of ex-combatants, re-establishment of basic social services, and reconstruction of economic infrastructure particularly related to agricultural production."²

These measures, along with complimenting initiatives taken by the UN and national NGOs to identify and assist child soldiers allowed for DDR objectives to be realized.

The Committee to Prevent the Use of Child Soldiers' Plan of Action outlines procedures for discharging soldiers found to be under 18 and reintegrating those children back into their regular lives. The Plan states that the Committee should "make arrangements to give vocational training, other alternative educational options

¹ Ministry of foreign affairs of Japan <http://www.mofa.go.jp/policy/human/child/survey/profile2.html>.

² *ibid*



and livelihood supports with special focus on orphans, those without guardians and other vulnerable under-age children.” This statement falls short of calling for effective DDR programs. While it may seem that the SPDC’s creation of the Committee is the beginning of a promising DDR process, it is really just a way for the SPDC to pay lip service to the UN and other international bodies. There is very little evidence that points to the committee’s effectiveness in initiating DDR programs.

Moreover, in the same planning document the Committee states that “[Soldiers found to have joined the armed forces while under 18, but at the time are of age] may be asked whether they would like to serve in the armed forces on a voluntary basis.”¹ In no situation whatsoever should former child soldiers be “asked” whether they would like to serve in the armed forces on a voluntary basis. Former child soldiers should be demobilized.

In spite of the Committee’s mandate, it has failed to provide credible assurances to child soldiers or their parents. Rather, the committee merely provides false hopes. One mother comments on her attempt to get her child back, and her resulting disappointment:

“In 2004, the military government announced the creation of the ‘Committee for the Prevention of Military Recruitment of Under-age Children.’ I was very glad to hear about this news and had some hopes that my son would be released [from the military] because he is still under the age of 18. I asked the advice of my friends and we decided to file a complaint sent a letter of appeal to the committee. I wrote in my letter that my son is still young and under the age of 18 years old and he did not willingly join the army and we are asking for his release from the military. We submitted the letter to General Thein Sein, the head of the committee. Previously we made an appeal to my son’s Battalion Commander Major Kyaw Soe on December 10, 2004. However, until now we did not get a reply from the committee nor from my son’s immediate officer.”

Mother of former child soldier

1 Committee’s Plan

Another mother asserts:

"I know that my son was not willing to join the army so we [my husband and I] complained to the ILO based in Yangon last April 22, 2004. The ILO filed a complaint to the 'Committee for the Prevention of Military Recruitment of Under-age Children,' headed by Lt. General Thein Sein. But until now this case has not been resolved and we are still waiting for our son's release."

Mother of former child soldier

The creation of DDR programs in Burma is vital. Services are required to help children deal with the damaging emotional and psychological affects of conflict. In the military children are taught that violence is a tenable solution to their problems and they are desensitized to cruelty. These experiences make children prone to commit acts of violence in the future. Child soldiers need DDR programs to assist them in achieving some semblance of a normal civilian life. They need to be given the chance to regain their childhood. They deserve the opportunity to go to school and engage in all the activities they missed out on while in the military. Children need help from counselors and family, community members and friends. If they are to be disarmed, demobilized and reintegrated into their civilian lives they will need most of all, the help of the SPDC.

Conclusion

The interviews conducted by the Human Rights Education Institute of Burma and Yoma (3) News Service confirm the SPDC's continued recruitment and use of child soldiers. Therefore statements made by the SPDC maintaining the Tatmadaw is an "all volunteer force" have been proven to be false. The international community is well aware of this and continues to speak out against the pattern and practice of the SPDC coercing children away from their families and communities and putting guns in their hands. Initial hope that SPDC's establishment of the 'Committee for the Prevention of Military Recruitment of Under-age Children' would actually seek to address this issue has diminished as it is only a smoke screen for their continued violation of international human rights protections.

Significant advances are taking place in the realm of international advocacy against the recruitment and use of child soldiers, with considerable attention focused on Burma. Likewise, global condemnation of using and recruiting child soldiers has galvanized lawmakers to set up legal protection for vulnerable children. The United Nations Convention on the Rights of the Child (CRC) and the Optional Protocol to the CRC on the involvement of children in armed conflict, the International Labor Organization's Convention 182 on the Elimination of the Worst Forms of Child Labor, the Rome Statute of the International Criminal Court, and the UN Security Council Resolution 1612 all implicate the State Peace and Development Council. The pressures resulting from these laws, along with the pressure from sustained efforts by human rights organizations and activists, will continue to mount.

Furthermore, child soldiers continue to escape from the Tatmadaw and make their way out of Burma. They are telling their stories for themselves as well as for the other children who were left behind in the barracks not able to escape. For these former child soldiers there is hope for a different future, a chance to go back to school and live out their remaining childhood.

"After I escaped from the army, I crossed the border and stayed in Maesot [Town in Thailand]. I continue my studies in one of the schools for migrant workers and children at the border. I would like to finish my education and return to my home town to stay with my family in the future."

Former child soldier, recruited into the Burmese military in 2003, at the age of seventeen

Recommendations

The SPDC needs to make good on its promises.

The SPDC should...

1. Officially recognize that children are currently being recruited and used in their armed forces.
2. Acknowledge that official policies that prohibit children from entering the military, while important first steps, are not enough to solve the problem and concrete actions must be taken to stop the recruitment and use of child soldiers.
3. Immediately stop the recruitment, the training and the deployment of children in the armed forces.
4. Ensure implementation of the 'Plan of Action for the Objectives of the Committee for the Prevention of Military Recruitment of Under-age Children.'
5. Sign, ratify, and implement the Optional Protocol to the Convention on the Rights of the Child regarding the use of child soldiers.
6. Strictly adhere to and monitor national recruitment laws, policies, and practices.
7. Ensure that those who violate national recruitment laws and policies are punished accordingly.
8. Lead the way to disarming, demobilizing, and rehabilitating former child soldiers. Collaborate with international and local organizations with expertise in DDR programs to develop an effective comprehensive approach to supporting former child soldiers.
9. Help reunite former child soldiers with their parents or guardians.

10. Work with opposition groups for a peaceful, political solution to the ongoing civil wars.
11. Improve birth registration to ensure that every child has proper documentation certificates and proof of age.
12. Decrease the percentage of the government expenditure spent on the military and reallocate funds to education and social welfare programs.
13. Recognize that children who attend school are less likely to join/be recruited into the armed forces; and improve the education system so as to decrease school drop-out rates and prepare children for a better future.
14. Address economic inequalities and implement policies to bridge the divide between the wealthy and poor.
15. Address the current health problems facing the country and work to improve the general health of all people in Burma.
16. Increase awareness of general human rights among those serving in the SPDC armed forces.
17. Constructively engage with civil society and non governmental human rights and aid organizations.



Appendix

International Standards¹

The following is a summary of the main international legal standards relating to child soldiers:

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: This was adopted by the UN General Assembly on 25 May 2000 and entered into force on 12 February 2002. The protocol sets 18 as the minimum age for direct participation in hostilities, for recruitment into armed groups, and for compulsory recruitment by governments. States may accept volunteers from the age of 16 but must deposit a binding declaration at the time of ratification or accession, setting out their minimum voluntary recruitment age and outlining certain safeguards for such recruitment. The full text of the Optional Protocol as well as the latest list of ratifications can be downloaded at the end of this page.

Rome Statute of the International Criminal Court (1998): This establishes a permanent court to try persons charged with committing war crimes, crimes against humanity, and genocide. In its definition of war crimes the statute includes “conscripting or enlisting children under the age of fifteen years into national armed forces or using them to participate actively in hostilities” (Article 8(2)(b)(xxvi)); and in the case of an internal armed conflict, “conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities” (Article 8(2)(e)(vii)).

When drafting the treaty, delegates agreed that the terms “using” and “participate” would prohibit not only children’s direct participation in combat, but also their active participation in military activities linked to combat such as scouting, spying, sabotage, and the use of children as decoys, couriers, or at military checkpoints. Also prohibited is the use of children in “direct” support functions such as carrying supplies to the front line. The statute also defines sexual slavery

¹ Coalition to Stop the Use of Child Soldiers





as a crime against humanity (Article 7(1)(g)). The treaty came into force and the court came into being on 1 July 2002. Visit the International Criminal Court website.

ILO Minimum Age Convention 138: This convention was adopted on 26 June 1973 and came into force on 19 June 1976. States ratifying the convention are bound to: pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons (Article 1).

ILO Worst Forms of Child Labour Convention 182: This convention was adopted on 16 June 1999 and came into force on 19 November 2000. It commits each state which ratifies it to “take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.” The term “child” applies to all persons under the age of 18 years and the worst forms of child labour include: all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict (Article 3a).

The text of ILO Conventions 138 and 182 can be found on the ILO website.

Additional Protocols to the four Geneva Conventions of 1949 (1977): The protocols set 15 as the minimum age for recruitment or use in armed conflict. This minimum standard applies to all parties, both governmental and non-governmental, in both international and internal armed conflict.

Article 77 of Additional Protocol I, applicable to international armed conflicts, states: The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces.

In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years the Parties to the conflict shall endeavour to give priority to those who are oldest (Paragraph 2). If, in exceptional cases, despite the provisions of paragraph 2, children who have not attained the age of fifteen years take a direct part in hostilities and fall into the power of an adverse Party, they shall continue to benefit from the special protection accorded by this Article, whether or not they are prisoners of war (Paragraph 3).

Article 4(c) of the Additional Protocol II, applicable to non-international armed conflicts, states: Children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities. Additional Protocols I and II can be found on the ICRC website.

Convention on the Rights of the Child (1989): Although the Convention on the Rights of the Child generally defines a child as any person under the age of 18, Article 38 uses the lower age of 15 as the minimum for recruitment or participation in armed conflict. This language is drawn from the two Additional Protocols to the four Geneva Conventions of 1949.

Article 38 states that: States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities (Paragraph 2). States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest (Paragraph 3).

The **UN Security Council** has passed a series of resolutions condemning the recruitment and use of children in hostilities. These are resolutions 1261 (1999), 1314 (2000) 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005) on children and armed conflict. Resolutions can be found on the UN Security Council website.

Work Cited

Coalition to Stop the Use of Child Soldiers. "International Standards: International legal standards protecting children from recruitment or use as soldiers," 2006.
<http://www.child-soldiers.org/resources/international-standards>

Coalition to Stop the Use of Child Soldiers. "Child Soldiers Global Report: 2004"
<http://www.child-soldiers.org/resources/global-reports>

International Confederation of Free Trade Unions (ICFTU), "Growing Up Under the Burmese Dictatorship," August, 2003.

Geneva Center for the Democratic Control of Armed Forces. "War is no Child's Play: Child Soldiers from Battlefield to Playground" by Lilian Peters, July, 2005.

Human Rights Watch. "Child Soldiers: Global Report 2004," London, 2004.

Human Rights Watch. "My Gun Was as Tall as Me," New York, 2002.
International Peace Academy. "A Framework for Lasting Disarmament, Demobilization, and Reintegration of Former Combatants in Crisis Situations," December, 2002
www.ipacademy.org/PDF_Reports/Framework_FOR_DDR.pdf

Ministry of Foreign Affairs of Japan. "A Survey of Programs on the Reintegration of Former Child Soldiers," March, 2001.
<http://www.mofa.go.jp/policy/human/child/survey/profile2.html>

Selth, Andrew. *Burma's Armed Forces: Power without Glory*, New York: Eastbridge. 2002.

State Peace and Development Council, Office of the Chairman. "Plan of Action for the Implementation of the Objectives of the Committee for the Prevention of Military Recruitment of Under-age Children" January, 2004.

UNICEF. "Annotated Principles and Best Practices on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa," also known as the 'Cape Town Principles.' South Africa, 1997.

UNICEF. "The State of the World's Children: 2006"

<http://www.unicef.org/sowc06/>

United Nations Security Council. "Children and Armed Conflict: UN Security Council Resolution 1612," July, 2005.

<http://daccessdds.un.org/doc/UNDOC/GEN/N05/439/59/PDF/N0543959.pdf?OpenElement>

United Nations Security Council. "Child Soldier Use 2003: A Briefing for the 4th UN Security Council Open Debate on Children and Armed Conflict," January, 2004.