

The Phenomenon of 'Child Labour' and Child 'Soldiering' in Conflicts: The African Dilemma

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Abstract: Child labor is a global phenomenon, especially in the developing countries of Africa and Asia. Children work for a variety of reasons, the most important being poverty and the induced pressure to make a living. However, an emergent culture of 'child soldiering' has added a new dimension to the phenomenon of child labor in Africa. The problem is escalated by incessant fratricidal conflicts rampant in Africa and Asia. The dimension of these conflicts has exposed children to the theatre of war in which they have become not only spectators but also actors. Children are forcefully used as soldiers by governments and armed groups in many countries of the world, including Africa, America, Europe and the Middle East. While most child soldiers are aged between 15 and 18, many are recruited from the age of 10 and sometimes even younger. This paper conceives the phenomenon of 'child soldier' as an aspect of child labor because of the hazardous nature and the psychological implications on the growth and development of a child. The study reveals that children are at risk of not only being exploited as laborers but also in danger during armed conflicts. It elucidates the absurdity of child soldiering and constitutes as abuse on the rights of a child. Finally, the study deploys data from essentially secondary source to demonstrate that today's warfare in Africa, exploits, degrades and abuses children.

Key words: Child labour, child soldier, conflict, war

INTRODUCTION

The phenomenon of child soldiering has negatively impacted on the fortunes of the developing world in terms of growth and development. The reality of the misfortune is more pronounced on the youth who constitute the major bulwark of labour force in the future planning of the continent. The situation becomes more complex as the trend remains unabated in conflict zones across Africa. Besides the fact that the phenomenon of child soldiering is a manifestation of societal disorder, it accentuates the level of underdevelopment, poverty, social disorder and it gradually exterminates the future productive group in the continent because it distort their orientation and leads to a number of avoidable deaths through early exposition to the theatre of war.

Though the international convention on the rights of the child, adopted and ratified by the General Assembly of the UN negates the use of the child in combat and soldiering^[1], yet these rights are grossly violated. Even the International Labour Organization's (ILO) restrictions on child labor is yet to be respected as there exist in most nations, abuses of children. The

International Labor Office reports that children work the longest hours and are the worst paid of all laborers^[2]. Thus there is globalisation or internalization of child labor. The phenomenon is global, but prominent in the developing countries of Africa and Asia. There are various reasons responsible for child labour and soldiering, the most important being crisis of poverty coupled with induced pressure upon them to escape from the crisis. Poverty leads to multi facet crisis, economic and psychological deprivation especially during childhood, relegate them to a life of drudgery. The working environment of the parents at times does not provide the stimulation for proper physical and mental development for the children. However, an emergent culture of 'child soldiering' has added a new dimension to the outlook of child labor in Africa. The problem is most critical in Africa and Asia, as children are also used as soldiers by governments and armed groups in many countries, so also in the America, Europe and Middle East. For several decades in Africa, the number of tribal, ethnic, religious conflicts, factional fighting, civil wars and cross border conflicts have raged and children have been victims of the

circumstance they have no hand in creating, they are only victims but also actors in the bestiality of violence.

Conceptual framework: Conceptual framework is essential in social sciences research because it gives a clear understanding of the context to which such concepts are being put into use. It is imperative therefore, that an attempt to conceptualize child labor and child soldiering in a bid to situate them for analytical purposes in this study is germane.

Child labor contradicts the normative values, which act as moral guide of the society. Generally speaking, work for children that harm them or exploit them in some way - physically, mentally, child labour and the extreme soldiering is a core aspect of child abuse, it is a denial of fundamental rights of a child. The use of child in a productive activity is a manifestation of an underdeveloped society^[3]. The engagement of children during combat is a reflection of human savagery. The conceptualization of child labour sees it as any child work that is hazardous, exploitative and which endangers normal physical, emotional, mental and moral development of a person below the age of eighteen (Atere *et al*, *ibid*). However, there seems to be controversy as regards the universally accepted definition of “a child and who is a child” this is because child is varies among countries statue book, this variation has made the definition problematic and may have transferred to the concept of "child labor". However the is an acceptable definition by international organizations, non-governmental organizations, trade unions and other interest groups on the term child and child labour. Article 1 on the convention of the right of a child defines a child as every human being below the age of 18years unless the law of the country state otherwise. A child is any infant, baby, male or female that is not yet 18years or above (Atsenewa op cit). Thus, 18years is set as the minimum age for participation of children in hostilities^[4]. In this study the phenomenon of child soldier’ is conceived as an unlawful because of the hazardous nature of the work involved. For example, children serving in the armed forces are clearly a form of unlawful labor and it is hard to think of anything more hazardous to a child than being put in the front-line in a combat situation. The International Labor Organization Convention adopted unanimously by the 174 Member States on 16 June 1999 ratifies and agrees to "take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency". The ILO conceptualises "child" as all persons under the age of eighteen and considers worst forms of child labor to include; all forms of slavery or practices similar to slavery,

such as the sale and sexual trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict". However, across the world, millions of children do extremely hazardous work in harmful conditions, putting their health, education, personal and social development and even their lives at risk. These are some of the circumstances they face:

- Full time work at an early age
- Dangerous and harmful workplaces
- Excessive working hours
- Subjection to psychological, emotional, verbal, physical and sexual abuse
- Poor pay
- Work and life on the streets in bad conditions and,
- Inability to escape from the poverty cycle

The scourge is terrible and it poses dire consequences for the future of Africa in particular and the world in general. In recognition of this crisis, for the first time in 1989, an 18-year minimum age limit has been set in relation to child soldiering in an international convention and it also specifically give legal recognition of child soldiering as a form of child labor. According to Lindert^[5] Lindert child labor is most concentrated in Asia and Africa, which together account for more than 90% of total child employment Table 1. Though there are more child workers in Asia than anywhere else, a higher percentage of African children participate in the labor force Table 2. Asia is led by India, which has 44 million child laborers, giving it the largest child workforce in the world. In Pakistan, 10% of all workers are between the ages of 10 and 14 years^[5]. Nigeria has 12 million child workers and child labor is also common in South America, with 7 million children working in Brazil^[6].

Table 1: Distribution of economically active children under 15 years of age (percentage of total world child labor)

Region	1980	1985	1990
Africa	17.0	18.0	21.3
Americas	4.7	5.6	Na
Asia	77.8	75.9	72.3
Europe	0.3	0.2	0.1
Oceania	0.2	0.2	0.2

Sources ILO 1993, NA not available

Table 2: Comparison of labor force participation rates of children and adults by region (percentage)

Region	15 years and over	10-14 years
Africa	65.2	22.0
Americas	61.8	7.9
Asia	68.1	15.3
Europe	54.5	0.3
Oceania	62.7	6.9

Source: ILO 1993

From the above, the phenomenon of child soldier has taken a larger chunk of the child labour issue. Hundred of thousands of children have been recruited, both into governmental armed forces and armed opposition groups, in fact more than 300,000 youths and girls are currently serving as child soldiers around the world. Many are less than 10 years old. Many girls soldier are forced into sexual slavery (Refugees op cit) with the majority of these child soldiers coming from Africa.

A growing phenomenon of children in combat-its impact:

In a graphic manner the journal of *Refugees*^[4] described the phenomenon of child soldiering around the world, from Sierra Leone to Sri Lanka as images of gun-toting boys and girls. A phenomenon created by the upsurge in the rising flow of population from armed conflict leading to the displacement in the families thereby exposing the children to the risk of becoming child soldier. This is coupled with the widespread availability of modern light weapons and small arms which enables children to become efficient killers in combat. Child soldiers are often used for special tasks, including committing atrocities against their own families and communities. While many children fight in the frontline, others are used as spies, messengers, sentries, porters, servants and even sexual slaves; children are often used to lay and clear landmines^[5]. The problem is most critical in Africa and Asia, though children are used as soldiers by governments and armed groups in many countries in the Americas, Europe and Middle East. While some children are recruited forcibly, others are driven into armed forces by poverty, alienation and discrimination. Many children join armed groups because of their own experience of abuse at the hands of state authorities. Both governments and armed groups use children because they are easier to condition into fearless killing and unthinking obedience; sometimes, children are supplied drugs and alcohol^[7]. Children are often treated brutally and punishments for mistakes or desertion are severe; children are injured and sometimes killed during harsh training regimes^[7]. The longer conflicts continue, the more likely children will be subjected to this abuse.

Asia ranks second to Africa in the continent with the most child soldiers. Of the 300,000 children estimated to participate in armed conflict in over 30 countries around the world, 150,000 can be found in Africa and 75,000 in Asia^[6]. Some of these children are no more than 7 or 8 years of age. The countries most affected by this problem are: Algeria, Angola, Burundi, Congo-Brazzaville, the Democratic Republic of Congo (CRD), Liberia, Rwanda, Sierra Leone, Sudan and Uganda. Furthermore, Ethiopian government forces engaged in an armed conflict against

Eritrea and the clans in Somalia, have both included an unknown, though probably not substantial, number of under-18s in their ranks. Many children are seduced to join by monetary incentives, others out of a feeling of honor and duty to either a religious, ethnic, or political group engaged in civil war. Children often begin their work with these militaries as sentries or porters but are soon thrust into combat positions. Girls also faced the added trauma of being used as sex slaves by military commanders. Apart from the above, William Murphy^[9] for instance stated that "a poignant feature of child soldiers' involvement in the Liberian and Sierra Leonean civil wars for instance is the dress, demeanor and dramaturgy of power constructed by the children to fashion new identities in a context in which familiar social and cultural forms were replaced by the frightening uncertainty and danger of civil war". He opined that in the study of power and symbolism, focus is always on the power-holders--the chiefs, kings and presidents, etc.--and the symbolic repertoire for representing and displaying their power. Child soldiers in civil wars are considered to pose a very different problem. Here the least powerful members of a community, the children, are handed great coercive power in the form of cheap, modern rapid-fire weapons. Besides entering a new material world of power, the children are also socialized into a new ethos and symbolic of violence spawned by the civil wars. This, he felt also lures children to fight in wars. A number of other factors are believed to have encouraged the use of children as soldiers. First, Graça Machel^[10], also opined that in Africa, "technological developments and the proliferation of weapons, especially small arms, have made semi-automatic rifles light enough and simple enough to be stripped, reassembled and used by a child of 10". These weapons are not expensive and in some countries at war, an AK-47 may be bought for as little as US\$20. Also, the longer the duration of conflict, the more likely children are to be 'recruited', as the shortage of manpower, due to increasing casualties and escalation of the conflict, leads to an ever more desperate search for fresh recruits to fill the ranks. Some children may even volunteer to join up: in order to survive, to prove their manhood, egged on by peers or a culture of violence, or driven by a desire to avenge atrocities committed against their family or community. This is, however, a broad interpretation of the term 'volunteer', as brutal circumstance leaves little room for genuine choice. In the study of children who volunteered to join armed opposition forces in their respective countries, research conducted by the Quaker UN Office in Geneva showed that the single major factor of such volunteering is ill-treatment of themselves or their families by government troops^[11].

Although prevailing international law sets 15 as the minimum age for military recruitment and participation in armed conflict, there is widespread agreement that this age limit is too low and that it must be raised to 18. Although most countries prohibit recruitment and participation of under-18s, others have signaled their intention to continue to recruit 16- and/or 17-year-olds. The United States of America, for instance, the country most opposed to setting 18 as the minimum age for recruitment and participation, still recruits a tiny number of 17-year-olds-less than one-half of one per cent of its armed forces. In Africa, the need to swell the ranks of rebel groups or national troops as the case may be encourages the recruitment of the under-aged.

In addition to the US, other countries that recruit (i.e., conscript, enlist or otherwise accept into their armed forces) under-18s include UK, Australia, Austria, Bangladesh, Belgium, Bhutan, Bosnia-Herzegovina, Brazil, Burundi, Canada, Chile, Croatia, Cuba, Cyprus, Denmark, El Salvador, Estonia, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Laos, Libya, Luxembourg, Mauritania, Mexico, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Slovakia, Slovenia, Sudan, Switzerland, Uganda and Yugoslavia^[12] Although some governments are still reluctant to acknowledge the fact, that the use of children as soldiers should on many counts be considered as unlawful child labor because of the hazardous nature of the work involved. Indeed, research carried out for the UN on the Impact of Armed Conflict on Children shows that it is predominantly the same categories of children who are used as child soldiers in wartime that are drawn into exploitative forms of labor in peacetime. The report stated that the overwhelming majority of child soldiers come from the following groups:

- Children separated from their families or with disrupted family backgrounds (e.g. orphans, unaccompanied children, children from single-parent families, or from families headed by children);
- Economically and socially deprived children (the poor, both rural and urban and those without access to education, vocational training, or a reasonable standard of living);
- Other marginalized groups (e.g. street children, certain minorities, refugees and the internally displaced);
- Children from the conflict zone themselves.

The International Labor Organization (ILO) recognizes that "the idea of the minimum age for admission to employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons may be applied in corollary to the involvement in armed conflicts^[13]. Under ILO Convention No. 138 on Minimum Age, adopted in 1973, the minimum age for hazardous work is 18 years. However, the new ILO Convention, adopted unanimously by the 174 Member States of the International Labor Organization on 16 June 1999, commits each state that ratifies it to "take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency".

The term child applies to all persons under the age of 18 and the worst forms of child labor 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 labor, including forced or compulsory recruitment of children for use in armed conflict. This is the first time that an 18-year minimum age limit has been set in relation to child soldiering in an international convention. It is also the first specific, legal recognition of child soldiering as a form of child labor.

There is no doubt about the fact that the Rights and Welfare of the African Child is not of paramount importance to regimes across Africa. This is because most African States pay lip service to the Rights and welfare of their children thus discountenancing the evil that child soldiering, nay, child labor posits. According to the 1999 report of the Coalition to Stop the Use of Child Soldiers, a non-governmental alliance that includes Amnesty International and Human Rights Watch; "an estimated 300,000 child soldiers, some as young as seven, are actively fighting in 41 countries, with about 120,000 of them in Africa." For those who recruit them, "children are cheap, expendable and easier to condition into fearless killing and unthinking obedience," the report comments. Some of these children are not more than 7 or 8 years of age. The countries most affected by this problem are: Algeria, Angola, Burundi, Congo-Brazzaville, the Democratic Republic of Congo, Liberia, Rwanda, Sierra Leone, Sudan and Uganda. While many children fight in the frontline, others are used as spies, messengers, sentries, porters, servants and sexual slaves. Some children are forcibly recruited; others are driven into armed forces by poverty, alienation, discrimination or revenge. Child soldiers are sometimes recruited from second countries, among refugee communities or ethnic Diaspora and trafficked across borders. In these countries, the sort of duties that children are subjected to

qualifies to be labeled as unlawful child labor because of the hazardous nature of the work involved. Serving in the armed forces is clearly a form of labor and it is hard to think of anything more hazardous to a child than being put in the front-line in a combat situation. Apart from the obvious risks to children of participation in armed conflict they are often at an added disadvantage as combatants. Children often begin participating in conflict from a very young age. At first, they serve as porters (carrying food or ammunition) or messengers, or as spies after which they graduate to manning checkpoints. The phenomenon does not leave out the females as they are also used as soldiers, though generally in much smaller numbers than boys.

A 1998 UNICEF report revealed that in the Liberian civil war, "about one per cent of the demobilized child soldiers in 1996-7 were girls or young women. But many more took part in one form or another in the war. Like many males, females joined one of the factions for their own protection. Unwillingly, they became the girlfriends or wives of rebel leaders or members. It is necessary to state that across Africa, both the Governments and armed opposition groups have recruited and used children as soldiers. While some children are forcibly abducted into government or rebel armies, others join for ideological reasons or because viable alternatives do not exist. In Africa Recovery^[4], Mr. Jean-Claude Legman, a senior adviser to the UN Children's Fund (UNICEF) on the protection of children in armed conflict, opined that most children who join armies are not really "volunteers." He argued that they usually join under various economic, social and political pressures.

How could one describe the impact of war on the psyche on the recruited child soldier or sexually abused girl? This question would definitely arouse our emotion by letting one into the minds of the victims. Reports have it that in modern warfare almost half of the casualties have been children and children under the age of 15 have fought in the 26 out of 33 conflicts (as at year 2000). In 1996 Gracia Machel, Mozambique's former first lady and wife of former South African President Nelson Mandela, authored a ground breaking and devastating report entitled the *Impact of Armed Conflict on Children*. It was an in-depth human rights assessment to date of the sufferings of boys and girls trapped in war. Machel's report noted chillingly, that for many young people their world "is a desolate moral vacuum devoid of the most basic human values in which nothing is spared or protected (cited in Refugees op cit) she further noted that modern wars are exploiting, maiming and killing more callously and more systematically than ever before (ibid)

The accounts of child victims are not entirely different from the observation of Machel. For example, a child soldier in Sierra Leone narrates his ordeal thus;

They forced me and gave me training. They gave me a gun. I took drugs.

I killed civilians. Lots. It was just war, what did then. I only took orders. I knew it was bad. It was not my wish (ibid)

While another victim of child soldier gives another brutal experience:

Two sons and a daughter were forced by a rebel to accompany the rebels. When one brother collapsed exhausted, he was executed as he lay on the ground. His younger brother was gunned down as he tried to escape. The daughter was repeatedly gang raped (ibid)

Despite serious efforts at curbing the use of children in warfare and in consonance with the spirit of Article 22 of the 1989 Convention on the Rights of the Child which require the signatory to provide adequate protection and assistance to children they still face numerous forms of persecution and abuse. It is on record that more two million children either in combat or victims of war were killed conflicts in the past one and the half decades while another six million are believed to have been wounded and one million orphaned. Out of an estimate of about 23million refugees, 10million are children under the age of 18 (ibid)

CONCLUSION AND RECOMMENDATIONS

There is a growing international consensus against the use of children as soldiers, the new International Criminal Court will treat the use of child soldiers as a war crime and the International Labor Organization (ILO) has defined child soldiering as one of the worst forms of child

labor. Also, the UN Security Council, the UN General Assembly, the UN Commission on Human Rights, the Organization for African Unity, the Organization of American States and the Organization for Security and Cooperation in Europe have all condemned this abuse. In Africa, the widespread use of child soldiers by armed forces and groups violates regional and international legal standards for child protection. Across the globe, the prohibition on all forms of recruitment of children under the age of 15 has acquired international customary law status. It is therefore binding on all armed forces and groups, regardless of whether the State is a party to specific international treaties, or not. Also, there is growing consensus on the prohibition of conscription or forced recruitment of children under 18. This higher standard is embodied in the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-CAC), International Labor Organization Convention 182 and the African Charter on the Rights and Welfare of the Child (ACRWC).

In spite of these important legal and political developments, implementation remains problematic. In November 2002, report to the UN Security Council on children in armed conflict, Secretary-General Kofi Annan identified several parties to conflict in African countries that recruit or use children in violation of international obligations. These include: Burundi, DRC, Liberia and Somalia. Concerns were also raised in the context of past or current armed conflicts in Angola, Guinea-Bissau, Mozambique, Republic of Congo, Sierra Leone, Sudan and Uganda. To this end, an emergent culture of 'child soldiering' has added a new dimension to the outlook of child labour in Africa. To serve in the armed forces is clearly a form of labor and it is hard to think of anything more hazardous to a child than being put in the front-line in a combat situation. As argued earlier, it is largely the same children that are most at risk of being exploited as laborers in peace-time that are most likely to be recruited in situations of armed conflict. This has been supported by the position of the International Labor Organization (ILO) which recognizes that "the idea of the minimum age for admission to employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons may be applied in corollary to the involvement in armed conflicts.

To stop child soldiering nay child labor as well as the reintegration of child soldiers to normal livelihood in Africa, there is need for both the governments and rebel movements to adhere to international conventions prohibiting 'child soldiering'. They must also take

measures to prevent re-recruitment, particularly for displaced children. . In Resolution 1460, the UN Security Council called on all parties to armed conflict to halt recruitment or use of children and "develop clear and time bound action plans to end this practice".

Education is the most important means of drawing children away from the labor market. Studies have correlated low enrollment with increased rates of child employment^[6]. School provides children with guidance and the opportunity to understand their role in society. Therefore, it is hoped that compulsory education will help reduce the incidences of child soldiering and child labor in Africa. The UN Security Council and UN agencies on the ground to implement provisions of Resolution 1460, including monitoring and reporting and dialogue with parties with the view to developing clear and time-bound action plans. The role of non-governmental organizations will manifest in the sphere of increasing the minimum age for recruitment and participation to 18. Also, it is necessary to prohibit voluntary recruitment. Recruitment here includes not only conscription but also the fact of accepting volunteers into armed forces or armed groups. Since it is very difficult in practice to distinguish between what is compulsory and what is truly voluntary recruitment, in order to ensure effective protection of children all forms of recruitment must be clearly prohibited. Of course, where children do join armed forces or armed groups, it is those who have allowed them to join that must be held accountable. Also, moral suasion can be applied on those who recruit children into the armed forces to stop doing so. At national levels, the elites, parents and the civil society can form a national coalition with the aim of lobbying governments to end all forms of child soldiering and child labor and provide resources for the demobilization and reintegration of former child soldiers.

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