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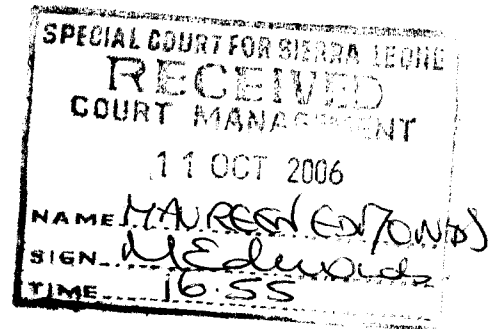
**SPECIAL COURT FOR SIERRA LEONE
TRAIL CHAMBER II**

Case No. SCSL-2004-16-T

Before: Justice Richard Lussick, Presiding
Justice Teresa Doherty
Justice Julia Sebutinde

Registrar: Lovemore G. Munlo, SC

Date filed: 11 October 2006



THE PROSECUTOR

against

ALEX TAMBA BRIMA

BRIMA BAZZY KAMARA

and

SANTIGIE BORBOR KANU

PUBLIC

**JOINT DEFENCE DISCLOSURE OF EXPERT REPORT
ON CHILD SOLDIERS BY MR. GBLA**

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Pursuant to Rule 94*bis* of the Rules of Procedure and Evidence, the Defence hereby discloses the report of the Defence expert on the subject of child soldiers, Mr. Osman Gbla.

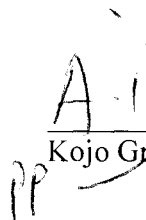
The report is entitled: "Research Report – The Use of Child Soldiers in the Sierra Leone Conflict," and dated 11 October 2006.

Respectfully submitted,

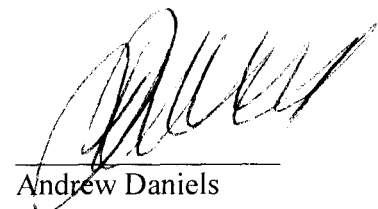
On 11 October 2006



Geert-Jan Alexander Knoops



Kojo Graham



Andrew Daniels

RESEARCH REPORT

**THE USE OF CHILD SOLDIERS IN THE SIERRA LEONE
CONFLICT**

**EXPERT REPORT SUBMITTED TO THE SPECIAL COURT FOR
SIERRA LEONE (SCSL)**

OSMAN GBLA

11th OCTOBER 2006

Table of Contents

List of Abbreviations

Introduction

The Sierra Leone Military Policies and Actions: Impact on Child Soldiers
Recruitment

The Use of Child Soldiers in the Sierra Leone Conflict

Major Findings and Conclusions

References

List of Abbreviations

ACRWC	African Charter on the Rights and Welfare of the Child
AFRC	Armed Forces Revolutionary Council
APC	All People's Congress Party
CAW	Children Associated with War
CDF	Civil Defence Forces
ECOWAS	Economic Community of West African States
ECOMOG	ECOWAS Ceasefire Monitoring Group
ICC	International Criminal Court
NACWAC	National Commission for War Affected Children
NPFL	National Patriotic Front of Liberia
NPRC	National Provisional Ruling Council
RSLAF	Republic of Sierra Leone Armed Forces
RUF/SL	Revolutionary United Front of Sierra Leone
SCSL	Special Court for Sierra Leone
SLA	Sierra Leone Army
SLP	Sierra Leone Police
SBU	Small Boys Unit
SLBG	Sierra Leone Border Guards
UNCRC	United Nations Conventions on the Rights of the Child
UNICEF	United Nations Children's Fund

I. Introduction

1. Sierra Leone was plunged into a brutal armed conflict in March 1991 following the Revolutionary United Front's (RUF's) attack on Bomaru in Kailahun District of Eastern Sierra Leone. The eleven-year old war (1991-2002) was noted for some of the worst violations of human rights and international humanitarian law. One of the most alarming trends of the conflict was the participation of children as soldiers.

2. These gross violations of human rights and international humanitarian law especially those of the children during the war compelled the Sierra Leone Government and its international supporters to establish transitional justice mechanisms notably the Special Court for Sierra Leone. One of the charges against the accused before the court including the three AFRC members is conscripting or enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities.¹

1.1 Objectives of the Research

4. The overall goal of this research is to critically examine the phenomenon of child soldiers in the Sierra Leonean conflict with a view not only to discuss the level and scope of involvement of the warring factions but also government policies and actions to address the practice especially in the military recruitment and training efforts and how that could have impacted on the prevalence of the use of child soldiers during the war.

5. The specific objectives of the study are to establish the following:

¹ See Count 12: Use of Child Soldiers, The Special Court for Sierra Leone, Case NO.SCSL –2004-16-PT

- The prevalence of the use of child soldiers during the Sierra Leonean conflict and the parties involved.
- The methods of recruitment.
- The role of the Sierra Leonean government in recruiting child soldiers and its subsequent consequences on the composition of the AFRC movement.
- The composition of the AFRC; whether it had children in its ranks and if so what their status was.
- Sierra Leone's commitment to international and regional treaties and other instruments on the protection of the rights of children and their domestic implementation.

6. These objectives invariably inform the following major research questions that the study seeks to address:

- Did all the warring factions in the Sierra Leonean conflict, including the pro government forces recruit, train and involve child soldiers?
- Is there evidence of a carry over practice of recruiting child soldiers by the AFRC from the previous governments' military recruitment policies?
- What was the status of the children that were part of the AFRC movement?
- What is the extent of the Sierra Leonean government's commitment to the implementation and domestication of international and regional legal instruments on the prevention of the recruitment of children into armed groups and the military?

In order to be able to address these questions, it is important to firstly come to an understanding of the notion of childhood and the concept of child soldiers.

1.2 Conceptual Clarifications and Definitions

8. Childhood - It is very difficult to get a comprehensive and generally acceptable definition of the concept of childhood as its connotation varies from society to society. The conception of childhood in a western setting for example, is different from what it is taken to mean in an African traditional context. In a western traditional sense, according to Ncube, children are perceived to be physically weak and mentally immature.² This conception of childhood seriously handicaps the child in the assertion and enforcement of his or her right.³

9. The traditional African setting offers a different conception of childhood as chronological age as an indicator for the termination of childhood is an arbitrary concept. In this sense, the ending of childhood has little to do with achieving a particular age and more to do with physical capacity to perform acts reserved for adults. Marriage and the establishment of a new homestead are traditionally two prime indications of an adult male. As such, childhood refers more to a position in a societal hierarchy than to biological age and in order to become an adult it is necessary to ascend this hierarchy.⁴ Twum -Danso⁵ also discusses the varying conceptions of childhood and youth in both western and African settings and sheds critical light on the participation of children and youth in African conflicts. She argues that the conception of childhood in a western context is different somehow from that

² W.Ncube, 1998, *The African cultural fingerprint? The changing concept of childhood* in W.Ncube, (eds), *Law, culture, tradition and children's rights in Eastern and Southern Africa*, (Dartmouth Publishing Company, Aldershot,) p.20 . Cited in Afua Twum-Danso, 2003, *The Agency of Children and Youth: Towards A History of Children and Young People's Participation in Community Life*, Paper presented at the Workshop on Youth and Conflict in Africa, Elmina, Ghana, 7-12 September 2003. P.4

³ ibid

⁴ N. Argenti, 2002, *Youth in Africa: A major resource for change*, in A.de Waal and N.Argenti, (eds,) *Young Africa: Realising the rights of children and youth*, World Press Inc, Trenton NJ, and Asmara, 2002, p.125 cited in Afua Twum-Danso, 2003, ibid

⁵ PLEASE GIVE FULL REF OF THE WORK CITED

of an African context. She also opines that in the African context, childhood is never-ending as childhood is not perceived and conceptualised in terms of age, but in terms of inter-generational obligations of support and reciprocity. In this sense, the African child is always a child in relations to his parents who expect, and are traditionally entitled, to all forms of support in times of need and old age.⁶

10. The definition of a child in terms of the Sierra Leonean laws is also fluid and varies according to context. The voting age under the 1991 Constitution (Act No 6 of 1991) is 18 years while persons who are seventeen and half years can be lawfully recruited into the national army (Sierra Leone Military Forces Act No 34 of 1961). The Prevention of Cruelty to Children Act 1960 (Laws of Sierra Leone, Vol.1, Chapter 31 at section 2), on the other hand defines a child as some one who is sixteen years or younger. The UN Convention on the Rights of the Child (UNCRC) of 1989 defines a child as every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier.

11. This lack of a consistent age limit for childhood coupled with the African conception of childhood therefore affects the level of protection due to adolescent combatants and other younger persons.

12. Child soldier- like the concept of childhood, child soldier is very difficult to define as its application varies from situation to situation. Graca Machel defines as any boy or girl under the age of 18 who is compulsorily, forcibly, or voluntarily recruited or used in hostilities by armed forces, paramilitaries, civil defence units or other armed groups.⁷ In the indictment of the three AFRC accused in the SCSL, child soldiers is

⁶ Afua Twum-Danso, 2003, *The Agency of Children and Youth: Towards A History of Children and Young People's Participation in Community Life*, Paper presented at the Workshop on Youth and Conflict in Africa, Elmina, Ghana, 7-12 September 2003. p.5

⁷ Graca, Machel, 2001, *The Impact of War on Children: A Review of Progress* p.7

taken to mean children conscripted or enlisted under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities.⁸

13. The Cape Town Principles, an agreement adopted by participants in the symposium organised by UNICEF in Cape Town in 1997 define a child soldier as:

Any person under 18 years of age who is part of any irregular armed force in any capacity, including but not limited to cooks, porters, messengers and those accompanying such groups, other than purely as family members .It includes girls recruited for sexual purposes and forced marriage. It does not, therefore only refer to a child who is carrying or has carried arms.⁹

1.3 Literature Review

14. Many authors have written on the phenomenon of child soldiers with insights on the global, continental, regional and the Sierra Leonean situations.

15. In my earlier works¹⁰, I give an illuminating perspective on the phenomenon of child soldiers in the eleven-year conflict in Sierra Leone with a focus on post-war trauma healing and reintegration of child soldiers. I argue that the numerous African intra-state conflicts in the post-Cold war era into which children are drawn as combatants are a direct symptom of the crisis of governance on the continent. I

⁸ See Count 12: Use of Child Soldiers, The Special Court for Sierra Leone, Case NO.SCSL –2004-16-PT

⁹ Cited in Afua .Twum-Danso, 2003, *Africa's Young Soldiers: The Cooptation of Childhood* , Institute of Security Studies (ISS) Monograph No.82 p.13

¹⁰ Osman Gbla 2003 *Conflict and Post-war Trauma Among Child Soldier in Liberia and Sierra Leone* in Amadu, Sesay, 2003, ed, *Civil Wars, Child Soldiers and Post-Conflict Peace Building in West Africa* (Ibadan: College Press and Publishers Limited) p.168

substantiated this view in remarking that the single party undemocratic and corrupt government of the All People's Congress party (APC) resulted in the violent rebel war of 1991 that involved child combatants.¹¹

16. Abdullah and Rashid, 2004, also offer a very good analysis of the issue of child soldiers in the Sierra Leone conflict. The authors raise the fundamental question: 'Are juvenile combatants willing partners in war or are they reluctant actors being manipulated by unscrupulous army officers and warlords who pressed ganged them into action with drugs after destroying their families and communities?' In trying to answer this question in the Sierra Leonean context the authors argue that the initial recruitment drive by the rebels and the national army did not include children and that children only became a factor after the rebels realised that the able bodied adults were either difficult to come by or were just not available.¹² This argument is instructive to this study, which also seeks to discuss the reasons behind child recruitment by the warring factions in the Sierra Leone conflict.

18. Twum-Danso¹³ informs us that in order to understand the presence of a large number of children and youth in all the warring faction in Sierra Leone, one should appreciate the pre-war context including bad governance and economic decline under APC rule.

19. Faulkner, 2001 also adds a very important insight into the issue of child soldiers with a focus on international law designed to address the practice as well as on the conditions that create underage combatants. The analysis undertaken in this work uses

¹¹ Osman Gbla, 2003 *Conflict and Post-war Trauma Among Child Soldier in Liberia and Sierra Leone* in Amadu, Sesay, 2003, ed, *Civil Wars, Child Soldiers and Post-Conflict Peace Building in Wes Africa* (Ibadan: College Press and Publishers Limited) p.168

¹² Ibrahim Abdullah and Ishmail Rashid, 2004, *Smallest Victims; Youngest Killers: Juvenile Combatants in Sierra Leone's Civil War* in Ibrahim Abullah, 2004 (eds), *Between Democracy and Terror: The Sierra Leone Civil War* (Dakar: CODESRIA) p.239

¹³ REF.

Sierra Leone as a main reference point. Touching on the issue of factors making for recruitment of children in war, Faulkner identifies the following as crucial: children with little or no education; those from the most disadvantaged socio-economic groups; children separated from families, usually in the fog of conflict; orphans, street children, refugees, the internally displaced; and children from disputed background (divorce, separation).¹⁴

1.4 Methodology

20. The expert Osman Gbla collected the data and information for this report. The data collection exercise ran from the 10th of August to the 25th of September 2006. The process was set in motion by a review of the terms of reference of the expert study and the development of a research plan and research instruments. All the data and information were collected in Freetown. The reasons for using Freetown for the data gathering and collection are many and varied. Prominent among many of these reasons is that majority of government ministries, agencies and the various international organisations dealing with child rights issues are located in Freetown. The Ministry of Social Welfare, Gender and Children's Affairs, the Child Protection Unit, the National Commission for War Affected Children (NACWAC), the Ministry of Defence (MOD), United Nations Children's Fund (UNICEF) and a host of others are all in Freetown. As such, most of the required interviewees and documents are in Freetown.

21. Primary and secondary sources formed the bulk of the research data. The primary sources included interviews with individuals in the security forces especially the

¹⁴ Frank, Faulkner, 2001, *Kindergarten Killers: Morality, Murder and the Child Soldier Problem*, Third World Quarterly Vol22.No 4 p. 496

Republic of Sierra Leone Armed Forces (RSLAF) and the Sierra Leone Police (SLP); personnel at the Special Court for Sierra Leone and representatives of child protection agencies. Interview guides were developed for these interviews and questions framed on issues of recruitment, training and involvement of child soldiers in the warring factions in Sierra Leone; government policies on recruitment and training of military personnel and how they relate to issue of child recruitment. Questions also focus on government's commitment to child rights promotion especially those bordering on preventing the recruitment of children. Primary sources also include information from the review of relevant government, regional and international documents like the UNCRC, the Graca Machel Reports (1996 and 2001) and the Sierra Leone Military Forces Act of 1961.

22. The secondary sources include desk research and review of relevant documents including books; journal articles, reports and newspapers bearing relevance to the issue of child soldiers in the Sierra Leone conflict. The data and information collected were critically reviewed and compiled into this report.

23. The report provides an introduction and background to the issue of child soldiers in Sierra Leone; an analysis of government policies and actions on military recruitment and training as related to children and a critical examination of the phenomenon of child soldiers in the Sierra Leone conflict. It also discusses the AFRC / SLA in relation to the issue of child soldiers in the Sierra Leonean conflict and provides major findings and conclusions.

1.5 Academic and Professional Background of the Expert

24. I am a Sierra Leonean. I received my Bachelor of Arts (B.A) and Master of Science (Economic) (M.Sc Econ) degrees specialising in Political Science from

Fourah Bay College, University of Sierra Leone in 1989 and 1994 respectively. I also received a diploma in Advanced International Conflict Resolution from the University of Uppsala, Sweden in 2004.

25. I am currently a Senior Lecturer and Head, Department of Political Science, Fourah Bay College, University of Sierra Leone. In this capacity, I coordinate the academic and administrative work of the department, teach and carry out research studies especially those bordering on issues of conflict, peace, security and governance in Africa. The issue of child soldiers is very important in my research interests.

26. I have over the years presented papers in national and international conferences on issues of peace, security and governance generally and child soldiers in particular.

27. I have also published extensively and completed consultancy works in my area of research interest including child soldiers.

11. The Sierra Leone Government Military Policies and Actions: Impact on children and child recruitment in particular

28. This section of the report is concerned with the analysis of the Sierra Leone Government military policies and actions with a view to showing how they impact on the well being of children generally and their influence on the recruitment and involvement of children in the conflict. As such, the discussion will not only focus on government efforts to sign and ratify international legal instruments bordering on child rights generally and recruitment of children as armed combatants but also on government military recruitment and training policies and its commitment to the implementation of such instruments. The analysis seeks to substantiate with facts and

evidence, the assertions that the Sierra Leone Government military recruitment policies and actions to a very great extent influenced the actions of the AFRC and that the Sierra Leone Government has not done very much to prevent the practice of child soldiers.

29. Sierra Leone undoubtedly has over the years strived to sign and ratify international legal instruments as well as to enact national legislations bordering on child rights including the prevention of child recruitment into the military. The Sierra Leone 1991 Constitution (Act No 6 of 1991) clearly states that the State should direct its policies towards ensuring that the care and welfare of the young are actively promoted and safeguarded.¹⁵ The question then to address is to what extent has this important constitutional provision translated into committed action in the state military recruitment and training efforts especially with regard to preventing children recruitment into the military and the training of recruits to observe and respect child rights? Answering this question requires a clear understanding of the Sierra Leone military policies and actions especially in relation to recruitment and training and their relationship to children.

30. Various national policies and legal frameworks guide the Sierra Leone military recruitment and training programme with provisions for professional, disciplined and well trained personnel. The Sierra Leone Military Forces Act of 1961 prohibits the recruitment of a child below the age of seventeen and half unless the person's parents or guardians or other competent authority gives consent.¹⁶ What is clear from this provision is that the age limit for recruitment into the military is not fixed and definite. Government as well as armed groups involved in the armed conflict of the

¹⁵ 1991 Constitution of Sierra Leone (Act No6 1991)

¹⁶ Sierra Leone Military Forces Act (Act No.34 of 1961, section 16(2))

country were therefore provided with a grey area supportive of child soldiers recruitment.

31. Furthermore, there are legal provisions as well as policies in respect of recruitment standards and training requirements for military personnel in the country. The Sierra Leone Military Armed Forces Act of 1961 clearly spells out such criteria and procedures including proper screening of recruits through fingerprint tests to ensure that criminals are not recruited into the force, vigorous training of at least nine months focusing not only weapons handling but also on issues of professionalism and discipline. It is however noteworthy that this lofty recruitment and training policy did not give adequate attention to providing the recruiting authorities with a sense of commitment to child rights issues. This point was corroborated with the interview conducted with Sierra Leone military personnel in Sierra Leone. Most of those interviewed confirmed that before the advent of the British-led military restructuring and training programme of 1989, there was very little human right training for military recruits and personnel.¹⁷

32. Although Sierra Leone is noted for its good record in signing and ratifying international legal instruments, its commitment to their implementation and domestication into national law is questionable. The Government of Sierra Leone signed and ratified the UN Convention on the Rights of the Child (CRC) of 1989 in 2000. Some of the categories of rights for children outlined in the UNCRC include protection rights (safeguarding children against all forms of abuse, violence, neglect and exploitation) and survival rights (right to life and access to basic needs). Sierra Leone also ratified the Optional Protocol to the UNCRC of 2000 on the 25th of May 2000. This protocol raises the minimum age for recruitment and participation in

¹⁷ Interviews with Senior Military Officer attached in the Ministry of Defence (MOD), Freetown, Sierra Leone on the 25th of September 2006 in Freetown.

hostilities from 15 to 18 years. Sierra Leone is also a signatory to the permanent International Criminal Court (ICC) . The ICC recognises the enlistment of children under 15 years into armed forces as a war crime. The court has jurisdiction over the use of child soldiers in both international and non-international armed conflicts. The Statute is an important development in international human rights and Humanitarian Law to protect children from use / recruitment by armed forces. Sierra Leone also has other domestic legislation that deal with child welfare such as the Prevention of Cruelty to Children Act (Chapter 31 of the Laws of Sierra Leone 1960). This acts makes it a criminal offence to commit acts of cruelty to children ,including sexual and other related offences against children.

33. Despite its track record of having ratified a number of international legal instruments bordering on the prevention of underage recruitment into the military, the Sierra Leone Government has not done much to prevent the recruitment of children into the Sierra Leone military . This is the case because the Sierra Leone military at various periods has a record of child recruitment. This is not necessarily out of a clearly thought out policy but one dictated by various circumstances at certain period of the country's history. One senior Sierra Leone military officers interviewed confirmed this point in noting that: the recruitment of children into the Sierra Leone military is not a deliberate government or military policy. The war circumstances created a fertile ground for the practice of involving children in the military. ¹⁸ This latter view is not implying that the war started the practice of recruiting children into the Sierra Leone military.

¹⁸ Interview with one Lieutenant Colonel on the 25th of September 2006 at the Sierra Leone Ministry of Defence (MOD).

34. As far back as to the days of one party rule especially under the reign of the late President Siaka Stevens (1978-1985) voluntary enlistment into the military slowly gave way to enlistment through political connections. Politicians and well-connected persons were given a number of cards, which they gave out to young men of their choice to join the Army. This system produced a serious diminishing of military standards as characters of all shades were recruited into the force irrespective of prevailing military requirements.¹⁹

35. Recruitment of children into the military however assumed an unprecedented character during the war first under the reign of Joseph Saidu Momoh. President Momoh did not only inherit a military that was underpaid, indisciplined, demoralised and poorly trained but one that was also confronted with a rebel war. The Army at the time was about 3000 in strength and 364 of these were in Liberia as part of the ECOWAS Ceasefire Monitoring Group (ECOMOG).²⁰ This precarious situation among other things compelled Momoh to embark on a crash military recruitment drive advocating for vigilantes to join the force thus sidelining military recruitment standards and procedures.

36. The military regime of the National Provisional Ruling Council (NPRC) under the leadership of Captain V.E.M Strasser inherited the legacy of sidestepping military recruitment procedures in his bid to swell up the military force to face the rebels. He continued the practice of enlisting vigilantes including the Sierra Leone Border Guards (SLBGS) into the military. Most of these members were under 15 years. It was noted that by 1994, the NPRC had increased the SLA's force strength to 14 000 soldiers, many of whom were drawn from among unemployed youth and those with

¹⁹ Samuel R, Dixon –Fyle, Mohamed Gibril Sesay and Charlie J.Hughes, 1998, *The New Sierra Leone Army : Proposals on Military Reform in an Environment of Democratic Pluralism* ,Notes on Work in Progress p.7

²⁰ Comfort, Ero, 2000, *Sierra Leone Security Complex*, Working Paper No.3 (England: Centre for Defence Studies) p.46

experience in armed gangs associated with former APC politicians.²¹ Proper military recruitment procedures were not adhered to due mainly to the emergency situation at the time.

37. This background saw the infiltration of a number of children into the military through a variety of ways including backdoor enlistment. This was an enlistment practice that encouraged the replacement of deceased soldiers with child recruits that were given official status in the payroll.²² What was even more disturbing was the fact that these recruits were given crash training for three months instead of the nine months minimum period for such normal trainings. In most cases, they were trained only in the four rules of war- planning, advance, attack and retreat.²³

38. The practice of recruiting children into the military continued even during the period of the democratically elected government of Alhaji Ahmad Tejan Kabbah of the Sierra Leone People's Party that came to power in 1996. It was bizarre to note that even the then Vice President came in the open inviting young people to join the military in order to bolster the fighting forces facing the rebels.²⁴ The foregoing discussion suggests that the government's encouragement of child soldiers recruitment into the military in a way influenced the involvement of children in the AFRC.

The government was only moved into serious action to address the issue of child soldier's recruitment into the military and the armed groups in the war after serious pressure from child protection agencies working in the country. Child protection agencies like UNICEF, Children Associated with the War (CAW) and Caritas Makeni

²¹ William, Reno, 2001, *War and the Failure of Peacekeeping in Sierra Leone*, an appendix in the SIPRI Year Book 2001 titled *Armaments, Disarmament and International Security*

²² See Lieutenant Colonel Simeon Sheriff, SLA Officer, TRC interview conducted at Defence Headquarters, Freetown, 12 September 2003 cited in TRC Report Vol.3B p. 300

²³ Interview with Senior Military Officer, MOD, Freetown, 25th September 2006.

²⁴ Interview with retired Brigadier General in the Republic of Sierra Leone Armed Forces (RSLAF) in Freetown on 29th September 2006.

among others, raised the issue of the plight of child soldiers and pressed for infusing child rights issues into the training programme in the military and other security forces like the police.²⁵ These and other factors later saw government efforts to establish institutions like the National Commission for War Affected Children (NACWAC) inaugurated in 2003, the Child Protection Desk under the Office of the Head of State during the NPRC. Gender and Children's Affairs was created and added to the Ministry of Social Welfare that also housed the Child Protection Unit.²⁶

39. It is however noteworthy that the Government of Sierra Leone during the pre-conflict period did not seriously monitor the practice of recruiting children below the minimum age of seventeen and the half years into the military and that laws pertaining to this issue were hardly enforced. Furthermore, the laws pertaining to the definition of a child are confusing and contradictory with no uniform age and most are outdated and not in tune with modern international legal standards.²⁷

III. The Use of Child Soldiers in the Sierra Leone Conflict

40. Different available sources on child soldier's recruitment and involvement in the Sierra Leone conflict suggest that the practice was extensive and used by all the warring factions. The RUF-SL, the AFRC / SLA, West Side Boys²⁸ and the pro-government forces including the Civil Defence Forces (CDF's) did not only recruit and train child soldiers but also involved them in their war efforts in various forms. In her work on child soldiers in Sierra Leone, Afua Twum Danso opines that Sierra

²⁵ Interview with Senior Sierra Leone Police Officer in Freetown on

²⁶ Interview with official in the Child Protection Unit of the Ministry of Social Welfare, Gender and Children Affairs on the 23rd of August 2006 in Freetown.

²⁷ Interview with one of the Civilian Directors in the Ministry of Defence (MOD), Freetown, Sierra Leone, 26th September 2006

²⁸ The West Side Boys refer to those members of the Ex-SLA that moved into the Okra Hills near Freetown after the January 6, 1999 invasion of Freetown

Leone's war used over ten thousand (10,000) children as soldiers.²⁹ Initial estimates of combatants in the Sierra Leone conflict suggests that up to 12% of the estimated 45,000 fighters in the war were children.³⁰ Amnesty International Report of 2000 notes that an estimated 5000 children were actively involved as combatants in the Sierra Leone war and that another 5000 were used as support personnel for purposes of carrying goods, cooking or collecting firewood among others.³¹ The Sierra Leone DDR programme demobilised an estimated total of 72,500 combatants out of which 6,845 were children (92% boys and 8% girls) that were registered representing 9% of the demobilised combatants³².

41. What is clear from the varying statistics is that it is really very difficult to get the exact number of children used in the Sierra Leone conflict.

42. Various explanations have over the years been provided for the extensive and indiscriminate use of children in the Sierra Leone conflict. Some authors and other people interviewed are of the view that in the Sierra Leone conflict like the Liberian one, warring factions preferred children not only because the children possess energy but also because they are very easy to manipulate and programme to undertake any chores.³³ This point was well articulated by one of the civilian directors in the Sierra Leone MOD who informed the author that the resilience of children in battle made them attractive to the various warring factions in the country. They were therefore wanted especially after realising that some adults were very difficult to recruit and programme. Rashid and Abdullah reiterate this point in arguing that children were at

²⁹ Afua Twum-Danso, 2003, *Africa's Young Soldiers: The Co-optation of Childhood*, Institute of Security Studies (ISS), South Africa, *Monograph Series*, No 82, April 2003 p. 27

³⁰ See Osman Gbla, 2003, *ibid* p.172.

³¹ Amnesty International Report entitled: *Childhood, a Casualty of Conflict* (AFR 51/6900 published on the 8th of March 2000.

³² *Post-Conflict Sierra Leone: An Analytical Review of the Situation of Children and UNICEF'S Response*, A Review of UNICEF Sierra Leone Country Office of December 2004 p. 6

³³ Gbla, 2003, *ibid* p.174

some stage turned to as an option in the recruitment drive of the warring factions after realising that the energetic adults were either not available or were unwilling to join the factions.

43. It has also been argued that the involvement of children as combatants in the conflict was due to the partial disintegration of the state and society prior to the conflict. Owing to the undemocratic and corrupt practices of authoritarian single party rule (1978-1991), Sierra Leone gradually slid into serious political and economic problems. These problems included injustice, corruption, poor service delivery and economic decline.

44. Two of the groups most adversely affected by these problems were the children and youth in terms of lack of access to educational, health and employment opportunities. This situation bred a pool of children that were not only deprived but also idling and therefore a pool for rebel recruitment.³⁴ The pre-war economic and political conditions in the country denied most Sierra Leonean children access to basic necessities including education, food and security. Their fate was further compounded by the wartime deprivations; the gun became a symbol of access to scarce food and a new social status of respectability.

45. Another very important factor explaining the child soldier phenomenon in Sierra Leone is the contagion effects. The use of child soldiers in neighbouring Liberia prior to the outbreak of conflict in Sierra Leone in 1991 was to some extent instructive in effort to understand child soldier's involvement in the Sierra Leone conflict. This is particularly so considering the link between Charles Taylor's NPFL and RUF/SL. The Small Boys Unit in Liberia was later established by the RUF in Sierra Leone.

³⁴ For more on this, see Abdullah and Rashid, 2004 *ibid* .p 241

46. The various warring factions in Sierra Leone used various recruitment and training methods as well as modes of involvements of children. Two of the most outstanding methods of recruiting the children by the warring factions were forced and voluntary. The former involves the forced kidnapping, capturing and abducting of children from their homes, schools and communities. Although all the warring factions employed the forced recruitment method, the RUF was most noted for its extensive use.³⁵ The RUF was the first to abduct and forcibly recruit children. They established a separate children's unit known as the Small Boys Unit (SBU). This outfit of small and fearless young fighters was copied from the Liberian model of the NPFL Small Boys unit.

47. Testimonies from former RUF child soldiers confirmed that indeed forced recruitment was used by the RUF during the course of the war. One of the children interviewed by Wessel in Sierra Leone disclosed that he was abducted by the RUF after the rebels had killed his parents³⁶. Another testimony of one child soldier called Abdul that was abducted by the RUF in 1997 during an attack in Kenema District, Eastern Sierra Leone revealed a series of issues. He told Amnesty International on the 21 July 2000 that he was taken to an RUF training camp known as Camp Lion, near Pendembu in Kailahun District where he was taught to use a variety of weapons.³⁷

48. Whilst forced recruitment was particularly associated with the RUF, voluntary enlistment into the warring factions was also noticeable especially with the pro-government forces of the CDF's and the Sierra Leone Army (SLA). Although a significant number of the child fighters were abducted and trained in deadly acts of combatants, a good number of them volunteered to become members of warring

³⁵ For more on this, see Osman Gbla, 2003, *ibid* p. 175 and Abdullah and Rashid 2004, *ibid* p.242

³⁶ Wessels, M, 1997, *Child Soldiers Bulletin of the Atomic Scientists*, Chicago, November/ December

³⁷ Amnesty International Report entitled: *Childhood, a Casualty of Conflict* (AFR 51/6900 published on the 8th of March 2000)

factions.³⁸ Volunteerism of children into armed groups has been well argued by some authors opining that a significant number of children make an active decision to participate in the conflict and volunteer to join an armed group. McConnan's research in Sierra Leone convinced her to claim that young ex-combatants had clear rational reasons for joining a militia force- these are neither dupes or nor victims.³⁹

49. Voluntary recruitment was most noticeable in the CDF and SLA factions in Sierra Leone. In my previous works⁴⁰, I argues that majority of the children who voluntarily joined the CDF especially the 'Kamajohs 'and 'Gbethis 'were influenced by the desire to avenge wrongs done to them and their families and to also participate in the defence of their communities.⁴¹

50. The recruitment of children into the war had a precedent in the military as the national army in the course of the war recruited children to create an auxiliary army of irregulars. These irregular child soldiers were put together early in the war by the late Lt. Ben Hirsch to serve purposes including intelligence gathering and support network in their home communities. Some of these irregular child soldiers also came from the ranks of children who had been orphaned by the war and who decided to join the army to avenge the death of a loved one.⁴²

51. Some commentators on the child soldiers phenomenon have argued that most of the children that followed the AFRC members after their ousting from power on February 10, 1998 were willing volunteers and followers especially of military members relatives and close associates. These children joined their relatives and

³⁸ West Africa Magazine of 22 –28 April 2002 especially the contribution by Afua Twum-Danso titled Children at War. Afua informs us that some children joined the factions for adventure, survival or to feel important.

³⁹ See Afua, Twum-Danso, 2003, *ibid* p.30

⁴⁰ Gbla, 2003 *ibid*

⁴¹ Gbla, 2003 *ibid* p. 176

⁴² Abdullah and Rashid, 2004, *ibid* p.241

close associates in retreating after the ousting of the AFRC out of fear of reprisals.⁴³

IV. Major Conclusions and Findings

52. This research study has tried to provide analysis on the background to the recruitment, training and involvement of children below the age of 15 by all the warring factions in the Sierra Leone conflict. It also sheds critical light on the Sierra Leone government military policies and actions and how these impacted on child soldier recruitment especially by the AFRC. Its discussions also focus on the methods of recruitment, training and involvement of the various warring factions in the conflict with specific focus on the SLA.

53. One of its major findings is that all the warring factions including the pro-government forces recruited child soldiers through various recruitment methods including voluntary and forced. The study however acknowledges that forced recruitment was most common with the RUF faction.

54. The study also confirms that the role of the Sierra Leone government in recruiting child soldiers especially during the war in an attempt to bolster government forces to face the rebels sidestepped recruitment procedures and undermined efficient training and this in a way influenced the composition of the SLA faction that withdrew into the jungle.

55. The study also reveals that prior to the on-going British-led military training programme, there was very little serious and consistent efforts to infuse child rights issues in the training of the security forces in the country especially the military.

56. It is also a major findings of the study that although the Siera Leone government has endeavoured over the years to put in place national legislations and to sign and ratify various international legal instruments bordering on the prevention of child soldiers recruitment into the military and by other armed groups, a lot still needs to be done in their implementation. Some of the national laws pertaining to the prevention of the recruitment of children into armed factions and the military are archaic, outdated and not in tune with international legal instruments like the UNCRC.

57. The study also shows that a number of civilians including children that followed the AFRC members after they were ousted from power in February were mostly family members and other associates that were afraid of reprisal

19166

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