



University of Nairobi

**APPLYING THE HUMAN RIGHTS-BASED APPROACH TO THE PROTECTION OF  
CHILD PARTICIPANTS IN ARMED CONFLICT: THE CASE OF SOMALIA**

**Emily Nthiga**


**REG NO: C53/71768/2014**

**A PROJECT SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS  
FOR THE AWARD OF THE DEGREE OF MASTER OF ARTS IN HUMAN RIGHTS**

**2020**

## DECLARATION


This project is my original work and has not been presented for a degree award in any other University.

Signature: 

Date: 13/10/2020


**Emily K. Nthiga**

This project has been submitted with our approval as the university supervisors for examination.

Signature: 

Date: 13.10.2020

**Dr. Kathleen Anangwe**

Signature: 

Date: 13/10/2020

**Dr. Jack Mwimali**

## DEDICATION

I dedicate this work to my family, my husband Benson and our lovely children Noelle, Arnold and Claire, for their amazing support, encouragement and impatience. my parents Mr. Nthiga and Mrs. Josephina Nthiga, even when the word "project" did not make much sense to both, parental words of wisdom were priceless throughout, "there is no end to learning".

And to all Somali children, victims of child-rights violations and abuse, particularly those entrapped in hostilities, a new dawn is imminent.

## ACKNOWLEDGEMENT

A lot of gratitude is owed to the University of Nairobi's Department of Philosophy and Religious Studies and the Centre for Human Rights and Peace for their support and cooperation.

Posthumously, and with profound sadness, I acknowledge the support and contribution of my former supervisor, the late Dr. J.B. Ndohvu, to the success of my work. He made me smile through tears with his humorous way of enforcing scholarly discipline, while at the same time offering the most needed encouragement. May he rest in peace.

In a special way, hearty thanks to my two supervisors, Dr. K. Anangwe and Dr. J. Mwimali for the invaluable contribution to the completion of this work. I experienced good guidance and counsel throughout the process. My supervisors understood my shortfalls and helped me address them, even during the moments when I almost despaired. I saw a lot of dedication in trying to understand my journey.

Very special thanks to Dr. Francis Owaka, my course coordinator for what I would call "tough love". I benefitted abundantly from the blunt approach to guidance and direction, which gave me hope and determination.



## LIST OF FIGURES

Figure 1: Conceptual Framework: Modelling contextual and relational circumstances..... **Error!**

**Bookmark not defined.**

Figure 2: Showing Distribution of the Study Participants.....40

## TABLE OF CONTENTS

DECLARATION .....	i
DEDICATION .....	ii
ACKNOWLEDGEMENT .....	iii
LIST OF FIGURES.....	iv
TABLE OF CONTENTS.....	iv
LIST OF ACRONYMS AND ABBREVIATIONS.....	vii
ABSTRACT.....	1
CHAPTER ONE: INTRODUCTION.....	3
1.1 Background to the Study.....	3
1.2 Statement of the Problem.....	5
1.3 The Goal and Objective of the Study.....	8
1.4 Justification of the Study.....	8
1.5 Scope and Limitation of the Study.....	9
1.6 Definition of Terms.....	10
CHAPTER TWO: LITERATURE REVIEW.....	12
2.1 Introduction.....	12
2.2 The Incidence of Child Soldiers in Conflict Situations .....	12
2.3 Risk Factors Leading to the Recruitment of Child Soldiers .....	13
2.4 Child Soldiers' Coping Strategies.....	18
2.5 Child Soldier Reintegration Approaches .....	20
<b>2.6 Linking the Human Rights-Based Approach to the State of Somalia.....</b>	<b>21</b>
2.7 Human Rights Standards Protecting Children from Participating in Armed Conflict.....	24
2.8 Theoretical Framework.....	29
2.9 Conceptual Framework Mapping the Relationship among the Variables .....	31

<b>CHAPTER THREE: METHODOLOGY</b> .....	34
<b>3.1 Introduction</b> .....	34
<b>3.2 Location of the Study</b> .....	34
<b>3.3 Target Population and Sampling Procedures</b> .....	34
3.4 Research Design.....	35
3.5 Data Collection Procedures.....	35
<b>3.5.1 Data Collection Instruments</b> .....	36
<b>3.5.2 Data Collection Techniques</b> .....	36
<b>3.6 Data Analysis Procedures</b> .....	37
<b>3.7 Units of Observation and Unit of Analysis</b> .....	38
<b>3.8 Data Triangulation</b> .....	38
<b>3.9 Ethical Considerations</b> .....	38
<b>CHAPTER FOUR: PRESENTATION AND ANALYSIS OF FINDINGS</b> .....	40
4.1 Introduction.....	40
4.2 Participants' Background Information.....	40
4.3 Risk Factors Promoting the Recruitment and Use of Children as Soldiers in Somalia.....	41
4.4 Child Soldiers' Survival and Coping Strategies.....	51
4.5 Reintegration Strategies.....	56
4.6 Child Protection Mandates.....	59
<b>CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS</b> .....	65
5.1 Introduction.....	65
5.2 Summary.....	65
5.3 Conclusion.....	69
5.4 Recommendations.....	71
5.4.1 Recommendations to the Federal Government (FGS) of Somalia:.....	71

5.4.2 Recommendations to the International Community .....	72
5.4.3 Recommendations to the Civil Society and other Non-State Actors .....	73
5.4.4 Suggestions for Further Action .....	74
REFERENCES.....	76
<b>APPENDICES</b> .....	85
<b>Appendix I: Focus Group Discussion Guide</b> .....	85
<b>Appendix II: Interview Guide</b> .....	87
Map of Somalia .....	89

## LIST OF ACRONYMS AND ABBREVIATIONS

- ACRWC - African Charter on the Rights and Welfare of the Child
- AMISOM - African Mission in Somalia
- CAR - Central Africa Republic
- CPA – Child Protection Advocates
- CPC – Child Protection Committees
- CPU - Child Protection Units
- CRC- Convention on the Rights of the Child
- CSO – Civil Society Organization
- DANIDA - Danish International Development Agency
- DDR – Disarmament, Demobilisation and Reintegration
- DRC - Democratic Republic of Congo
- FGS – Federal Government of Somalia
- HRBA – Human Rights-Based Approaches
- ICC - International Criminal Court
- ICRC - International Committee of the Red Cross
- IDP – Internally Displaced Persons
- IHL – International Humanitarian Law
- IHRL – International Human Rights Law
- ILO – International Labour Organization
- INGOs – International Non-Governmental Organizations
- KI - Key Informants
- KIIs – Key Informant Interviews
- LNGOs – Local Non-Governmental Organizations
- LRA – Lord’s Resistance Army
- MRM – Monitoring and Reporting Mechanism
- OPAC - The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
- PTSD - Post-Traumatic Stress Disorder
- SCR – Security Council Resolution
- SNA – Somali National Army
- SOPs - Standard Operating Procedures



TFG - Transitional Federal Government

UN – United Nations

UNESCO – United Nations Educational, Science and Cultural Organization

UNHCR - United Nations High Commissioner for Refugees

UNICEF- United Nations Children’s Fund

UNITA - The National Union for the Total Independence of Angola

UNOCHA – United Nations Office for Coordination of Humanitarian Affairs

UNSC - UN Security Council resolutions

UNSG - United Nations Secretary General’s

UNSOM – United Nations Assistance Mission in Somalia

## ABSTRACT

Historically, children are not expected to be an integral part of any armed conflict. However, the rules of engagement in armed activities have since changed to include them, making present day armed conflicts different in nature and dimension. The participation of children is now common and a growing feature of armed conflicts globally. In Somalia, the number of children being recruited and used as direct actors in armed activities has been rising. Subsequently, this study is framed within recent research signaling that the protection mechanisms instituted by the state and non-state actors have not sufficiently addressed the risk factors that lead to the recruitment and use of child soldiers. Additionally, the mechanisms have not led to holistic rehabilitation and reintegration of children disarmed and released from armed activities. The research qualitatively examines the application of the human rights-based approaches (HRBA) in effectively responding to the needs and circumstances under which children participate in armed conflict. The application of HRBA principles is proposed because of its ability to reinforce the capacities of children as rights holders and includes other protection actors as duty bearers. The broad objective was to examine the effectiveness of the human rights-based strategies for addressing the risks that lead to the recruitment of child soldiers and the efficacy of rehabilitation and reintegration interventions used by child protection actors in Somalia. Three research questions guided the study to achieve the objectives. The study used John Locke's social contract theory to frame the link between the state and its obligation to protect children and child soldiers' entitlement to protection and promotion of all their rights. Primary data was collected from ten (10) former child soldiers (2 females and 8 males) undergoing rehabilitation in Benadir region, Somalia. The child participants were organized into two (2) focus groups of five (5) members each and interviewed through Focus Group Discussions (FGD). Separately, three (3) key informant (KI) interviews were conducted for ten (10) key informants working directly on issues of recruitment, rehabilitation and reintegration of child participants in armed conflict. Data was organized into categories, relationships patterned, and analysis done following transcription and content analysis. Findings indicate that HRBA principles were not mainstreamed in rehabilitation and reintegration programming, interventions were said to be uncoordinated and mostly duplicated. A proliferation of recruitment and use of child soldiers was apparent despite various protection mechanisms and reintegration interventions by both state and non-state actors. Social dysfunction, impoverishment, illiteracy, need for family or sub-clan protection and abductions are causal factors in the recruitment of child soldiers. The delivery of programmes designed to respond to the recruitment risk factors are undermined and complicated by the conflict context and lack of state's prioritization of children's rights. Although gender differences in recruitment and effect were not an objective of this study, the responses from the FGD indicated that girl child soldiers fared worse as they experienced sexual violence and gender bias in distribution of roles. The study concluded that it is worthwhile for state and non-state actors in Somalia, to address child soldiering from a human rights-based perspective because the existence of child soldiers' protection and reintegration laws alone is not enough. It is thus contended that a HRBA gives an opportunity to holistic protection and reintegration by complementing the legal framework in addressing child soldiering. Therefore, protection actors need to focus on response mechanisms that link available legal protection frameworks to practical rights-centric approaches that mitigate risk factors before children are enlisted for armed activities.



Specifically, underscoring domestication of specific child soldiers' protection provisions and turning the protection provisions into national laws and translated into policies and frameworks for better mitigation of recruitment risk factors. Rehabilitation and reintegration of ex-child soldiers needs to be framed more around HRBA principles to produce a more effective impact in restoring the dignity of former child soldiers.

## CHAPTER ONE: INTRODUCTION

### 1.1 Background to the Study

The involvement of children in armed conflicts is both unethical and a violation of their human rights (Young, McKenzie, Omre, & Schjelderup, 2012). Child soldiers are persons below the age of eighteen years who are recruited or used by armed forces or groups for any military intent such as committing acts of violence, preparing meals for the military and heralding (Paris Principles, 2007)<sup>1</sup>. Armed conflict has recently increased globally making more children bear the impact of brutalities of war in which adults are firmly entrenched. The recruitment of children into the armed forces and groups is a morally offensive practice because, children transform from being ordinary victims to perpetrators of a range of acts of violence (Briggs, 2005). International and regional mechanisms have been put in place to surmount child soldiering incidences, but the enforcement of these mechanisms has been complicated by the reality that, child soldiering contexts involve several parties such as militias, clan warlords, state armies, and failed states (Vautravers, 2008).

Somalia<sup>2</sup>, has been affected by child soldiering. The prolonged humanitarian crisis and the internal displacement of her people has had a negative impact on children's vulnerability leading to persistent humanitarian emergencies (United Nations, 2017). Persistent droughts and flooding, impoverishment, political volatility, armed strife and disintegration of basic social services have contributed to the protracted humanitarian crisis and consequently exacerbated the participation of children in armed conflict (UNICEF, 2010).

---

<sup>1</sup> International Human Rights Law (IHRL) declares 18 as the minimum legal age for recruitment and use of children in hostilities. The Optional Protocol to the Convention on the Rights of the Child (CRC) on the involvement of children in armed conflict raises the minimum age for direct participation in hostilities to 18 years from the previous minimum age of 15 years specified in the CRC.

<sup>2</sup> Somalia is ranked second and very high alert in the fragile states Index 2013-19

The process of reintegration of child soldiers serves multiple aims, inspiring a belief in a viable alternative way of life, creating an environment in which children can re-establish trusting relationships, develop self-confidence and capacity to learning. A major social challenge experienced by child soldiers is re-integration into society, acceptance and understanding for which reintegration provides a starting point for reconciliation (Molteno et al., 1999).

In relation to human rights, the convention on the Rights of the Child, which is a primary initiative in prevention of children's involvement in hostilities (UN, 2016), outlines an expansive list of children's rights which should be protected, promoted, respected and fulfilled in both conflict ridden and conflict free countries. An investigation into how these provisions have been invoked and applied to the plight of child soldiers in Somalia is paramount, including an evaluation of the extent to which the principles of non-discrimination, equality of all children and the best interest of the child are envisaged as contained in Article 3(1). Additionally, children, like all human beings, are entitled to rights contained in the international bill of rights the Universal Declaration of Human Rights (UDHR) and treaties derived thereof (Amnesty International, 2006).

Regionally, article 22 of the African Charter on the Rights and Welfare of the Child (ACRWC) provides for the protection of children in armed conflict and obligates States Parties to the Charter to take all necessary measures to ensure that no child takes direct part in hostilities, including the recruitment of children (ACRWC, Article 22). However, there have been violations of the international human rights and international humanitarian laws by states warring parties raising questions seeking to find out the extent and magnitude of the violation of children's rights during situations of armed conflict. A HRBA seeks to empower people to understand and claim their rights and increase the ability and accountability of entities and institutions responsible for guaranteeing rights. As such, HRBA means allowing people greater opportunities to participate in



influencing the decisions that impact on their human rights. Thus, existence of the human rights normative framework alone is not enough and has not been seen to improve protection and integration of child soldiers, calling for employment HRBA principles to ensure that both the standards and the principles of human rights are integrated into policymaking and the everyday protection and reintegration of child soldiers (UNICEF, 2017).

Although the state is the principal duty bearer in guaranteeing human rights to its citizens and providing the basic needs to avert child soldier recruitment, this obligation is extended to all stakeholders, both state and non-state actors promoting and protecting children's rights, so that interventions and strategies aimed at alleviating the situation of children take a rights-based approach. A HRBA therefore is an ideal platform for civil society and community actors to propose policy and regulation frameworks and hold duty bearers to account, monitor and report on the issues of children rights including those relating to children's involvement in hostilities and mobilizing for prevention of recruitment, rehabilitation and reintegration of child soldiers (DeBerry, 2001; Muller, 2010).

In engaging in an examination of the situation of child soldiers, this study remains alive to structural shortcomings of the duty bearers due to ongoing social, economic and political dynamics that continue to inhibit a comprehensive protection of children from recruitment and participation in armed conflict.

## **1.2 Statement of the Problem**

Children in many parts of the world are thriving in a protective environment and expanding their potential. However, in Somalia, children continue to face challenges following extended periods of armed conflict. An abundant amount of research indicates that children should grow in an environment that allows them the freedom to be children, and then experience a subsequent smooth

transition into adulthood where they can achieve their goals (Santer et al., 2007; Wyver S. et al., 2010). The child soldiers global report (2018) and recent scholarly work focussed on Somalia state that the number of children recruited as soldiers is rising and is documented at approximately 2,127 children (UNICEF, 2004; Olynyk, 2011; Mwongera, 2012; IPSTC, 2013). Recruitment is complemented with child abductions which have more than doubled with over 1,600 children abducted by the Al-Shabaab.

The South-Central regions of Somalia having endured a greater portion of the humanitarian crisis, have failed to mitigate the factors that cause children's participation in armed conflict. As a result, internally displaced persons, including children, have been left vulnerable to militarization and involvement of children in armed activities the last couple of years (UN, 2017). The outcomes of displacing children and engaging them in armed conflict are found in recent studies globally which correlate the trauma associated with child soldiering experiences to depression, behaviour disorders, impaired social functioning and loss of childhood (Schauer & Elbert, 2010; Sayfarth, 2013). These effects deteriorate children's mental health and lead to the development of post-traumatic stress disorder (PTSD) whose impact is life-long. A study carried out in Congo and Uganda in 2007 among ex-child soldiers revealed that children violently enlisted by armed forces at about twelve years, and witnessed the atrocities of war such as shooting (92.9%), beatings (84%), wounded-ness (89.9%), killings (54%) and engaging in sexual contact (28%), were unable to associate and engage in normal social activities as well as succeed at education. Thus, the quality of life of child soldiers is greatly diminished and interferes with their future capabilities (Achvarina, et al., 2009; Young, McKenzie, Omre & Schjelderup, 2012; Nduwimana, 2013).

The recruitment and engagement of children in armed conflict is in defiance of the Convention on the Rights of the Child (CRC) and its optional protocol on children in armed conflict (OPAC),

both of which support the protection of children against recruitment and use as soldiers (Hodgkin & Newel, 2007). Further, the protection of children from involvement in armed conflict is explicitly addressed in Article 38 of the CRC, which calls on all involved parties to prevent anyone under the age of 15 from taking part in hostilities and to refrain from recruiting all children as fighters (Ames, 2010).

The studies mentioned herein indicate a general convergence on factors that lead to recruitment and use of children as soldiers, child soldiers' experiences of war and their coping strategies. However, these studies have not considered the strategies for addressing the risks that lead to the recruitment of child soldiers, rehabilitation and reintegration. These strategies should be based clearly on the norms and values set out in international human rights law, as well as regional and national child protection frameworks, and ultimately the HRBA. Similarly, although OPAC and CRC initiatives are positive, their progress is slow, and children in the ranks of fighting forces are yet to be impacted. While studies have showed existence of legal human rights frameworks in place for protection and reintegration of child soldiers, a general lack of practical approaches for increasing ability and accountability of human rights duty bearers is evident. Additionally, the international framework offers little real protection for countless other children in volatile countries who are at risk of recruitment and use in armed conflict. This raises the question of the functional efficacy of the human rights-based approach to the protection of children in armed conflict, specifically in Somalia.

This research seeks to fill an emerging lacuna in child protection interventions which are usually generically framed for homogeneous contexts, when there is current need to appreciate a growing heterogeneity of social contexts owing to local peculiarity and the circumstances of war.



### **1.3 The Goal and Objective of the Study**

To examine the effectiveness of the human rights-based strategies for addressing the risks that lead to the recruitment of child soldiers and the efficacy of rehabilitation and reintegration interventions (3Rs) used by child protection actors in Somalia.

#### **1.3.1 Specific Objectives**

- i. To determine the risk factors that lead to the recruitment of children as soldiers.
- ii. To explore the coping strategies employed by Somali child soldiers who have participated in armed conflict.
- iii. To examine the rehabilitation and reintegration approaches aligned to HRBA strategy used by child protection actors.

#### **1.3.2 Research Questions**

- i. What are the risk factors leading to the recruitment of the child soldiers in Somalia?
- ii. How do children respond to the outcomes of their participation in armed conflict?
- iii. How do child protection actors in Somalia mainstream and apply the HRBA framework in the rehabilitation and reintegration initiatives?

### **1.4 Justification of the Study**

The involvement of children in armed conflict, especially their recruitment and use as soldiers has persisted in spite of numerous efforts to address this incidence globally. Existing strategies using international, regional and national principles and standards such as those advanced by the CRC have not led to the desired impact in some regions such as Somalia and Uganda (Global Report, 2008).



While Somalia's national laws recognize that every child has the right to be protected from armed conflict, the Federal Government of Somalia (FGS), in its National Report on Universal Periodic Review on the situation of human rights submitted to the Human Rights Council in 2011 (Human Rights Council, 2011; Somalia Provisional Constitution, 2012), acknowledges that the perpetual use of children as soldiers is widespread and a significant problem, and further points out access to education, vocational training and income generating activities as interventions that can defeat child soldiering challenges. An examination of the significance of rights-based approaches in mitigating risk factors leading to recruitment of child soldiers, effects of child soldiering experiences on affected children, rehabilitation and reintegration interventions for released child soldiers will contribute to improvement of government's child soldiering programming, including collaboration with other actors.

In addition, human rights organizations stand to benefit from the findings of this study by enhancing reintegration mechanisms for children in armed conflict and in designing appropriate strategy to advance human rights policies applicable to children in general.

Finally, where possible, child soldiers can learn that their rights as human beings and as children are a global concern. This study will also contribute to promoting sustained economic growth for children as enshrined in the 2030 agenda for sustainable development by proposing measures to eradicate recruitment and use of child soldiers.

### **1.5 Scope and Limitation of the Study**

This study covers the South/Central geographic regions of Somalia where the recruitment and use of children as soldiers is prolific. The terrain in Somalia is insecure due to regional challenges causing general instability and difficulty in accessibility. Challenges particularly relevant to this study included language barrier, complicated travel modalities, identifying and contacting study

participants. On the other hand, the Somalia context offers an appropriate case study and primary focus on child protection role of the state and non-state actors, and the rights of children, willing or coerced, in an armed conflict context.

The study assumes the international human rights law definition of a child soldier which declares 18 as the minimum legal age for recruitment and use of children in hostilities, specifically considering the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict which raises the minimum age for direct participation in hostilities to 18 years from the previously stipulated minimum age of 15 years in the CRC.

The study adopts a qualitative research design taking cognizance of Somalia's complex reality. However, the purposive sampling procedure applied may lessen the ability to generalize the findings of this study to all processes of protection and reintegration of child soldiers. Also, the findings could be subject to other interpretations. The general scarcity of previous research on the topic limits the literature on application of HRBA by entities and institutions responsible for protection and reintegration of child soldiers, thus possibly weakening the foundation upon which deeper understanding of the research problem can be placed. This challenge therefore presents as a crucial opportunity for further research on child soldiering.

### **1.6 Definition of Terms**

**Child Soldier** Any person under 18 years of age who is part of a regular or irregular armed force or armed group in any capacity.

**Armed Conflict** Involves the use of firearms, grenades and other weapons by organized armed forces, rebels or armed militia. Armed conflict might involve a government against insurgents or insurgents attacking civilians.

**Recruitment and Use** Refers to the conscription or use of children under the age of 18 years as stipulated in the international treaties applicable to the armed force or armed group in question.

**Universality of Human Rights** Universality is an important feature of human rights, which, which essentially means human rights apply to all mankind. Every human person therefore possess rights regardless their citizenship.

**Reintegration** The process through which children formerly associated with armed forces/groups are supported to return to civilian life and play a valued role in their families and communities



## **CHAPTER TWO: LITERATURE REVIEW**

### **2.1 Introduction**

This chapter examines literature using a contextual model while emphasizing the risk factors that expose children to recruitment into activities of armed conflict, the child protection actors' approaches to protecting and reintegrating child soldiers in addition to the applicable human rights standards on protecting child soldiers. The second section of this chapter presents the theoretical and conceptual frameworks.

### **2.2 The Incidence of Child Soldiers in Conflict Situations**

Child soldiering is a global issue, with roughly 250,000 child soldiers serving in armed groups and forces globally (Blattman & Annan, 2010). Tens of thousands of children continue to be recruited and serve in armies in many regions of the world experiencing armed conflicts (UN, 2016). Seven armed forces and fifty-six armed groups were recruiting and using children in 2017 (UN, 2018). The rate of recruitment of children by armed actors soared to 159 percent globally in a space of five years between 2012 and 2017, with around 30,000 corroborated recruitments (The Child Soldiers International, 2018). In Afghanistan, the conflict environment experienced between 2014 and 2015 caused a significant increase in recruitment of children into armies, with about 116 cases of children recruited to the Afghanistan National Defence forces, the Taliban and other armed groups for suicide attacks (UN, 2015).

Africa is host to a substantial number of child soldiers, including in Central African Republic, Chad, Democratic Republic of Congo (DRC), Somalia, South Sudan and Mali. The armed conflict in DRC for instance, involved about 30,000 children in both government forces and rebel groups. The Lord's Resistance Army (LRA) in Sudan recruited roughly 2,000 children in 2007, including

girls, who were raped and had children while serving in the LRA (Vermeij, 2009). Others were abducted to fight and forced to witness and commit human rights abuses. Some children were recruited through enticement for free education in Southern Sudan.

Somalia has not been spared, with about 3000 child soldiers in the country. The existence of many parties to the conflict in Somalia has exacerbated the child soldiers' incidence (Human Rights Watch, 2012). The militias have controlled various parts of Somalia causing a protracted recruitment and use of child soldiers through abduction, also noting that poverty and insecurity have impacted child recruitment (Human Rights Council Report, 2011). The United Nations reported a surge in child soldier recruitment where in 2016 alone, 1,293 children were reported to have joined various armies in Somalia, of which 908 were by Al-Shabaab, 209 by the Somali National Army (SNA) and allied militia, 111 by Al-Sunna wal-Jama'a (ASWJ), 15 cases were attributed to the Somaliland Armed Forces and 36 other unknown armed elements (UN, 2016). However, there seems to be little information on the status of children in the conflict situation in Somalia.

### **2.3 Risk Factors Leading to the Recruitment of Child Soldiers**

Various reports suggest a number of ways children join armies during conflict such as voluntarily, through severe threats or compulsion, enticement and abduction (McCallin, 2001; Young, McKenzie, Omre & Schjelderup, 2012). These reports identify specific regions, for example in LRA abducted children in 2007 and the Sudan People's Liberation Army that recruited children through enticement that they will be offered free education in Southern Sudan (Global Report, 2008).

While some studies suggest that many children join the armed forces as a rational choice given the limited opportunity for survival that is available to them, others claim the opposite. Illiteracy,

prejudice from community and cultural issues may leave children with limited choice but to join armies. The former reports fail to recognize that causes such as abductions and active participation in armed conflicts may be secondary due to the failure of organizations responsible for safeguarding the rights of children to emphasize child protection.

It has been suggested in literature that limited educational opportunities influence recruitment of child soldiers. Somalia has one of the lowest gross enrolment rates globally with about 30 percent of children at primary education level and 26 percent for secondary education (UNICEF, 2016). Roughly 44 percent of approximately 11 million of Somalia's population is 14 years of age, which constitutes almost 4.8 million (CIA, 2015), meaning that children and youth constitute a significant number of the Somali population in the country, yet most of the children lack educational opportunities. A lack of education translates into a lack of economic opportunities for children completing schooling, thus rendering them susceptible to recruitment. In most cases, children's vulnerability is extended because of difficulties in accessing social services and basic needs (UN, 2014). These conditions push children to join armed groups either willingly or through forced recruitment (Ames, 2010).

The failure of the state to fulfil survival rights of children as part of its obligations can push children to involvement with armed forces and groups (Forbes et al., 2011). About sixty per cent of Somali citizens live in poverty at \$1.6 dollars per day and the country is among the poorest countries globally (World Bank, 2015). Poverty causes vulnerability to conscription during conflicts especially when some armed actors give little payments to the family as an enticement (Machel, 1996). Conflict environment produces circumstances that put children's fundamental rights low on state agenda, rendering children's enjoyment of their rights and protection not a priority. Such



disorders lead children to lack basic necessities such as housing, nutrition, and medical care, resulting in struggle for survival.

There is a good amount of literature contending that social factors play a crucial role to the recruitment or abduction of children into military activities (Strauss and Corbin, 1998; Ismail and Alao, 2007; Gates & Reich, 2010). The literature affirms the aforementioned view by attributing the drastic increase in child soldier recruitment in Somalia's regions of Mudug and Nugal to heightened social fragmentations of two warring clans. Additionally, Women and children form the greatest part of the Somali population and have been the most affected in the controversial war. Brett and Specht (2004) also make a similar argument citing lack of a strong family unit fostered towards the rehabilitation of the society. Children in situations of armed conflict are commonly orphaned as a result of war and mostly face challenges such as lack of parental guidance and moral support from joining such violent groups. Such social risk factors may be surmounted at family and community levels if child protection mechanisms are properly harnessed to focus on prevention interventions.

Ismail and Alao (2007) contend that, conflict environment breeds conditions that place the basic rights of children low on the state priorities, making relief for children in war settings not a priority. These conditions result in children lacking essential requirements like food, housing and health care resulting to struggling for survival (Achvarina & Reich, 2010). Somalia's South-Central regions particularly experience recurrent droughts, flooding, economic deprivation, political turmoil, conflict, and for many unaffordable, basic social services (UNICEF, 2010). The persistent conflict environment in these regions presents an impediment to efforts aimed at alleviating the humanitarian crises which would contribute to mitigation of some factors that cause children to participate in conflict. Additionally, internal displacement of populations due to droughts, floods,



violence and evictions is one of the effects of the conflict in Somalia. In this study IDP settlements were the main areas where recruitment occurred, for example settlements in Daynile zones in Benadir regions in Mogadishu. International law guarantees respect for the civilian and humanitarian nature of displacement settlements and prohibits displaced populations, including children, from participation in military activities. Conflict environment may lead to involvement of the populations in non-civilian activities like entry of weapons, military training and recruitment (Lischer, 2006). Such an armed environment makes it easy for militants to recruit children, considering that displacement conditions include poverty and lack of essential means for survival. Brett & Specht (2004) allude to lack of moral direction and the fear of not belonging to any groupings as factors that push young people to joining militant groups. From a survey conducted on demobilization of child soldiers 9% of the youth is recruited for fear of isolation thus facing death alone, while 34% of the children joined for the benefits of looting and the ransom received from kidnapping influential people (Agborsangaya, 2000). Notably, 21% of the child soldiers joined armies following ideological brainwashing. The child recruiters' target the young generation of troops because the latter possess limited capacity to due to their lack of knowledge of what is discern right or wrong based on their limited experience (Andvig & Scott, 2010). Channelling hateful comments on the young children is swiftly absorbed as compared to the more elderly population. Additionally, the younger population has been used to remote villages due to their lack of emotional attachment to their environments (Harvey, 2001). However, the aforementioned studies all fail to recognize children's limited capacity for rational judgement due to their undeveloped cognition. Children have limited ability to evaluate possible risks, lack of forethought and failure to assess danger, and as such, child soldiers are easier killed or injured than adult soldiers during combat.

The Somali government has come under international condemnation for the recruitment of more children in government enforcement agencies. Baaz & Stern (2008) corroborate the assertion that the Somali Transitional Federal Government (TFG) defended its actions by arguing that the children performed lighter duties like protecting the borders and were trained in handling firearms. Despite attempts ensure that militaries are free of children in their ranks, the number of Somali child soldiers is constantly increasing. There are groups focusing on the prevention of recruitment of child soldiers including some within the Somali government, the United Nations protection components and civil society organizations whose efforts vary from financial, political to diplomatic assistance (Harvey, 2001; Boothby, 2006). However, these efforts are faced with coordination challenges leading to duplication and wastage of resources.

Push and pull factors have influenced recruitment of children as soldiers. Brett & Specht (2004) suggested dire starvation caused by insufficient food in some parts of Somalia as push factors that lead children to fight for food and water while the proliferation of guns and war artillery draw children into war due to availability and easy access to weaponry. Such influences increase the risk of recruitment in many ways. When Somali children are exposed to war ordeals in their everyday life, they are robbed of the opportunity of experiencing normal life compared to children of established regimes (Strauss & Corbin, 1998).

In the event that war experiences are a community's day-to-day life, armed conflict trespasses the battle lines, influences and redefines that community's codes of behaviour. Consequently, Somali children have been forced to assume war as a natural method of protection or access to daily goods and have no moral obstacle at the time of applying them as natural actions (Baaz & Stern, 2008).

Conflict is deeply entrenched in Somalia and has become a societal norm. Consequently, most Somali children have experienced this system, making participation in armed conflict near normal

way of life and survival. Somali children, because of their age, immaturity, curiosity and love for adventure are susceptible to enticement through a variety of psychological methods (Ames, 2010). Public displays of war stuff, funerals and posters of fallen heroes; speeches and videos, particularly in schools; heroic, melodious songs and stories, drawing out feelings of patriotism and creating a martyr cult create a compelling milieu and act as forefront psychological factors that influence Somali children immensely. Severe restrictions on leaving areas create a feeling of entrapment as well as ensure that there is a continuing source of recruits (Agborsangaya, 2000). Nevertheless, in the Somalia context, there might be other risk factors causing children to directly participate in armed conflict.

#### **2.4 Child Soldiers' Coping Strategies**

Literatures indicate that child soldiers experience discrimination, marginalization, vilification and social rejection in addition to restricted economic and educational resources, and sometimes loss of family and community approval. Also, child soldiers face social shame, endure post-traumatic stress disorder and rejection leading severe and traumatic stress that deteriorates their mental health causing PTSD. (Denov, 2010; Elbert, 2010).

A study conducted among former child soldiers in Congo and Uganda showed that children at the average age of twelve who were forcibly recruited experienced trauma including witnessing shootings (92.9 percent), thorough beatings (84 percent) or other wounded (89.9 percent). Children who said they committed murder were 54 percent, while 28 percent were coerced into sexual contact (Bayer, Klasen & Adam, 2007). Notably, there is a shortage of such accounts from child soldiers in Somalia, as work has only recently centred on this region. Subsequently, regardless of the geographic contexts, such negative experiences lead child soldiers to develop coping strategies



while in "service" such as peer-support structures that may be ineffective, drug abuse, and violence, as a means of mental escape to prevent future humiliation and exclusion.

In war ordeals Stafford and Tanner (2005) find that child soldiers abuse drugs to survive. The study suggests that hallucinatory substance use is a critical factor leading to boy soldiers' desensitization during their prolonged exposure to violent aggression and training them for battle. This opinion is confirmed by Utas & Jorgel (2008) who, in their account of the child soldiers of Sierra Leone's 'West Side Children,' explain how most of them use a lot of hard drugs. Gear (2002) supports Stafford & Tanner's (2005) views that substance abuse is a way of escaping the emotional burden associated with the struggles of child soldiering. However, these studies were conducted in other countries and the current study seeks to establish whether the same findings hold in Somalia.

Khat shrub leaves which produce amphetamine-like cathinone are the main drug exploited in Somalia by child soldiers. Odenwald et al., (2005) found that PTSD causes higher consumption of khat, resulting in a higher risk of developing psychotic symptoms such as anxiety. The study found that 16 percent of ex-combatants are severely impaired by complex psychological distress, often extreme psychotic disorders combined with drug abuse, trauma-related disorders, and emotional problems, 12 years after the end of the liberation war and 6 years after the last conflict. However, this study was conducted in 2005, a decade ago while the current study investigates the drug abuse as a coping strategy with an aim of extending and comparing with the literature of Odenwald et al., (2005). However, given the volatile context in Somalia, children are recruited in equal measure. It is noteworthy to document the coping strategies of children in this prolonged conflict.

## 2.5 Child Soldier Reintegration Approaches

Literature shows that, out of over fifty thousand child soldiers released from engagements with army actors from 2013 and 2017, only 70 percent have received support, despite the UN laid down measures providing means to better respond to reintegration needs of former child soldiers. There also lacks reliable financing for reintegration programming, which has been progressively declining and the demands substantially increasing (Child Soldiers International, 2018).

Muggah, Maughan & Bugnion (2003), propose that reintegration as a procedure should help child ex-combatants to rebuild their lives, especially because they were separated from their families and missed out on physical and educational opportunities available for ordinary children. This is in consonance with article 39 of the Convention on the Rights of the Child, which advocates for recovery and reintegration that restores pride and ensures the wellbeing of ex-combatants and thus underscores the importance of reintegration programs that include rejoining former child soldiers with their families. UNICEF's report (2002) echoes this view by proposing psychosocial support, family reunification, literacy and education and economic opportunity as important components of credible reintegration of child soldiers. Family reunification facilitates support for self-reliant existence which is paramount for meaningful reintegration. Psychosocial support, including communal procedures and pacification are pivotal to addressing the social hostility acquire by child soldiers and to helping them overcome traumatic experiences.

A comparative survey in Burundi and DRC Congo revealed that local environment and settings, individual capabilities and culture influence reintegration process and therefore consideration of the local context during social and economic reintegration is paramount. (Geenen, 2007). The social and economic reintegration processes are part of the general development of communities and require long-term assistance entrenched in a wider process for achievement of ex-child

soldier's rights. The reintegration modalities should consider the fundamental principles of participation and best interest of the child, as underscored in the HRBA as well as the CRC. Similar sentiments are advanced by Child War (2019) following a study in Central Africa Republic (CAR) that found that support to former child soldiers was qualitatively and quantitatively insufficient as it did not address the expectations and needs of the children. The contention was that reintegration modalities ought to generate healing for ex-child soldiers and therefore need to be consistent and long-term. In addition, such programmes are more effective if concerned children are made to participate in the processes to give insights on what works best for successful reintegration. A similar claim on the centrality of the participation principle was advanced by Beneduce et al., (2006) who examined the role of violence on demobilization and reintegration interventions in the DRC. They contend that child participation has important significance on the society's social fabric and culture, and DDR programs for child combatants should therefore address these issues. However, if the application of the HRBA is considered, reintegration of ex-child combatants will be more effective.

## **2.6 Linking the Human Rights-Based Approach to the State of Somalia**

Human rights define the relationship between people as rights holders with lawful claims and state and state agents with obligations as primary duty bearers (DANIDA, 2013). This nexus forms the context within which the HRBA embeds. In identifying rights holders and their claims and the corresponding duty bearers and their obligations, a HRBA reinforces the capacities of rights holders to make their claims and of duty bearers to meet their obligations (UN, 2004). In this regard, rights-based approaches with reference to child soldiering means the conversion of human rights from mere legal instruments into effective policies, practices, and practical realities (Andvig & Scott, 2010).



Human rights standards applicable to a state comprise a set of performance standards against which rights duty bearers at all levels of society are held accountable (UNICEF, 2003). This means that when rights holders are not able to meet their needs, the duty bearers must fulfil them, not as a charity but as an entitlement to be guaranteed (Harvey, 2001). A holistic approach to the prevention of recruitment and use of children as soldiers serves to alleviate child soldiering by providing concrete options for the state and the international community to respond to the needs and circumstances under which children are recruited in armed conflict in the world and especially Somalia (Andvig & Scott, 2010). The HRBA principles of participation, accountability and non-discrimination are normatively based on international human rights standards and operationally directed to promoting and protecting human rights. Further, the HRBA has the following implications for states affected by child soldiering:

#### **2.6.1 Guarantees the Right of Participation**

The privilege to investment is cherished in the CRC and other universal legitimate instruments, however it is for the most part viewed as optimistic and not completely acknowledged (Alderson, 2008). Everybody has the option to take an interest in choices that influence their human rights and concerning the contextual analysis of kid fighters in Somalia, all on-screen characters engaged with reaction programs must guarantee dynamic support that is free and important, and concentrate on issues of availability, remembering access to data for basic and handily comprehended language that can be (Gates and Reich, 2010). The suggestion here is that support should be a procedure and not a solitary occasion. The CRC General Comment No. 12 expresses that the participation and inclusion of children should not be temporary action, but a beginning of a thorough the starting point



for an intense altercation involving children and on the development of frameworks and procedures (CRC, 2009)

### **2.6.2 Reiterates the State's Accountability to the Right Holders**

Accountability requires effective monitoring of compliance with human rights standards and achievement of human rights goals, as well as effective remedies for human rights breaches (UNICEF, 1997). For accountability to be effective there must be appropriate legal procedures institutions, administrative systems of redress in order to secure human rights (Kirchschlaeger, 2015). The effective monitoring of compliance and achievement of human rights goals also requires development and use of appropriate human rights indicators (African Development Bank Group, 2008).

### **2.6.3 Ensuring Non-discrimination and Equality as an Obligation**

This requires that the state guarantees equality among all people, including children. Thus, all forms of child soldiering in the achievement of their rights must be outlawed, prevented completely disregarded. Significance should be given to those in the most sidelined or susceptible situations who face the biggest inhibition in enjoying their rights, including children (Harvey, 2001; Boothby, 2006). Individuals and communities need to be able to understand their rights and to participate fully in the development of policy and practices that are affecting them (UNICEF, 2003). Therefore, a HRBA in the case study of Somalia requires that the state and duty bearers recognize human rights and freedoms as legally enforceable entitlements consistent with human rights principles (Kirchschlaeger, 2015).

## **2.7 Human Rights Standards Protecting Children from Participating in Armed Conflict**

The legal protection of children during armed conflict is largely contained in the International Humanitarian Law (IHL) and International Human Rights Law (IHRL). Comparatively, the IHRL regulates the manner in which states like Somalia treat people, including children in their jurisdiction. Many of its provisions are applicable both during peace and during armed conflict (UNICEF, 1997). On the other hand, the IHL regulates procedures applied in fighting and the treatment of people in times of war, who are either not part of or have stopped participating in the hostilities (Baaz & Stern, 2008). The IHRL and IHL have their protocols and mandates applicable in the case of child soldiers in Somalia and their standards become binding to states by ratification and accession (Boyden & De Berry, 2005; Boothby, 2006).

### **2.7.1 The United Nations Convention on the Rights of the Child (CRC) and its Optional Protocol on Recruitment.**

The CRC, adopted by the UN General Assembly on 25 May 2000 and ratified by Somalia in 2015, is a key consideration protecting child participants in armed conflict (UN, 2016). Specifically, article 38.1-2 of the (CRC) requiring State Parties to respect rules of International Humanitarian Law applicable to children and to ensure that persons below the age of fifteen years are exempt from direct participating in hostilities. The Optional Protocol to the CRC (OPAC) raises the minimum age for direct participation in hostilities to 18 years from the previous minimum age of 15 years specified in the CRC (UNICEF, 2003). OPAC also prohibits the recruitment or use in hostilities of under 18 persons by non-state armed groups (Harvey, 2001).

Somalia's ratification of the CRC uniquely places children at the centre of the efforts for the universal spreading of human rights, including child soldiers (Andvig & Scott, 2010). However, compliance with the CRC and the OPAC has been dismal as armed forces and groups have used and continue to use child soldiers with disregard to of CRC and its Optional protocols on children in armed conflict. Armed groups and forces have been accused by the International Criminal Court (ICC) for recruitment of children as soldiers, abductions and kidnapping, including by the Sudan Armed Forces, Uganda's Lord's Resistance Army (LRA), Revolutionary United Front (RUF) in Sierra Leone and UNITA in Angola (Twum-Danso, 2003). It appears that although the CRC and the OPAC have been widely ratified, compliance remains a challenge in several countries experiencing child soldiering, and lack of the application of a rights-based approach is still a key concern.

### **2.7.2 International Humanitarian Law Instruments**

In the framework of International Humanitarian Law, children in conflict situations benefit both as members of the civilian population in general and as a category of vulnerable persons entitled to more specific protection (Dixit, 2001). The Geneva Conventions of 1949 also protect children's rights, specifically regarding their use and recruitment in armed conflict. Although the four Geneva conventions do not address the issue of combatant children, there are seventeen provisions directly aimed at protecting children. Some of these provisions state the protection of children who have taken part in combat (ICRC, 2014). However, added to the Geneva Conventions is Protocol I which explicitly prohibits the conscription of children under 15 years of age in the armed forces. Article 77, of Protocol I provides that entities to the conflict take all viable measures to ensure that



minors are excluded from taking direct part in hostilities, and particularly refrain from including children in their armies (ICRC, 2014). This provision presents a challenge specifically when young persons are treated both as children and as adults depending on the purpose for which the consideration is being made. There also exists a disparity in how different legal instruments apply different ages as determinants of childhood or adulthood. Article 4(3)(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” (Human Rights Watch, 2012). The minimum standards on recruitment age, which apply to both governmental and non-governmental parties in international and internal armed conflict, have been ineffective in Somalia). Here, children continue to be enrolled in different regions, many of whom then grow up to become adult soldiers, increasing the war mongering and war propaganda in the country (UNICEF, 1997; Boothby, 2006).

The customary international humanitarian law rules provide that “children must not be recruited into armed forces or armed groups” and that “children must not be allowed to take part in hostilities (Blattman & Annan, 2010). These rules therefore apply to both international and non-international armed conflict situations including Somalia especially in the northern parts, Puntland and Somaliland (Boyden & de Berry, 2005).

### **2.7.3 Rome Statute of the International Criminal Court**

The Rome Statute, which established the International Criminal Court (ICC), protects children from conscription globally and tries parties blamed for perpetrating war crimes, crimes against humanity, and genocide (Brett & Specht, 2004). The ICC recognizes recruiting of children below 15 years of age to participate actively in armed conflict as a

war crime. The Rome statute responds to the failure of parties to conflict to implement Article 8(2), which defines war crimes in the context of internal armed conflict as conscription of children below 15 years of age by army actors or using them to actively participate in armed conflict.

The statute speaks directly to Somalia situation because different combatant groups have conscripted children as young as 12-14 years of age. Notably, in some cases, children have been forced to aid different fighting actors in places such as Puntland, Marihanland, Jubaland, Somaliland and Rahaweynland (UNICEF, 1997). The Rome Statute is clearly against using children for military purposes. Subsequently, several arrest warrants have been issued against warlords in Mogadishu and tribal gang leaders from Puntland, Marihanland, Jubaland, Somaliland and Rahaweynland, and these have not been complied with, sinking children's plight deeper into the danger of recruitment and use as soldiers.

#### **2.7.4 UN Security Council Resolutions on Recruitment of Child Soldiers.**

A series of UN Security Council resolutions (UNSC) provides a frame for action for the member states, especially those affected by child soldiering. The first resolution under the council and adopted in 1999 identifies recruitment and use of child soldiers as one of the six grave violations against children<sup>3</sup>, and any party inside Somalia that violates the stipulations, faces UN sanctions and isolation (Schwandt, 2000; Andvig & Scott, 2010). Through the SC resolution 1612(2005), a Monitoring and Reporting Mechanism (MRM) was formed to systematically monitor and report on violations against children globally, and the parties to conflicts who recruit and use children are named through this mechanism

---

<sup>3</sup> The six grave violations against children include killing and maiming, recruitment and use, sexual violence against children, attacks on schools and hospitals, abduction and denial of humanitarian access (Schwandt, 2000).

in the United Nations Secretary-General's (UNSG) annual report with the aim of ending these violations (Boothby, 2006). Evidently these measures exist to deter the recruitment of child soldiers in Somalia (UNICEF, 1997). A listing system that started in 2001 indicates Somalia as one of the thirteen states that have featured in the annual UNSG's report for recruitment and use of children as soldiers. In this list, named parties are required to cooperate with the UN in the design and implementation of plans to end violations for which they are listed. Having developed action plans towards ending recruitment and use of children and having formed a task force to help implement the action plans, Somalia, has to show efforts that it has extended towards ending children's inclusion in war.

Article 56 of the UN Charter obligates member states to take "joint and separate action" to promote observance of human rights and fundamental freedoms for all (Kirchschlaeger, 2015). Within Somalia, means of promoting international human rights such as incorporating international norms into a state's constitution and criminal law, establishing controls on federalism and promoting human rights through publicity and education have not substantially included child soldiering. Perhaps the most basic method is enforcement of children's protection, including child soldiers, through law at the national level.

#### **2.7.5 African Charter and Rights and Welfare of the Child**

Africa is host to the largest number of child soldiers despite the existence of the African charter on the Rights and Welfare of the Child since 1999, and the charter being the only regional treaty that addresses the issue of child soldiers. Similar to the CRC, the charter prohibits the conscription of persons under 18 years of age and asserts that members of the Charter must ensure no child participates in armed conflict (UNICEF, 1997).



Also, literature indicates that the number of children participating in hostilities in Somalia has increased (Andvig & Scott, 2010) despite the efforts of AMISOM forces that have positively influenced the prevention of recruitment of child soldiers (Baaz & Stern, 2008). It is on record that in the year 2014 alone, the number of children taken into rehabilitation facilities increased as a result of the AU intervention in Somalia (Andvig & Scott, 2010).

One of the challenges regarding protection of children's rights enshrined in the Charter is non-ratification status by some countries, including Somalia (only signed and not ratified) and other countries mostly affected by child soldiering, such as DRC and South Sudan. In addition, the Charter lacks a provision requiring states to fully commit and use their resources to guarantee the rights. Consequently, the charter has no way of ensuring that states provide resources for addressing factors leading to recruitment of child soldiers or mitigating the effects child soldiering has on children through rehabilitation and reintegration (Ekundayo, 2015).

## **2.8 Theoretical Framework**

This study is principally framed by John Locke's "Social Contract Theory" (1632-1704). Locke in this theory argues that power resides in the people for whom governments are representative. According to Locke, all people are created equal with natural rights and the government has an obligation to protect these natural rights. This concept on the origin of the state informs the basis for the theory of natural rights. Natural rights are self-evidenced in the sense that, the state does not create them but rather, they emanate from the very nature of people. Consequently, every person, adults and children alike, are entitled to equal rights, which must be guaranteed and protected. Children, therefore, by this guarantee, have the power and legitimacy to demand from states protection against violation and abuse of their rights (Mwita, 2011).

Locke further contends that, although the state is supreme, civil and natural law binds it because it does not own all rights, but rather the primary rights belong to the people the power resides with the people. Hence, the people are the basis of sovereignty by the virtue of this entitlement to rights and the state is the guarantor of people's liberty as an obligation.

This project conceptualizes the social contract theory as an illustration of a classic correlation between the state and its obligation to protect on the one hand, and the child soldiers and their entitlement to protection by the state on the other. The state is duty-bound to work toward promoting rights of children, including rights to life, rights to care and protection, and right to rehabilitation and reintegration (Vargas, 2007). Incidentally, the child soldiers in Somalia continue to reel in the mist of child rights violations and abuses, oblivious of their claims to the same state whose power arises from the society to which they belong.

### **2.8.1 Application of the Theory**

When applied to child soldiering, Locke's idea on merit of the state institutions to protect the rights of children is that, although most people are good and respect the rights of others because their conscience tells them they should, others who might be stronger and more skilled might abuse those who are weaker or less skilled because the actors have no conscience. The theory is important to this study because it reveals the idea that, in the absence of rights-centered state institutions, children's rights such as life, liberty or survival would not be guaranteed because there would be no government willingness or laws to provide protection against violations and abuses of children's rights. This is also supported by the reality that the theory stands on the basis of the states' capacity to protect people, and children for that matter, and therefore to ensure avoidance of conditions that breed recruitment and use of child soldiers (Tuckness, 2018).

The social contract theory implies that rights such as life and liberty belong to the individuals and therefore to children, and not to society. These rights existed before individuals entered civil society and by entering civil society, one accedes to a social contract, and since state has the right to enforce natural rights, it breaks this contract if the rights of the its citizens, including children, are not secured (Lloyd, 2002).

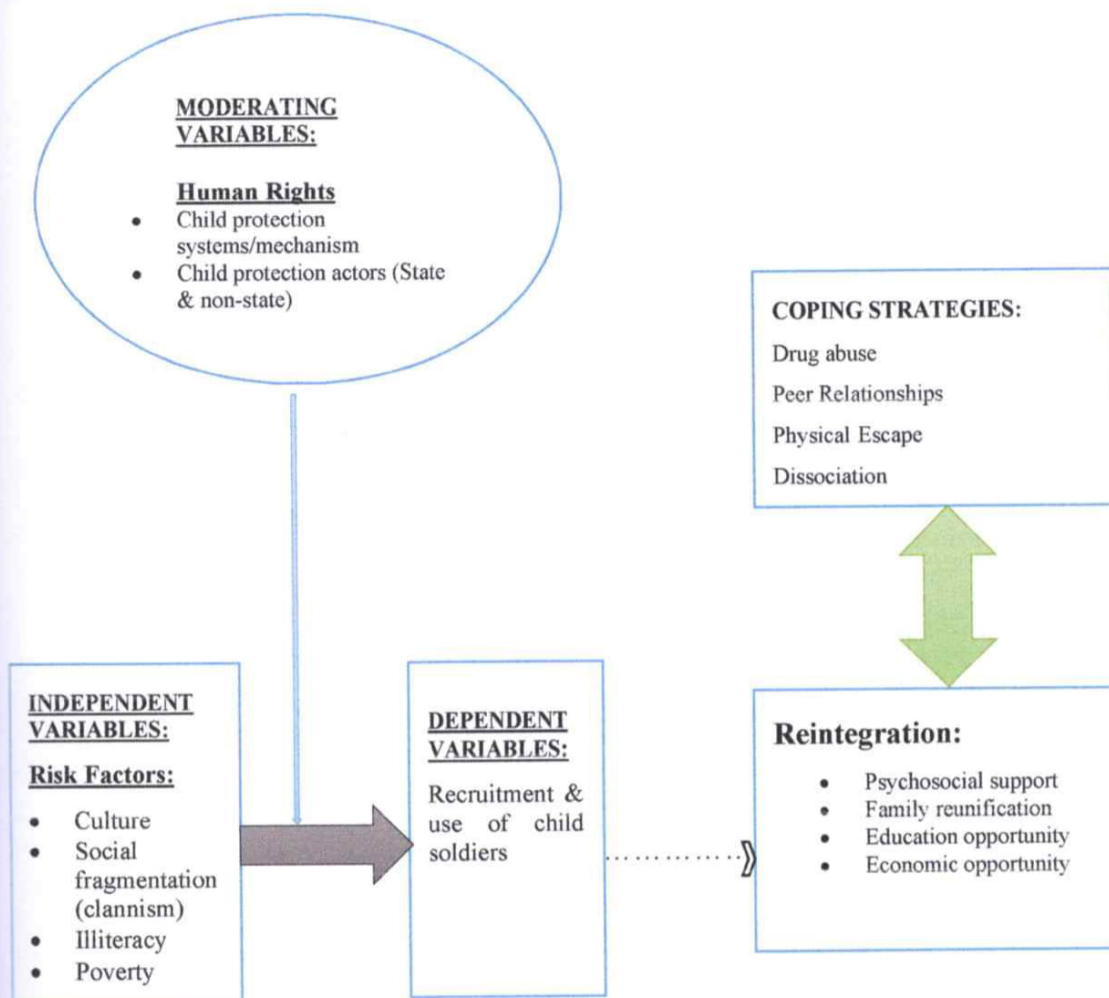
## **2.9 Conceptual Framework Mapping the Relationship among the Variables**

Largely, this study conceptualized a possible connection between an armed conflict environment and the recruitment and use of children as soldiers. Locke's contention is that a government's inadequate capacity to foster an environment that fully guarantees and protects human rights allows the rise of conditions that breed abuse and violations of rights, including children's rights. This study thus applies this relationship to articulate the possible influence of an armed conflict environment that fosters conditions such as illiteracy, poverty and social fragmentations on promoting involvement of children in war.

In order to reintegrate ex-child soldiers into society, there are macro and meso level actors whose role it is to transform these children into functioning members of the Somali society. In order to succeed in the reintegration exercise, actors apply the human rights-based approach in their assessment of effects of recruitment on children. Meanwhile actors have to contend with the deconstruction of coping strategies engaged by children as survival mechanisms if a successful reintegration is to be achieved. This relationship among variables is illustrated below:

**Figure 1: Conceptual Framework: Modelling contextual and relational circumstances**





Source: Researcher

**Key**

- The *solid single-direction grey* arrow indicates a likely causal relationship of the risk factors as independent variables and recruitment of child soldiers as dependent variables. The risk factors influence involvement of children in armed conflict by either pushing children to recruitment, for instance lack of basic needs to survive pushes them into the armed entities or by pulling children through radicalization and promise of status by the armies.

- The *thin downward blue arrow* represents the assumed influence of the rights-based approaches and child protection initiatives on the risk factors, recruitment of child soldiers and ultimately, reintegration. It is assumed that if proper child protection approaches are applied, recruitment of child soldiers would not occur, and if recruitment does occur, rights approaches will influence the outcome of recruitment and reintegration of child soldiers.
- The *solid double-direction green arrow* implies there is a probable inter-relationship between reintegration approaches and child soldiers' coping strategies.
- The *dotted single-direction black arrow* suggests the effect that HRBA could have in facilitating reintegration if appropriately applied.

## CHAPTER THREE: METHODOLOGY

### 3.1 Introduction

This chapter presents the research design employed in this study, the location of the study, the target population, sample and sampling procedures, research instruments, administration of the instruments and data analysis techniques.

### 3.2 Location of the Study

This study focuses on the Banaadir Region (Mogadishu), which is administrative, and lies in South/central Somalia. It covers the same area as the city of Mogadishu, Somalia's capital. Although by far the smallest administrative region in Somalia, it has the largest population estimated at 1,650,227 in 2014 (World Bank, 2015). A study carried out by UNFPA in 2016 found that most of Somalia's population is young with just under half (45.6%) of the population being less than 15 years old. Like the rest of the country, Benadir has been ravaged by armed conflict and children have been targeted for recruitment into military activities. The situation has worsened as cases of militia transforming schools into recruitment centres and forcing the teaching fraternity to turn their students into soldiers are on the increase (UNICEF, 2017). Therefore, this region is suitable for this study because it is a representation of similar occurrences in other regions both in proportion and relevance.

### 3.3 Target Population and Sampling Procedures

The study participants were purposively selected to obtain a sample of 20 respondents with relevant information to this study. Participants were selected considering elements such as involvement, willingness, experience, and the extent to which they could provide valuable information (Schwandt, 2000). *The sample comprised former child soldiers undergoing*



rehabilitation at Serendi Rehabilitation Centre in Mogadishu, a facility for the disarmament, demobilization, and reintegration (DDR) of former members of Al Shabaab, and various stakeholders involved in the protection of children's rights in armed conflict situations.

Specifically, the participants included ten former child soldiers, two members of civil society organizations in Somalia, two state actors in the Ministry of Defence and Ministry of Women and Human Rights, four UN personnel within the UN mission and two UN country team personnel. The sample of 20 respondents was considered adequate since the exact number of former child-soldiers is unknown. Additionally, the researcher adjudged that 20 participants in total are sufficient for interview sessions to complement data obtained from secondary sources.

### **3.4 Research Design**

A qualitative research design was employed in this study since it allows for data collection from purposively selected members of a target population to determine the status of that population in regard to study variables (Creswell, 1998). Data was organized into categories, and relationships were patterned (McMillan & Schumacher, 1993; Astalin, 2013).

### **3.5 Data Collection Procedures**

This research combined primary data comprising interviews, and secondary data gathered from reviewing documents, which was triangulated for analysis and to qualitatively generate findings.

Secondary sources included international law instruments, regional and national human rights mechanisms, particularly those on children's rights. Others included academic journals, articles, background papers, books as well as some internet sites that were accessed to provide information. The primary data was collected through two focus group discussions (FGDs), and key informant

interviews (KIIs). There were only two focus group discussions due to time, security and resources issues.

### **3.5.1 Data Collection Instruments**

Interview guides were utilized in the FDGs and KIIs in the field respectively. The FDGs guide included twenty (20) questions structured in three parts to respond to the research questions (See Appendix I). The KI interview guide questions were arranged into two (2) parts containing questions that were complementary to those contained in the FGD guide (See Appendix II). The KII guide contained questions that were complementary to those contained in the FGD guide. The open-ended questions on the FGD and KII interview guides were composed using the researcher's experiences, a review of the literature, and informal conversational interviews (Strauss & Corbin, 1998).

### **3.5.2 Data Collection Techniques**

Primary data was obtained through the FGD and KI interviews. KI participants received the same general line of questioning. Flexibility was exercised in the interview guide to probe and ask follow-up questions (Sipe & Constable, 1996). An unstructured interview guide was administered during the two FGD sessions with former child soldiers (two females and eight males) undergoing rehabilitation at Serendi Rehabilitation Centre a facility in Mogadishu for the disarmament, demobilization, and reintegration (DDR) of former Al Shabaab fighters, many of whom are children. The child informants were organised in two (2) focus groups of five (5) members each. In each focus group there were four boys and one girl, who were interviewed for 90 minutes. Both the FDGs, and KIIs were conducted indoors and on a face-to-face basis within the rehabilitation Centre. The researcher facilitated the FGD sessions with the support of research assistants who

translated all the questions and responses from English into Somali language and vice versa. The KII sessions did not require translation since all the participants could understand and speak English.

During all the interviews, the researcher introduced herself and explained her role, the roles of the assistants, the aim of the research and its relevance to the participants. None of the participants recruited for the research dropped out. The FGDs assessed the armed groups or forces the former child soldiers were involved in, the children's length of stay in the group, and the reasons that led them to joining the armed groups and/or forces. Information was sought on the circumstances at the time of recruitment, tasks and experiences, coping mechanism and aspirations on reintegration into their original community.

Three (3) key informant interviews were separately conducted for ten key informants drawn from various stakeholders involved in children's rights. A general interview guide was applied to the three sets of key informants' and their responses corroborated and triangulated to augment and elucidate the information from the FGDs.

### **3.6 Data Analysis Procedures**

Data was analyzed after transcription and using content analysis. It began with the identification of themes emerging from the raw data obtained from the FGDs and KIIs. These themes were then developed into open codes. Conceptual categories were identified and tentatively named, and emerging trends from the identified categories were used to form a basis for analysis (Richardson, 2000). Codes that emerged were re-examined and organized thematically.



### **3.7 Units of Observation and Unit of Analysis**

The unit of analysis of the research was the ex-child soldiers whose rights have been affected by the situation of armed conflict, while the units of observation were the children undergoing rehabilitation at Serendi Rehabilitation Centre in Mogadishu, Benadir region who had previously served as child soldiers and the key informant interviewees involved in protection of children's rights in Somalia.

### **3.8 Data Triangulation**

Data triangulation was mainly through the analysis of the FGDs and KIIs discussions. Further triangulation occurred through a review of the experiences of ex-child soldiers, their recruitment circumstances, the type of armies they were involved with, and the various actors involved in their protection. Vast information from secondary sources provided information on other countries affected by child soldiering, the application of the international normative framework on the protection of children involved in armed conflict and the challenges of rehabilitation and reintegration. The data triangulation approach enhanced the validity and consistency of the study findings (Bryman, 2008).

### **3.9 Ethical Considerations**

The study adhered to the fundamental ethical principles of respect for persons, beneficence and justice. The principle of respect was assured by taking into consideration participants' autonomy and particularly the protection of children in the FGDs. Permission to enrol ex-child soldiers as participants was obtained from the children and their guardians who were serving as the proxy decision makers at the rehabilitation centre (Lysaught, 2004). The guardians were present during the FGDs and post-research counselling was available for all the children. The FGD and KI

participants were informed of their right to choose whether or not to participate in the research, and the right to terminate their participation should they prefer to. The issue of coded participants' identity, non-association of the obtained data and destruction of the data after the completion analysis were addressed and assured. This also included ensuring the privacy of the study participants, ensuring confidentiality by protecting the information given and informing the study participants that the research is purely for academic purposes (Smith, 2013; Neuman, 2014).

The researcher ensured an unbiased selection of participants by assessing their role and relevance in the subject matter. Further, the purpose of the research as an avenue for positive change to improve the enjoyments of children's rights, including former child soldiers was explained. Additionally, research approval was granted by the University of Nairobi.

## CHAPTER FOUR: PRESENTATION AND ANALYSIS OF FINDINGS

### 4.1 Introduction

This chapter presents an analysis of the findings and interpretation of the outcomes of the focus group discussions with former child soldiers and key informants' interviews. Thematic analysis was applied.

### 4.2 Participants' Background Information

Males and females participated in the study, with male participants representing 70% and 30% females in the KI interview and FGD. The focus groups involved 10 former child soldiers, two girls and eight boys between 13 and 17 years old. In the sample, all the children were undergoing rehabilitation and reintegration processes after having been involved with various army actors as soldiers and had been released in different circumstances as illustrated below:

*Figure 2: Showing distribution of the study participants*

---

Participants	Number of Participants
Members of civil society organizations	2
UN personnel within the UN mission	3
UN Agencies, Funds and Programmes officers	3
State Actors	2
Child soldiers	10
Total	20

---

The youngest age of entry into armed groups was 9 years, and the oldest 15, meaning that children



had been exposed to violence even in their very young years. The former child soldiers had been in rehabilitation centres for 2 to 5 years, where they were undergoing rehabilitation and preparation for reintegration. Yusuf answered:

*"I have been in this centre for 3 years since I was rescued from the Al-Shabaab. I am recovering and I do not feel as afraid as when I when I came here. The education activities make me forget the fear. I am learning in the centre.*

The key informant interviews were applied to 10 adult participants, six males and four females. The KI included two members from civil society organizations (one male and one female) involved in rehabilitation and reintegration of former child soldiers, one male participant from the defence ministry, one male from the Women and Human Rights Development ministry, and six UN personnel (2 females and four males) dealing with protection of children's rights. The key informants were asked what their positions and functions in their respective organizations are and the length of service in the current positions occupied. A majority of the KI had worked in their positions for between 4 to 5 years.

#### **4.3 Risk Factors Promoting the Recruitment and Use of Children as Soldiers in Somalia.**

Opinions on factors promoting the recruitment and use of child soldiers in Somalia were elicited from the participants. A variety of factors emerged from the focus group discussions and KI as follows:

##### **4.3.1 The Prolonged Conflict, Culture of War and Child Soldiering**

The former child soldiers and the KIs indicated that the persistent conflict environment in Somalia and the culture of war are an impediment to efforts aimed at alleviating the plight

of Somali children. Further they stated that a conflict environment and a culture of war presented risk factors for joining armed groups. Osman, 14 years old said,

*“They (Al Shabaab) made many public speeches and encouraged us to become fighters to eliminate the invaders from our country. Two of my friends and my cousin agreed to join Al Shabaab because they would be allowed to use guns and become powerful. I always wished that I could be like them.”*

And a KI supported this by saying that,

*“You see, this conflict has been going on for many years now and children therefore find their way to the fighting groups, whether by force or by being brainwashed. Fighting in Somalia is a way of life now and it has been this way for many years. Civilians have resulted to giving out their children to armies due to insecurity.”*

The presence of several parties to the conflict has presented breeding grounds for militarization of children. Particularly, warring groups like Al Shabaab and Ahlu Sunnah Wal Jama'a were said to be striving to strengthen their armies and therefore targeting children. The children identified Al Shabaab as one of the major militant groups that involves children in armed activities. It has a big influence on the youth being a youth faction. The children revealed that some of the tasks they were allocated by Al Shabaab included the following:

- a) Combat - Al Shabab uses children in combat, including sending them to frontlines, transporting ammunition and explosives. Hussien revealed his experiences in his service with Al Shabaab. He stated as follows,

*"I was with Al Shabbab. They taught us how to use guns and later made us kill the enemies. I had to be courageous. I had seen my friend killed by foreign soldiers. I felt horrible and terrified."*

b) Spying: Many of the FGD participants had been used to spy on foreign troops.

*"The first time I was being sent to check on AMISOM and the Ethiopians and report back. Other times I was cleaning the shoes or washing. The Kenyan soldiers captured me when they said I go for biscuit. That was my last day. I was mixed with other children and then sent to Mogadishu."*

c) Domestic chores: boys and girls said to have at one point done chores like preparing food, washing and polishing shoes and doing small errands. However, the girls said that they were mostly assigned the cooking and cleaning duties.

Most of the KIs reckoned that children born in Somalia during the last thirty years have known no peace but have experienced this conflict situation their entire life, implying that this war culture has been ongoing for almost three decades. A KI's opinion concerning the influence of conflict situation indicated social fragmentation as having affected participation of children in armed conflict. Some of the KIs responded that there is increased recruitment of child soldiers. Suleiman a peacekeeper added that,

*"They are regularly coming to pick up children, from the football pitch, grazing fields or even waylaying them from school. They do all manner of enticing and sometimes forcefully."*



This was supported by Yusuf who said,

*"I was with my friends coming from playing football when some men suddenly appeared and forced us into their car. They hit me severally to stop screaming. Only a few friends managed to run."*

*"There is fighting everywhere, all the time. All present-day children have been born during the conflict and war is a part of their lives now. They interact with hostility in their everyday lives. Inevitably, some end up as staunch combatants in the armies, because of the cultural setting."* (Zakaria, peacekeeper).

The war situation has caused deaths of many parents, displacements and separation of families, sometimes leaving children as heads of families. This was mentioned as one of the reasons for children joining militias. Some KI participants opined,

*"Some children start associating with illegal groups informally and discretely taking up roles of messengers or item carriers as a way of making ends meet for their families. The consistent participation in these activities causes them to end up taking harder roles like direct combat, and eventually become full combatants."*  
(Abdullahi - FGS).

Another KI supported this assertion by stating that,

*"When conflict is a part of children's environment, they are likely to interact and engage in dangerous activities such as drug abuse, and that might seem exciting at the beginning, but in the end it leads them to full membership in the armies."*(John - UN).

This sentiment concerning the effect of persistent conflict environment on child recruitment concurs with Baaz and Stern's, (2008) contentions that when conflict experiences are lived within society's daily life, they go beyond the battle front and permeates the daily life of the community to redefine its behaviour. Thus, Somali children have been led to presume conflict and war as a natural method of protection from the warring parties or access to their daily needs. Subsequently they have no moral misgivings when they participate in the conflict and war scenarios.

#### **4.3.2 Socio-Economic Factors**

Most of the KIs agreed that limited educational opportunities drive the recruitment of child soldiers. It was observed that the right to education is adversely affected by the persistent lack of investment in the delivery of the right to education by the government, marked by the lack of a national education system and a unified curriculum. Some respondents also noted that children's access to the available education opportunities is inhibited by lack of other more basic rights like food, health and security. The children voiced a longing for education,

*"You see, the fighting would not let us join school, always fighting always fighting. After one bad attack, my father was killed, and we moved to the camp with many other families. Then some government people asked us to move from that camp to another, very far away and no one was helping us to go to school. I am happy that I can learn here (at the center)." (Hassan, 15 years).*

Another child added,

*"I always said, maybe this year I will go to school, and then the next year comes and goes, like that like that, every time. My father did not have a way of enrolling me. I will improve my life after training in this place."* (Halima, 16 years old).

Most respondents in the FGD as shown above, expressed a desire for further education and training. These findings concur with those of Young, McKenzie, Omre, and Schjelderup (2012) who state that lacking educational opportunities pushes young people to engaging in armed activities as an alternative. They were reasoning that failing to address educational aspirations was double pronged, because it aided children's recruitment and prolonged the conflict. The same findings are backed by UNICEF's report (2014) that a lack of education mostly translates into a lack of economic opportunities making children susceptible to recruitment as soldiers and exacerbating their vulnerabilities. Similar contention by Ames (2010) alludes that lack of educational opportunities pushes children to join armed groups voluntarily or through coercion.

Deprivation of basic needs and destitution emerged as prominent risk elements for children joining armed groups. Also, a link between significant levels of social, economic and political exclusion and lack of opportunities faced by young people was cited and associated with blocking or prolonging the transition to adulthood. One child had this to say,

*"I joined Al Shabaab hoping that I find better opportunities, including gaining some income and be liked by others. In fact, one of my friends brought us gifts such as sweets and bread after he came back to visit after a year of joining."*



While some of the children have been victims of internal displacement, most of them said they were living at IDP settlements when recruitment occurred, especially in the Daynile zones within the Benadir regions. Most children cited the need to support their families as a reason for joining armed groups. One of the participants in the FGD said the following in support of this assertion,

*“I was initially afraid of joining the militia because of what I had heard happened to children before. But I decided to go after they explained that we would be fighting for our country and religion and receive money and support to my family in return.”*

(Abdi 14 years old).

A KI’s opinion concurred with the above,

*“These children are lured by the militias because of limited survival options. They are promised simple economic gains and small gifts like headphones and mobile phones.”*

Religious obligation according to Islamic teaching emerged as a risk factor for children joining armed groups. This factor was mentioned by both the FGDs and the KIs. It emerged during the FGD that children listening to the religious leaders who propagated the jihadist agenda promising rewards that would come with sacrifice to fight the infidels got convinced. A participant, Hassan a 14-year-old, claimed that he had joined the Al Shabaab as a way to be a part of the struggle, to fight the government for allowing the infidels to come to destroy the country. It has been reported that the Al Shabaab advocates for jihad during forums in which they call on all young Muslims worldwide to join them in fighting the enemies of Islam in general and Somalia in particular.

After recruitment, child recruits are subjected to harsh physical fighting and weapon training and more indoctrination takes place in the camps. Yusuf recounted his experience at the Al Shabaab camp,

*“Life in the camp was difficult. They were harsh on us and made us do painful training on how to fight. I was made to watch suicide bombing videos where other children were blowing themselves up, and open executions of people who spied for the government and foreign fighters. They hit me severally on the head and backside if I refused to watch, and they said I have to be brave”.*

The KI intimated that children’s stage of growth was a factor that could lead to their recruitment as soldiers. This was attributed to the children’s developmental transition phase especially at adolescence, when children are defining their identities. The struggle in this identification phase may lead to conscription.

*“I think the children at adolescence are simply seeking identity and conforming to the cultural practices of men going to war in Somalia.” (Fartun, CSO).*

This was corroborated by FGDs where Furaha recounted how he joined Al Shabaab,

*“Some of my friends joined to follow their fathers’ footsteps in war. I really admired them. I wanted to be a hero like them, so when the chance came, I followed their lead.”*

Some children were forcefully abducted as explained by Ali, 16 years old,

*“My uncle had sent me to the market, and when walking home, some dangerous men approached me. They had guns. They forced me to follow them or they would*

*shoot me with the deadly weapon. Later in their camp, they made me take an oath of service.”*

It was also revealed that some families traded their children with the militant groups as explained by one child,

*“When I got home from grazing camels, I found some visitors at home. I then saw my father shaking hands with the visitors, then pointing at me, thereafter I was carried off to the Al-Shabaab camp.” (Salim, 17 years old).*

### **4.3.3 Political Factors**

The persistent unstable political status throughout the Somalia conflict period was cited by participants as a contributory factor undermining the government’s attempt to address child rights protection issues. This therefore was increasing children’s vulnerability to recruitment and use as soldiers. Evidently, the scale of child soldiering is a reflection of the unsuccessful attempts undertaken by the government and society to mitigate the incidence of child soldiering, including children in war and dissident activity. All the participants were in agreement that the government of Somalia has the political will and it has made good attempts to end child soldiering, and some of the efforts have borne some fruits.

The FGDs reiterated the notable efforts towards reduction in the recruitment of child soldiers as follows,

*“They try all the time, the government, the UN people and AMISOM are helping in preventing us from joining militias. Sometimes they educate communities on the harm of joining militias.” (Ali, 15 years).*



*“Enhanced security is making us join armies less. Violators of child rights are chased by the government and thus more people fear sending children to fight.”*

(Ikram 17 years old).

Most KIs described the conflict that has lingered in Somalia as political in nature, noting that the reasons why the various armed groups that have recruited children into their armies are fighting with the State are mainly political in nature. This conflict atmosphere is blamed for creating conditions like poverty, separation from families and insecurity that cause involvement of children in armed conflict activities. Some KIs confirmed that the state has recruited child soldiers in the past, leading to its development of action plans with the help of the UN, to end recruitment, which it was expected they would implement fully.

These findings support those arrived at by Ismail & Alao (2007) which claimed that a conflict environment triggers conditions such as insecurity, anarchy and internal displacements of persons that place the basic rights of children low on the state's set of priorities. These conditions result in children lacking basic needs thus, struggling for survival. UNICEF (2004) report also presents similar conclusions stating that the persistent conflict environment poses an impediment to efforts aimed at alleviating the participation of children in conflict. The conflict situation leads directly to recruitment which occurs in IDP camps especially in Daynile zones in Benadir regions in (Lischer, 2006). Additionally, the conflict environment leads to involvement of the citizens in non-civilian activities like weapon smuggling, military training and recruitment. Such a volatile environment enables recruiting of children by militants, because of poverty and the lack of essential means for survival.

#### **4.4 Child Soldiers' Survival and Coping Strategies**

Information on effects of children participating in armed conflict and coping strategies was sought from the FGDs and KIs, especially those involved in handling children undergoing rehabilitation and reintegration. The main aim was to understand the experiences of child soldiers during and after the armed service. Some of the experiences mentioned in the FGDs included fear, intimidation, physical and sexual violence during the fighting phase and rejection, isolation and disparagement by the community and family after release from military activities.

During the FGD, the children indicated the following as some of the ways in which child combatants survive and cope with conflict experiences.

##### **4.4.1 Drug Use and Abuse**

It emerged during rehabilitation that, using drugs featured prominently as a coping mechanism for child soldiers of all ages with most children confirming that they had used drugs to deal with trauma and stress associated with military experiences. One of the children explained:

*"I started when I was a fighter. When they offered me, at first, I did not want. They told me that it would help ease my mind. The first time I choked and coughed a lot. But I later liked it. I did not feel stressed and I kept smoking it."* (Ali 15 years).

Drugs were mainly recommended when children were about to be involved in a serious operation likely to affect them emotionally as one child soldier stated,

*"Before an important operation, they would give us the drugs, and say that it would make us real soldiers, so we had no choice."* (Hassan 13 years).

The children also said that older children and those within the camp for longer would be allowed to chew khat (*Catha edulis*) as follows,

*“When we were a little bigger, they allowed us to chew khat.”*

Another child added,

*“If you ask to chew and you just came to the camp, they say, no, not yet. They don’t allow new people to even taste.”*

However, some FGD respondents begged to differ with their counterparts on the use of drugs before or after their involvement with the armed groups. One of the participants said that children in the camp where he was based were not allowed to use drugs or chew khat. He said,

*“They (referring to the commanding element) would not allow us, not even cigarette. Only big ones were allowed.”*

The KI’s responses concurred with FGD revelations that some child soldiers used drugs as a way of dealing with effects of participating in armed conflict. There were similar indications by the FGDs that child soldiers used drugs before going to the front-line combat. Gear (2002), too, supports the view that substance abuse is a way of avoiding emotional burden associated with child soldiering challenges. In the rare instance where no drugs were allowed this was probably because of cultural considerations where adults in Somalia do not allow children certain privileges.



#### 4.4.2 Survival Strategies.

It emerged from one FGD that child soldiers escape when feelings of trauma and desolation superseded those of the possibility of being killed when caught escaping. Surprisingly, fleeing was thus described as a coping and survival strategy, coming out as,

*"I would rather die than continue in this situation"* kind of survival strategy.

It was revealed that, AMISOM, the African Union troops fighting alongside the state forces, rescue child soldiers when they come across them in the line of fighting, and hands them over to either UN entities or civil society organizations responsible for receiving ex-child combatants.

*"I was injured when fighting and I was left alone. Some AMISOM soldiers took me and attended to my injuries. I was later taken to Elman Peace where some good people talked to me and brought me here."* (Yusuf).

Some children who survived by escaping appreciated the fact that they were alive and viewed rehabilitation as a welcome strategy. However, they felt that the community and the government could have done more to protect them. Specifically, some of the responses were as follows,

*"I had lost hope. My people did not rescue me since the day the day I was captured. I escaped the moment I was sent as a spy where I surrendered to the SNA (State Army) and they sent me to the rehabilitation centre."* (Ikram)

*"I got a chance to escape at night unnoticed. They had gone for an attack. I was scared. If they caught me running away, I would be killed as other fighters watched".* (Suleiman)

#### **4.4.3 Dissociation**

Former child soldiers at the rehabilitation centers had all undergone extreme traumatic experiences that seemed to affect them differently. Some of the children at the centre displayed signs of dissociative mechanisms. The KI participants explained this incidence of dissociation as follows,

*“Some of the children served in Al-Shabaab bases for more than two years, but at times they only say very little of their experiences there. They appear as if they don’t want to remember.”* (Halima, CSO).

*“Sometimes the children are listless and do not seem interested even in activities that might excite them, like playing football.”*

These views converge with Pelly & Pollard, (1998), that child soldiers respond to unpleasant and disturbing experiences by activating dissociative mechanisms. The words, “say very little” “they don’t want to remember”, “listless and do not seem interested” indicate that these children display dissociation which allows them to psychologically and physically experience and develop survival techniques.

#### **4.4.4 The Unique Voices of Young Ex-Combatants**

Gender disparities in recruitment and how their effects on boys and girls came up from the FGD although there were no direct questions seeking such information. The responses indicated that the girl child fares worse. Girls experienced violence, particularly sexual and gender bias in distribution of roles like being made to prepare food for everyone in the camp, cleaning and serving the seniors compared to what boy soldiers were allocated. Sexual violence was prominent as described by the children,

*“Every night was terrifying. I would be tapped at night and taken away. They forced me, they forced all of us in turns.”*

*“I always feared dusk because I knew that night came with the terrifying anguish, night after night.”*

There was also an indication that child soldiers were made “wives” of senior militants. Some took that as relieve of some sort because juniors did not touch girls specifically assigned their seniors. One girl said,

*“At first, anyone would pick me at night. Later I was to only serve the big boss.”*

Other unique information from the FGDs includes the identity of the armed groups they served in, duration, tasks and experiences. The armed groups specified by the participants were, Al-Shabaab militants and Ahlu Sunnah Wal Jama'a. Most of the children said they had served in either armed group for between 2 to 5 years. Their activities included, spying on AMISOM and SNA, cooking for the senior leaders, delivering messages and joining in the fighting.

The children recounted unpleasant experiences during their terms of service with the armed actors. They indicated harsh treatment, execution of children who failed to follow commands to the satisfaction of the commanders. Some of the responses were as follows,

*“The training was harsh and was conducted in uncondusive environment. We did not get enough food and basic necessities. Sometimes I would go for days without sleep.” (Ali, 13 years).*



Sometimes drastic measures followed disobedience as Yusuf commented,

*“The new members who failed to follow the commands of the bosses were executed in public as a lesson to the rest of us planning to disobey the orders.”*

According to Maisha,

*“... the most frightening time was watching our friends get left to die because they were injured by the enemies. If you are badly wounded, you are left to die, no medical help.”*

### **Reintegration Strategies**

is the second dimension in the considerations of the HRBA. Both the FGDs and KIs respondents gave information concerning reintegration strategies and how child rights are placed those strategies, including in provision of psychosocial support and vocational training.

#### **4.5.1 Psychosocial Support.**

The KIs indicated the importance of psychosocial support to former child soldiers, emphasizing preventive, rehabilitative and rights-centric strategies, both at community and government levels. It emerged that the current rehabilitation and reintegration interventions lacked sufficient capacity to address the prevalent mental and social issues faced by child soldiers. The roadmap and action plans were in place for effective reintegration approaches, but not significantly actualised through implementation. Human resource capacity was prominently lacking especially in the areas of counselling on mental and social issues and referral of cases to partners with capacity to offer those services. The KIs indicated the need for established networks and referral systems. In the discussions they indicated the following:

*“Programmes for children in rehab should include awareness and advocacy about mental and social challenges associated with armed conflict. In fact, community outreach on preventive methods would have a positive impact if incorporated in the programs for children. This way, stigma around social and mental issues among rehabilitating and rehabilitated children will be reduced.”* (Mohamed, UN).

*“Actors involved in the rehabilitation of ex-child combatants should also focus on reconciliation efforts that can tackle broken social relationships and human rights violations to boost emotional healing at community level.”* (Zahra).

Further suggestions on psychosocial support in the FGDs were ways of repairing relations and regaining free interaction with the members of the community where the ex-child combatants are reintegrated. One of the children in the rehabilitation centre said,

*“Sometimes we are separated from the other children who have not been in fighting like us. The children see us like bad people, and they don’t trust us. This restricts our interactions with each other. We would like to be allowed more chance to share knowledge and create awareness on the harm of joining the armed groups”.*

(Subira).

#### **4.5.2 Provision of Vocational Training**

All the FGD participants said that they were undergoing either formal or informal learning and they were happy with the prospects it presented in improving their lives and those of their families. However, it emerged that none of the respondents had been involved in choosing the learning areas, and thus some said that they would have chosen a different area had they been given the opportunity.

Most of KIs underlined the importance of vocational training as a crucial component in former child soldiers' rehabilitation while preparing for reintegration.

*"Creating better options for children released from armed activities through education and training would contribute to successful social and economic reintegration into society because it gives them an opportunity to positively contribute to community life."* (Osman).

Additionally,

*"The intention of the current reintegration programs is to prevent the social, economic, and psychological states of ex-child soldiers from becoming a motivation to re-join armed activities. The quality of the programs should be improved in terms of vocational training and micro-financing."* (Adam).

UNICEF (2000) proposes availing resources and programmes that are essential for educational and survival needs of minor combatants. This proposal was echoed by the KIs,

*"Getting children out of military ranks and gainfully reintegrating them through social and economic programmes that they participate in choosing will facilitate their active participation in pushing children's rights agenda".* (Gerald, Child Protection Officer).

In addition,

*"The potential opportunities of growth in the economic status of the country will help in engaging the minds of the rehabilitated former child soldiers which in turn will be a positive step towards reintegration to the community and rehabilitation of the affected areas."*(Farhiya, Defense Ministry).



## 4.6 Child Protection Mandates

From the KI it emerged that international, regional and national child rights protection mechanisms are available and should be invoked to surmount some of the challenges facing children living in conflict areas in the world today. In the case of Somalia, it is the responsibility of the state and non-state actors.

### 4.6.1 Key Child Protection Mandates

The main child protection actors identified in this study included UNICEF, the Human Rights component of the UNSOM, INGOs, LNGOs, and other Human Rights defenders like journalists and media workers. Another UN Agency that was mentioned as having a protection mandate was UNHCR.

Most KI participants responded that, the aim of child protection actors is strengthening child protection structures with the state, whose role should be at the forefront. A serious limitation to active child protection platforms was observed, which explains why child protection is profoundly dependent on non-state actors.

Grace, a child protection actor, emphasized that,

*“UNICEF has a global mandate on child protection and has responsibility to build the capacity of child protection actors and advocates to collect, and report information on grave child rights abuses and violations in the context of armed conflict. UNICEF is mandated to lead and sensitize members of the Country Task Force on the role as well as on the functioning of Monitoring and Reporting Mechanisms (MRM) at country level.”*

The KIs also emphasized the centrality of the role of the child protection actors in supporting the Federal Government of Somalia on the execution of strategies for ending conscription of children by armed actors.

The KIs revealed that the child rights CSOs were actively providing rehabilitation and reintegration services to ex-child soldiers through information dissemination, sharing and sensitisation in the communities on the need to protect children. However, these findings tend to disapprove Keitetsi's (2004) assertion that CSOs assistance was the sole help many the IDPs and vulnerably groups residing in within conflict environment got to reinforce their protection ability. It also emphasized the need to keep focus on the fact that response programmes should be intended for enhancing the government's capacity to take up its o the government to ultimately take up its obligations.

Regarding awareness on existence of child protection actors, one FGD participant said,

*"I am aware of the human rights people working for our rights. Some are in the government and some are not."*

Majority said they are aware of the human rights actors whose impact remains low. Some felt like these actors do not really exist.

One former child soldier said,

*"I am aware of the actors according to the various posters and newsletters spread in various zones. But when I was growing up, and the time I have been with Al Shabaab, I did not come across any one of them physically or received their help or response. They are not showing up in our areas." (Zamani).*

Another FGD participant said he is not even aware of human rights actors.

*"I don't know them. I have never come across such a group."* (Salim).

Implied therefore is that collaboration between the state, non-state and general community actors on protecting children from being recruited as soldiers is paramount and providing them with requisite support when they are in rehab and post rehab.

This view is supported by some of the KIs who opined as follows,

*"Better protection of children from being recruited as soldiers and effective rehabilitation will be achieved if the state and non-state actors collaborate in strengthening the child protection strategies and fight impunity by ensuring that violators of children's rights are dealt with firmly."*

It emerged that community and support organisations are expected to be responsible in implementation and upholding of children rights. One KI respondent said,

*"The responsibility of the Somali community towards child rights is low. The community should rise up and stand with keeping the child rights and campaigning against the violations against of child rights."* (Fartun, CSO).

Yet another added in support that,

*"The non-state actors are stronger in protection of children's rights, but coordination is weak. More collaboration and capacity enhancement for the state actors in all aspects to guarantee the rights is essential."* (UN).

Further discussions revealed some of child soldiers' rights deemed as crucial and worth taking note of,

- i. The right to life - children have a right to be protected from deaths caused by conflict



- ii. Right to psychological health, whether they have been involved with government forces or the armed groups.
- iii. Children should be protected from physical disabilities.

#### **4.7 Linking the Human Right Based Approach (HRBA) to the State and Non-state Actors' Interventions and Reintegration**

Opinion on the significance of a HRBA to interventions on the protection of child soldiers was wide-ranging. The argument in place is that the state is the bearer of responsibility for children's protection. In view of this, and to the extent possible, the state is duty bound to adopting a holistic approach preventing the recruitment and use of children as soldiers, rehabilitation and reintegration. All interventions into these three areas should be guided by HRBA principles of:

- i. Participation such that the children and affected communities are meaningfully involved in the said interventions;
- ii. Accountability of the duty bearers to be realized at all levels of interventions and;
- iii. Non-discrimination whereby all children are treated equally in all circumstances.

Specific suggestions made by the KIs on rights-based responses to protection of child Soldiers in Somalia included,

- i. Incorporating screening practices for armed forces to ensure that children don't end up in the ranks of the armed forces.
- ii. Putting in place procedures to investigate, prosecute punish any entities liable for adding persons under the age of 18 into security forces.

- iii. Non-state actors to enhance the state actors' capacity of ensuring that children that escape or are released from armed activities will have their appropriate rehabilitation and reintegration requirements met.
- iv. Community involvement in making sure that no children are taken on board by participating in age verification during recruitment processes

Based on the findings, the HRBA has a place in the ways various actors protect children by mitigating the risk factors that push or pull children into armed activities on the one hand, and the means and methods of rehabilitation and reintegration of already recruited and released children on the other hand.

Especially, the HRBA principles of participation, accountability and non-discriminations are a relevant in breaking down how a HRBA can be applied practice. For instance, the findings indicate that ex-child combatants are not involved in making decisions on which vocational training paths to follow. There is an opportunity to put the principle of participation on rehabilitation and reintegration programming and focus on approaches that lead to lasting change.

The rate at which children are in vulnerable spaces as shown by the findings indicates a lack of constant monitoring of how children's protection rights are being affected by the armed conflict, and therefore a lack of effective protection mechanisms to address issues like abductions that were found to be rampant. Part of duty bearer's accountability is to draw priorities that include deliberate actions to monitor and evaluate their performance in positively impacting the lives of child soldiers both at protection and reintegration levels.

Clearly, from the discussions with the child participants in this study, child soldiers face barriers to the realization of their rights, out rightly facing discrimination and inequality which is a fundamental HRBA precept.



## **CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

### **5.1 Introduction**

This chapter summarizes the findings of the study and makes conclusions and recommendations for various actors involved in the protection of children's rights in Somalia. Particularly, outlining to the relevant stakeholders the need to embrace rights-centric programmes and interventions to alleviate the situation of plight of child fighters.

### **5.2 Summary**

The primary goal of this study was to establish the place of a human rights-based approach in protection of child participants in armed conflict. The study was conceptualized around the relationship between child protection interventions that are generically framed for homogeneous contexts, and suitability of rights-based approaches for addressing the risks that lead to child soldiering and conducting rehabilitation and reintegration in the growing diversity of social contexts owing to local uniqueness and conflict environment.

The most crucial human rights instruments or the protection of child participants in armed conflict are the CRC and its OPAC on the involvement of children in the armed conflict, the IHL, the Rome Statute and ACWRC. However, during the internal armed conflict especially in the south-central regions of Somalia, several risk factors have prevailed leading to recruitment of child soldiers by armed entities. A lot of children's rights guaranteed in these instruments have been violated and abused, including rights to life, protection, development and survival. Release of children from military activities, rehabilitation and reintegration have been going on in Somalia through various child protection actors.

The researcher proposes the human rights-based approaches framework to effectively respond to the needs and circumstances under which children participate in armed conflict and methods for effective rehabilitation and reintegration of ex-child soldiers. This is based on the fact that, HRBA principles reinforce the capacities of Somali children as rights holders to make their claims to the state of Somalia and other protection actors as duty bearers whose obligations include responding to the plight of child soldiers from a rights perspective.

In addition, this study conceptualized John Locke's social contract theory which served as an illustration of the link between the state and its obligation to protect children, and the child soldiers' entitlement to protection and promotion of all their rights, including rights to life, care and protection, and right to rehabilitation and reintegration. This theory served the study by providing vital theoretical assumptions through which child soldiers' entitlement to rights-based protection from recruitment, rehabilitation and reintegration was pursued. This study theorized a possible influence of the human rights-based approaches on confronting the risks that cause enlistment of child combatants and the efficacy of ex-child combatants' rehabilitation and reintegration programmes.

The researcher reviewed literature on the risk factors that cause conscription of child fighters, child soldiers' coping with outcomes of participating in armed conflict and HRBA influence on rehabilitation and reintegration approaches. The Literature revealed that child soldiering incidence has increased globally and illiteracy, impoverishment, political turmoil, displacement of populations and militarization are the foremost risk factors leading to involvement of children in military activities.

Based on the findings of this study, the centrality of rights-based approaches in surmounting the incidence of child soldiering and improving the effectiveness of rehabilitation and reintegration of

ex-child fighters was underscored. Following the analysis of the findings, four themes prominently featured from the FGDs and KIs responses, including the risk factors leading to recruitment of child soldiers in Somalia, child soldiers' survival and ways of coping with effects of participating in armed activities, information concerning reintegration strategies and how child rights are placed in those strategies and linking HRBA to actors' interventions.

Consequently, the findings demonstrate that various factors have led children to involvement in hostilities. Among the factors discovered were prolonged conflict and the prolific culture of war, social fragmentation, illiteracy, poverty, ideological and jihadist brainwashing, the need for protection either as a family or a sub-clan and obtaining supply of food or other gifts. A lack of a moral direction contributed to more children being recruited by armed actors because they are offered better options, including access to income, resources, protection or social status. These findings corroborate Brett & (2004) allusion to lack of moral direction and the fear of not belonging to any groupings as factors that push young people to joining militant groups. The UN (2014) report concurs with the findings of this study that illiteracy causes lack of economic opportunities and disposes children to recruitment. In most cases, children's vulnerability is extended because of difficulties in accessing social services and basic needs. Some cases emerged that are connected to the common occurrence of men joining war factions causing young people to feel obliged to follow suit. The conflict environment in Somalia has affected children negatively, curtailing their opportunities. In addition, it emerged that the conflict environment, militarization of the communities, drought and flooding, and displacement of populations have provided opportunity for recruitment and use of children by armed forces and groups. UNICEF (2010) attributed similar factors such as causing conscription of children in Somalia's South-Central regions. The existence



of militia groups such as Al Shabaab and Al Sunna wal Jamaa fighting for power and resource control has caused them to recruit child fighters to reinforce and make themselves formidable.

Moreover, use and abuse drugs featured as a coping mechanism for child soldiers of all ages to deal with trauma and stress associated with military experiences. In addition, the study revealed that forced drug intake to make the children real soldiers is practiced especially by the armed groups. There is always a sense of belonging and expression in being in a group of peers regardless of the environment or situation. These findings agree with those of Stafford and Tanner (2005) who found that child soldiers abuse drugs to survive war ordeals, and as way of desensitizing boy soldiers exposed to lengthy periods of hostilities, and to prepare for combat. Other coping strategies included creating peer relationships, dissociation and running away from the military premises.

In terms of stakeholders' interventions, state and non-state actors were mentioned as collaboratively conducting child protection systems. UNICEF, UNSOM, INGOs, LINGOs and press fraternity were identified as the main child rights protection actors in Somalia. Some of the roles mentioned were planning and implementation strategies to curb recruitment of children as soldiers, rehabilitating and reintegrating former child soldiers and education of the community on the importance of holding children's rights as priority. Those actors helping children in rehabilitation and reintegration are aware of the experiences of children during and after active combat and they target interventions associated with coping with experiences of war. Specifically, their duties include conducting campaigns for help, relief and awareness on the rights to all the children. Some challenges were highlighted, including cases of unreached areas, where children and community at large are not well-informed on the importance of upholding child rights in every aspect of a child's life. It was found that although Child protection plans exist, the capacity of the

agencies to protect children against the potential risks of conflict is low and therefore other stake holders like the community must get involved by supporting reintegration initiatives, monitoring progress and supervising reintegration economic activities where necessary.

However, some of the findings of this study contradicted existing literature reviewed. Opinion on the significance of a HRBA to interventions on the protection of child soldiers pointed to the incapability of the state of Somalia to fully guarantee children's protection. The rights-based approaches with reference to child soldiering means the conversion of human rights from legal instruments into effective policies and frameworks (Andvig & Scott, 2010). It was found that CRC contains the most primary human rights standards applicable to a state with performance standards against which Somalia should be held accountable (UNICEF, 2003). However, Somalia has not succeeded in domesticating the provisions of the CRC to protect child soldiers since its ratification in 2015. Harvey (2001) also contends that these rights must be given as a guaranteed entitlement and not as a charity.

### **5.3 Conclusion**

The study focused on the application of a human rights-based approach on the protection of child participants in armed conflict. The government and non-state actors have the will and the capacity to enforce children's rights in protection of children already engaged in conducting hostilities and protecting subsequent engagement through the promotion rights-centric programmes. The stakeholders should ensure that rights child participants in armed conflict is mainstreamed in all the child and youth interventions in conflict environments like Somalia. The war context in Somalia can be transformed by protecting children from engaging in the ensuing warfare. Reintegration strategies for those already affected should involve preventive measures as well as rehabilitation measures of the already affected.

Children have the right not to be recruited and used as child soldiers. In the event that they are recruited, they should be immediately released and reintegrated into society after having gone through a reintegration process, which ensures that they are provided with the necessary skills and help to fit back into society. The reintegration of former child soldiers within communities is a contributing factor towards the restoration of peace and economic stability.

The conclusions that child soldiers coping strategies are helpful in rebuilding the normal mind growth of the affected children in war should be addressed by creating awareness through campaigns, mass media and formal education yields positive results overcoming the effects of military involvement. A community which upholds the rights of children and civilians at large will always be at the forefront of government's effort in upholding rights conventions that it has ratified.

Notably, ex-child soldiers suffer stigmatization as indicated by the FGDs that other children and so adults in the community shun them and treat them as rebels. As proposed by UNICEF (2002), psychosocial support, including relevant traditional ceremonies and family and community mediation, can be invoked for combating social and aggressive behavior acquired by child soldiers and to helping them overcome the effects of stressful experiences. The acceptance of the former child soldiers will be a step ahead in creating awareness.

Programmes and interventions designed to protect child soldiers, were found to be lacking in fundamental rights principles of participation, non-discrimination, accountability and equality. This was ostensibly because of the challenges of conflict and political instability. Seemingly the mali state alone is unable to deliver on the protection of children's rights as it should, and therefore, it is the responsibility of everyone, the state and non-state actors, to take the onus, and holistically.



## **5.4 Recommendations**

The contention in this study is that a rights-based approach to protection of children from recruitment and use in armed conflicts should be given consideration. In the circumstances of war and anarchy such as is happening in Somalia, the state as the entity with primary responsibility for achievement of children's rights is unable to fully take the onus of guaranteeing the protection of these rights. However, child protection need not stall because of the inability of the state to fully meet its protection obligations. Child protection actors from the UN and civil society organizations can play an effective role within their mandates as surrogate ambassadors and promoters of children's rights.

Based on the findings of the study, the following recommendations are proposed at three levels:

### **5.4.1 Recommendations to the Federal Government (FGS) of Somalia:**

- i. The FGS, through collaboration with relevant partners in the UN system, should work towards the implementation of the 2012 action plan aimed at ending child recruitment by the Somali National Army (SNA). This will mitigate intentional conscription of children by the national armed forces.
- ii. After ratifying the CRC, the FGS should domesticate specific child soldier protection provisions into national laws and translate them into policies and frameworks for better protection.
- iii. The FGS should implement and strengthen the strategy of Child Protection Committees in the communities as preventive measures against child recruitment by armed entities.
- iv. The standard operating procedures for the release and handover of children to be enhance and enforced in order to improve family reunions and the strategy of preventing crimes.

- v. Preventive and rehabilitation strategies, both at community and government levels should be enforced in all the conflict areas. Sensitization campaigns about war-related mental health challenges should advocate for good preventive practices to be incorporated into some programs for children through formal education.
- vi. The FGS should have secure zones which will be reserved for community reintegration on the occurrence of war. This will also improve the cases of family reunion and education to the community.

#### **5.4.2 Recommendations to the International Community**

- i. The networks already established through the United Nation entities, local and international NGOs seem to be positively influencing the child soldiering efforts, but there exists a need for more stakeholders to consolidate resources to avoid wastage and duplication.
- ii. UNICEF and other UN agencies should extend their coverage of trainings and formal education to the more affected areas through the support of the defence forces. The growth of skill and knowledge is useful as it will bring economic growth and self-dependence which is a strategy to combat war causing factors.
- iii. Child rights protection actors should give legislative support for the FGS to ensure that armed forces are free of children, including working with AMISOM force commands to avoid the recruitment of children, periodic screening of troops, particularly the SNA and the various state forces to ensure that they don't include children in their ranks.
- iv. Focus on the assessment, programming and response on the potential risk for recruitment and use of children as combatants. All response mechanisms should underscore preventive approaches like safe access to education, protection and reintegration programmes for

separated children. As well, availability of vocational programmes, income generating activities and improved livelihoods would provide practical alternatives to joining armed forces or armed groups.

#### **5.4.3 Recommendations to the Civil Society and other Non-State Actors**

Discussion on protection of the rights of children involved with armed forces and armed groups will not be complete without considering the fundamental obligations of Non-State actors by being the ambassadors and promoters of those rights by identifying early warning systems, advocating for effective service delivery and protection of women and children's rights. CSOs, because of their accessibility to the communities, can assist UN entities in conducting *research on trends and information gathering as well as perform a critical role of providing services to children affected or involved in armed conflict*. They also provide the critical services of rehabilitation of children who would have been recruited by armed groups and now in need of support to be reintegrated into society.

Communities need to be empowered, taking to account the key principles like accountability, non-discrimination, transparency, participation, gender equality and becoming part of a community. This empowers communities to call the governments to account. All children's rights should be placed at the center of all interventions to end child soldiering.

Actors should spread out their campaigns to the unreached areas. Strategies should be organised on the outreach procedure and extension of knowledge and support to the affected civilians and children, through protection measures by the armies on ground such as AMISOM and SNA. Actors should offer legislative support and push for policies to address pertinent issues such as stigmatization of ex-child soldiers.



- iv. As regards children's right to participation, children's role in addressing issues of recruitment and use is paramount. For instance, the findings propose a reintegration modality that are rights-based, including the principles of participation and best interest of the child, as proposed in the responses underscored in the HRBA as well as the CRC. Children should be involved in making reintegration decisions that impact their lives. Specifically, campaigns and community awareness activities should include children to express to share knowledge and create awareness on the harm of joining the armed groups. Children should be allowed creativity in choosing means of communication such as art or poetry.
- v. Also, children, and the communities that they come from should take active role in the assessment, planning and implementation of activities to prevent recruitment and use into armed forces and armed groups, including rehabilitation and reintegration activities. In turn, for children to participate effectively, the state and non-state actors have a corresponding responsibility to create a conducive and enabling environment for children to enjoy their rights well.

#### **5.4.4 Suggestions for Further Action**

- i. The government components on human rights should be strengthened through funding and legislative support to address the cases of violation of rights and reinforce the preventive measures towards protection of child soldiers. The study suggests that further field research on this topic from a broader perspective which investigates the application of a human rights-based approach to the protection of children from participation in armed conflict for peace within Somalia. More importantly, further study would help to understand how both

the Somali conflict and the interventions of international actors, affect the livelihoods of the ordinary people on the ground.

- ii. This project therefore recommends that, it is appropriate and advisable for Somalia, other child rights actors as well as other African states, to address recruitment and use of children as soldiers from a human rights perspective. As such, an all-inclusive approach to achievement of human rights in general and children rights in particular would be considered crucial in complementing the legal framework in addressing recruitment of children into combat. While acknowledging that a human rights-based approach calls for funds, it is also imperative that it is in the prioritization and apportioning of the resources that can go a long way to programming and responding to factors that cause recruitment of children as soldiers. Further studies are necessary to establish how a HRBA can be strengthened to enhance the protection of children from recruitment and use in armed conflict.

## REFERENCES

- Achvarina, V. & Reich, S. (2010). No Place to Hide, Refugees, Displaced Persons, and Child Soldier Recruits. In Gates, S. & Reich, S. (eds) *Child soldiers in the age of fractured states*, pp. 55-76. Pittsburg, Pa.: University of Pittsburgh Press.
- Achvarina, V. et al. (2009). A sub-national study of child soldier recruitment in African regions: Center for the Study of Civil War, PRIO. Paper prepared for the authors' conference, University of Konstanz.
- African Development Bank Group, (2008). Democratic Republic of Congo, Result-Based Country Strategy Paper 2008-2012, January 2008.
- Andvig, J., & Gates, S. (2010). *Recruiting Children for Armed Conflicts*. Centre for the study of war and Norwegian University of Science and Technology.
- Astalin, P. (2013) *Qualitative Research Designs: A Conceptual Framework*. *International Journal of Social Science & Interdisciplinary Research* ISSN 2277-3630 IJSSIR, Vol.2 (1).
- Baaz, M. E. and M. Stern (2008). *Making Sense of Violence: Voices of Soldiers in the Congo (DRC)*. Sweden: School of Global Studies, Göteborg University.
- Barenbaum, J., Ruchkin, V., & Schwab-Stone, M. (2004). *The psychosocial Aspects of Children Exposed to War: Practice and Policy Initiatives*. New Haven, NH: Yale Child Study Center, Yale University School of Medicine.
- Baxter, J.C & Jack, S. (2008). *Qualitative Research Methodology: Study Design and Implementation for Novice Researchers*. *The Qualitative Report*, 13(4):544-559.



- Bayer, CP., Klasen, F. & Adam H. (2007) Association of Trauma and PTSD Symptoms With Openness to Reconciliation and Feelings of Revenge Among Former Ugandan and Congolese Child Soldiers.
- Blattman, C. & Annan, J. (2010). The Consequences of Child Soldiering. *Review of Economics and Statistics* 92 (4): 882–98.
- Blattman, C. (2007). *The Causes of Child Soldiering: Evidence from Northern Uganda*. Chicago: Conference Papers - International Studies Association. International Studies Association Annual Meeting: Chicago, IL.
- Boothby, N. (2006). What Happens When Child Soldiers Grow up? *The Mozambique Case Study, Article: Intervention*, 4(3): 244 – 259.
- Borello, F. (2004). *A First Few Steps: The Long Road to a Just Peace in the Democratic Republic of the Congo*. International Center for Transitional Justice, Occasional Paper Series, Center for Transitional Justice.
- Boyden, J. and J. de Berry, (eds.) (2005). *Children and Youth on the Frontline*. Oxford: Berghahn Books.
- Brett, R. & McCallin, M. (1996). *Children: The Invisible Soldiers*. RaddaBarnen (Swedish Save the Children).
- Brett, R. & Specht, I. (2004). *Young Soldiers: Why They Choose to Fight*. Boulder: Lynne Reiner Publishers, Inc.
- Briggs, J. (2005). *Innocents Lost: When Child Soldiers Go to War*. New York, NY: Basic Books.
- Centre for Defence Information (CDI) (October 2005). Children and Armed Conflict: UN Enters “Era of Application” in its campaign against child soldiers.

- Cheney, K. (2005). Our Children Have Only Known War: Children's Experiences and the Uses of Childhood in Northern Uganda. *Children's Geographies*, (1): 23-45.
- CIA World Factbook (2015). Somalia. Available at <https://www.cia.gov/library/publications/the-world-factbook/geos/so.html> (Accessed 3 July 2018).
- Coalition to Stop the Use of Child Soldiers (2004) *Child Soldiers Global Report*.
- Cohen D, Crabtree B. (2006): Qualitative Research Guidelines Project.
- Coomaraswamy, R. (2009). *Child soldiers root causes and UN initiatives*. The Island online.
- Creswell, J. (1998). Research design: Qualitative, quantitative, and mixed methods approaches (2nd ed.). Thousand Oaks, CA: Sage.
- DANIDA, (2013). A Human Rights-Based Approach to Denmark's Development Cooperation: *Guidance and Inspiration for Policy and Dialogue Programming*.
- David J. Francis, "Paper Protection' Mechanisms: Child Soldiers and the International Protection of Children in Africa's Conflict Zones," *The Journal of Modern African Studies* 45, no. 2 (2007): 207.
- De berry, J. (2001). Child Soldiers and the Convention on the Rights of the Child. *The Annals of the American Academy of Political and Social Science*, 575: 92-105.
- DeCarlo, M. (2018) *Scientific Inquiry in Social Work* was adapted.
- Denov, M. (2010) *Coping with the Trauma of War: Former Child Soldiers in Post- conflict Sierra Leone*.
- Dixir, R.K., (2001). Special Protection Of Children During Armed Conflicts Under The Geneva Conventions Regime.



- Eisentrager, S. (2012) "Exploring the Recruitment and Use of Child Soldiers" (Retrieved on 20/11/2017) online: <http://www.e-ir.info/2012/04/19/exploring-the-recruitment-and-use-of-child-soldiers/>>
- Ekundayo, O. (2015): Does the African Charter on the Rights and Welfare of the Child (ACRWC) only Underlines and Repeats the Convention on the Rights of the Child (CRC)'s Provisions?: Examining the Similarities and the Differences between the ACRWC and the CRC.
- Elbert, T & Schauer, E. (2010). *The Psychological Impact of Child Soldiering*.
- Forbes, B., Lau, D., Oswald, E., & Tutnejevic, T. (2011). *A systems approach to child protection: A World Vision discussion paper*. Monrovia, CA: World Vision International.
- Gates, S. & Reich, S. (2010). *Child Soldiers in the Age of the Fractured State*, (1<sup>st</sup> Ed.). Pittsburgh: University of Pittsburgh Press.
- Glesne, C. (1999). *Becoming qualitative researchers: An introduction* (2nd Ed.). New York, NY: Longman Publishers.
- Global Report (2008), Coalition to stop the use of child soldiers.
- Harvey, R. (2001). *Children and Armed Conflict: A Guide to International Humanitarian and Human Rights Law*. New York, NY: University of Essex.
- Human Rights Watch (2012). *Human Rights Council*. Working Group on the Universal Periodic Review: National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 A/HRC/WG.6/11/SOM/1: Eleventh session Geneva, 2–13 May 2011.
- Human Rights Watch (2012.) *No Place for Children: Child Recruitment, Forced Marriage, and Attacks on Schools in Somalia*. International Human Rights Law: Optional



Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC).

International Committee of the Red Cross. (2014) CHILDREN AND DETENTION

Ismail, O. and Alao, A. (2007). *Youths in the Interface of Development and Security*. *Journal of Conflict, Security and Development*, 7 (1): 13-76.

Keitetsi, C. (2004). *Child Soldier*. London: Souvenir Press Ltd.

Kirchsclaeger, P. (2015). *Universality of Human Rights*. *Centre of Human Rights Education*. University of Teacher Education of Central Switzerland.

Krech, R. (2003). *The Reintegration of Former Child Combatants: A Case Study of NGO Programming in Sierra Leone*. Toronto: Ontario Institute for Studies in Education of the University of Toronto.

Krippendorff, K. (1980). *Content Analysis: An introduction to its methodology*. Newbury Park, CA: Sage.

Kuper, J. (2000). *Children in armed conflict: the law and its uses*. LSE Development Studies Institute Working Paper Series: No. 5, Children in Extreme Situations – Proceedings from the 1998 Alistair Berkley Memorial Lecture.

Machel, G. (1996). *The Impact of Armed Conflict on Children*. Retrieved from <http://www.unicef.org/>

Mæland, B. (2010). *Culture, religion, and the reintegration of female child soldiers in northern Uganda*. New York: Peter Lang.

McCallin, M. (2001). *The Prevention of Under-Age Military Recruitment: A Review of Local and Community-based Concerns and Initiatives*. London: Save the Children Alliance.

Mwita, D. (2011). *Social Contract theory of John Locke (1632-1704) in the Contemporary World*

- Nduwimana, D. (2013). *Reintegration of Child Soldiers in Eastern Democratic Republic of Congo: Challenges and Prospects*. International Peace Support Training Centre.
- Neuman, L. (2014): *Social Research Methods: Qualitative and Quantitative Approaches*. Seventh Edition.
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 25 May 2000, A/RES/54/263, arts 1 & 2 (entered into force 12 February 2002).
- Platt, D. (2007). Congruence and co-operation in social workers' assessments of children in need. *Child and Family Social Work*, 12(4), 326-335.
- Pocar, F., In Pedrazzi, M., & Frulli, M. (2013). *War crimes and the conduct of hostilities: Challenges to adjudication and investigation*. Not cited
- Hodgkin, R., & Newel, P., (2007). *Implementation Handbook for the convention on the Rights of the Child*.
- Rakisits, C. (2008). Child Soldiers in the East of the Democratic Republic of Congo. *Refugee Survey Quarterly*, 27(4): 102-67. Not cited
- Richardson, V. (2000). *Writing: A method of Inquiry*. Thousand Oaks, CA: Sage.
- Rosen, D. (2014) Reflections on the Well-Being of Child Soldiers. In: Ben-Arieh A., Casas F., Frønes I., Korbin J. (eds) *Handbook of Child Well-Being*. Springer, Dordrecht
- Sandiya-Bundy (2002) and Robert McCormick (Apr 12, 2007) on *Child Safety and Protection, privacy and ordinary education of children in conflict and Educational Experiences of Congolese Refugee Children*.
- Save the Children (2011). *Building Rights Based National Child Protection Systems: A Concept Paper to Support Save the Children's Work*. mimeograph



- Sayfarth, H (2013). *Child Soldiers to War Criminals: Trauma and the Case of Personal Mitigation*.
- Schmitt, M. (2010). Deconstructing direct participation in hostilities: the constitutive elements, online: New York University Journal of International Law and Politics <http://nyujilp.org/wp-content/uploads/2012/04/42.3-Schmitt.pdf>
- Schwandt, T. A. (2000). *Three Epistemological Stances for Qualitative Inquiry: Interpretivism, Hermeneutics, And Social Constructivism*. Thousand Oaks, CA: Sage.
- Shepler, S. (2012). *Analysis of the Situation of Children Affected by Armed Conflicts in the Niger Delta and Northern Region of Nigeria: Search for Common Ground*. Washington DC, USA.
- Sipe, L., & Constable, S. (1996). A chart of four contemporary research paradigms: Metaphors for the modes. *The Journal of Culture and Education*, 1: 153-163.
- Smith, D. (2003): Five principles for research ethics
- Strauss, A., & Corbin, J. (1998). *Basics of qualitative research: grounded theory procedures and techniques*. (2nd ed.). Newbury Park: Sage Publishers.
- The Federal Republic of Somalia Constitution (2011). *The hidden crisis: Armed conflict and education*. Independent report publication commissioned by UNESCO on behalf of the international community.
- The International Peace Support Training Centre, 2013. *Children at Risk: Protection of Children in Somalia. Occasional Paper SERIES 4, No5*.
- [The World Bank, 2015](#). The World Bank in Somalia.
- Tuckness, A. (2008). *Locke's Political Philosophy*. Stanford Encyclopedia of Philosophy.



- UNICEF (1997). *Cape Town Principles and Best Practices*. (Adopted at the Symposium' On the Prevention of Recruitment of Children into the Armed Forces and on Demobilization and Social Reintegration of Child Soldiers in Africa)
- UNICEF (2003). Guide to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
- UNICEF (2010). Humanitarian Action: Partnering for Children in Emergencies, Somalia Education Cluster Annual Report.
- UNICEF (2011). Global Child Protection Rapid Assessment Toolkit., UNICEF's Child Protection Systems.
- UNICEF (2017). Realizing Children's Rights in Somalia. <https://www.humanium.org/en/somalia/> accessed on 8 February 2020
- United Nations (2007). *Report of the Secretary General on Children and Armed Conflict, 2007/259*. New York, NY: United Nations
- United Nations (2010). *Report of the Secretary-General on Children and Armed Conflict in Somalia*. S/2010/577, 9 November 2010.
- United Nations (2013) Developed at the Inter-Agency Workshop on a human rights-based approach in the context of UN reform, 3 to 5 May 2003. <http://www.unicef.org/sowc04/files/AnnexB.pdf> accessed 14 October 2016
- United Nations General Assembly (2011). *Children and Armed Conflict*. Report of the Secretary General (A/65/820-S/2011/250), 23 April.
- UNOCHA (2014). Humanitarian Bulletin Somalia, November/December 2014. Issued 20

- US Department of Labour, 2014. Findings on the Worst Forms of Child Labour. <https://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/2014TDA.pdf> (Accessed 7 July 2018).
- Vargas E., (2007). *National Policies to Prevent the Recruitment of Child Soldiers. Mai child soldier recruitment and use: entrenched and unending, 2010*. Retrieved from [www.child-soldiers.org](http://www.child-soldiers.org):
- Vautravers, J. Why Child Soldiers are Such a Complex Issue, Oxford Journal Downloaded from <https://academic.oup.com/rsq/article-abstract/27/4/96/1541946> by guest on 04 April 2018
- Vermeij, L. (2009). *Children of Rebellion: Socialization of Child Soldiers within the Lord's Resistance Army*. Oslo: Norwegian Institute of International Affairs. 96 pp.
- Wessells, M. G. (2006). *Child soldiers: from violence to protection*: Harvard University Press.
- Wojciech, J & Lloyd-Jones, A. (2012). *The night wanderers: Uganda's children and the Lord's Resistance Army*. New York: Seven Stories Press. ISBN 9781609803506 not cited
- Wulczyn, F., Daro, D., Fluke, J., Feldman, S., Glodek, C., & Lifanda, K. (2010). *Adapting a Systems Approach to Child Protection: Key Concepts and Considerations*". New York, NY: UNICEF.
- Young, S., McKenzie, M., Omre, C., & Schjelderup, L. (2012). The rights of the child enabling community development to contribute to a valid social work practice with children at risk. *European Journal of Social Work* 15: 169–84.



## APPENDICES

### Appendix I: Focus Group Discussion Guide

My name is Emily Nthiga and my colleagues are Mohamed Sheik Mohamed and Abdi Osman. I am currently a student at the University of Nairobi. I would appreciate it if you would spare time to respond to some questions on children's rights, especially on experiences of children affected by armed conflict in Somalia. The information from this discussion will contribute to a research which seeks to discover better approaches to protecting, rehabilitating and reintegrating former child soldiers in Somalia. My colleagues will be assisting with the interpretation of our discussions and they are both happy to clarify any questions in the language that you are most comfortable with.

I will be recording your responses and making field notes for reference during the discussion today. All information from your responses will be treated with extreme confidentiality and anonymity. Responses from each participant will be codified to protect your identity and all information will be destroyed after the interpretation. Welcome to the session.

#### Part 1: Participants Information

1. On average tell me your ages. How old are you now?
2. How old were most of you when you joined the armed group/force?
3. For how long you have been in the rehabilitation centre? To those who have been here longest, why do you think this is so?

#### Part 2: Risk Factors

4. When did you join the armed group or force?
5. Tell me do you all have families?
6. Tell me, what activity were you doing before you joined the militia?
7. If you joined by yourself, tell me- what reasons led you to joining the armed group?
8. Tell me, what are some of the things that happen to children at the time of recruitment- did the same happen to you?
9. How long were you with the armed group and in what circumstances- describe them for me



### **Part 3: Coping Strategies**

10. Explain to me what tasks you performed when you were with the armed group?
11. What are some of the experiences you would like to share?
12. What did you do to cope with some of the challenges you experienced as a soldier?
13. Tell me, how did you leave the armed group?
14. Tell me some of the events that have happened to you between leaving the armed group and joining Serendi centre?

### **Part 4: Rehabilitation and Reintegration**

15. Tell me, how long do children stay in this rehabilitation centre?
16. What activities are there at the rehabilitation centre? Do you enjoy them?
17. What would you like to do when you leave this centre?
18. In what ways would you like to be helped to achieve your goals? how do you think the government can help you? What 2 actions will you need to do?
19. What fears do you have about rejoining your family and community after being away for some time?
20. How can you be better helped at the centre in preparation for the new phase with your family and community?

## **Appendix II: Interview Guide**

My name is Emily Nthiga and I am currently a student at University of Nairobi. I would appreciate if you would spare time to respond to some questions on children's rights, especially on experiences of children affected by armed conflict in Somalia. The information from this discussion will contribute to a research which seeks to discover better approaches to protection, rehabilitation and reintegration of child soldiers in Somalia.

I will be writing down your responses for reference during the analysis of the information received from our discussion today. All information from your responses will be treated with utmost confidentiality and anonymity. Responses from each participant will be codified to protect your identity and all information will be destroyed after the interpretation. Welcome to the session.

### **Part 1: Children's Recruitment as Soldiers in Somalia, Risk factors, Coping Strategies and Reintegration**

1. What is your current position in this organization?
2. How long have you served in this position?
3. What would you say are the causes of recruitment of children as soldiers in Somalia?
4. Who in your opinion has the duty to protect the rights of children recruited and used as soldiers?
5. Are you aware of the child protection actors currently involved in protection of children recruited and used as soldiers in Somalia? State them and their roles.
6. How would you assess the capacity of those responsible to protect children from recruitment and use?
7. In your opinion, how do child soldiers respond to the outcomes of participating as soldiers in armed groups or forces?



8. What are the major ex-child combatants' rehabilitation and reintegration efforts in Somalia and who are the key actors?
9. In your opinion, what approaches must be included in the reintegration package to ensure that the process guarantees the rights of ex-child soldiers?
10. From your experience, what challenges do child soldiers face during the phase and process of reintegration and how can they be surmounted?
11. What concrete children rights-based options does the state of Somalia and other non-state actors have to effectively respond to the needs and circumstances of children who have been recruited as soldiers?

**Part 2: Additional Information**

What additional information would you like to add to our discussion today?



# Map of Somalia





Document Viewer

Turnitin Originality Report

Processed on: 06-Oct-2020 13:15 EAT  
ID: 1406887040  
Word Count: 22513  
Submitted: 1

Similarity Index <b>14%</b>	Similarity by Source	
	Internet Sources:	12%
	Publications:	8%
	Student Papers:	4%

APPLYING THE HUMAN RIGHTS-BASED APPROACH TO T... By Emily Nthiga

include quoted include bibliography excluding matches < 3 words mode: (quickview (classic) report) Change mode print refresh download

- 1% match (Internet from 18-Feb-2014) <http://www.lccc.org>
- 1% match (Internet from 16-Jul-2020) <http://www.geetalawcollege.in>
- <1% match (Internet from 13-Feb-2019) <http://smallarmsstandards.org>
- <1% match (Internet from 07-Apr-2015) <http://www.defence.lk>
- <1% match (Internet from 11-Apr-2019) <https://childrenandarmedconflict.un.org/six-grave-violations/child-soldiers/>
- <1% match (Internet from 14-Feb-2014) <http://www.unicef.org>
- <1% match (Internet from 03-Feb-2012) <http://www.forio-line.ch>
- <1% match (Internet from 02-Oct-2020) <https://stanford.library.sydney.edu.au/archives/spr2014/entries/rights-human/>
- <1% match (Internet from 05-Nov-2014) <http://www.ipstc.org>
- <1% match (Internet from 09-Feb-2020) <https://www.scribd.com/document/346863159/Manual-para-la-implementacion-local-del-derecho-internacional-humanitario>
- <1% match (Internet from 06-Jun-2010) <http://www.essex.ac.uk>
- <1% match (Internet from 12-Mar-2016) <http://uir.unisa.ac.za>
- <1% match (publications)  
Leonie Steinhilber, "Child Soldiers as Agents of War and Peace", Springer Science and Business Media LLC, 2017
- <1% match (Internet from 06-Feb-2019) [https://repository.up.ac.za/bitstream/handle/2263/53403/Abegaz\\_Rights\\_2016.pdf?isAllowed=y&sequence=1](https://repository.up.ac.za/bitstream/handle/2263/53403/Abegaz_Rights_2016.pdf?isAllowed=y&sequence=1)
- <1% match () <http://hdl.handle.net>
- <1% match (publications)  
Jean Chrysostome K. Kiyala, "Child Soldiers and Restorative Justice", Springer Science and Business Media LLC, 2019
- <1% match (Internet from 29-Feb-2012) <http://www.amnesty.org>
- <1% match (Internet from 26-Mar-2009) <http://www.ohiolink.edu>
- <1% match (Internet from 20-Jul-2018) [https://reliefweb.int/sites/reliefweb.int/files/resources/Cradled\\_by\\_Conflict.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Cradled_by_Conflict.pdf)
- <1% match (Internet from 15-Apr-2019) <https://www.x2click.com/earth/africa/somalia.html>
- <1% match (Internet from 22-Jul-2020) <http://repository.uonbi.ac.ke>
- <1% match (Internet from 25-May-2016) <http://uir.unisa.ac.za>
- <1% match (student papers from 11-Jul-2014)  
Submitted to Infile on 2014-07-11

*Handwritten signature*

6/10/2020

