AN EXAMINATION OF THE EFFECTIVENESS OF
THE UNITED NATIONS SECRETARY GENERAL'S
NAME AND SHAME LIST IN COMBATING THE USE
OF CHILD SOLDIERS IN ARMED CONFLICT

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DECLARATION

I hereby declare that this dissertation is the result of original research conducted by me under the supervision of Dr. Afua Boatemaa Yakohene and that no part of it has been submitted anywhere else for any purpose. All works that have been quoted from or referred to have been duly acknowledged.

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DATE:........................................ DATE:........................................
DEDICATION

This work is dedicated to my mother, Mrs Gertrude M. Fouchey for her financial support, to my husband, Ebenezer Twumasi and my son, Albert Osei Twumasi for their love and support.
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I am grateful to the Almighty God for his abundant grace and sufficiency which saw me through to this end. This work has been completed successfully with the help of a number of people, without whose assistance I could not have made it.

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To Lydia Kuranchie and all my friends and family that urged me on to go on and achieve higher laurels. I am grateful.

To my husband and child for their support and understanding during the critical times of my study.
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ABSTRACT

An armed conflict is a challenged inconsistency which interests governments because of the effect it has and/or any potential domain where the use of outfitted constrain amongst two gatherings, of which no less than one is the administration of a state, brings out no less than 25 fight related deaths. Armed conflicts take two forms and they are international armed conflict which is between states and non-international armed conflict which is between a state and a non-state actor. Children are being used globally in armed conflicts as child soldiers, cooks, messengers and even porters. Of interest to this study is their being used as child soldiers. The use of children in armed conflict dates back as far as ancient Greece where children were added on to the adult military forces. The Coalition to Stop the Use of Child Soldiers found in 2004 that children were actively involved in nearly all major conflict in both governing and opposing forces. Children suffer a great deal for their involvement in armed conflict. They are killed or injured or maimed and have the consequence of suffering psychological and social problems afterwards. Also these children when accepted back in the community take active interest in community activities than others who are not partakers in the armed conflict. This study therefore sought to investigate the effectiveness of the United Nations Secretary General’s Name and Shame List and also investigate the challenges affecting the efficient and effective implementation of the Name and Shame List. To achieve the objectives of the study, the researcher employed the use of interviews and the review of articles, documents, books, journals and other library material. The study showed that some level of progress had been attained since the inception of the List as a monitoring tool in some conflict situations. It also found out that, some countries and parties to armed conflict do not have their names listed in there, the reason being that the Secretary-General was pressurized to exclude those names. The study also identified prospects for the list as it has been a powerful and effective tool in the combat of the use of child soldiers and in the protection of the rights of the child. It is therefore recommended that to yield more results stricter sanctions should be meted out to violating parties, also there should be extensive education on the list and the offence of the use of children in armed conflicts and lastly more research should be focused on the Name and Shame List so as to tailor it to meet individual party to conflict needs.
CHAPTER ONE
RESEARCH DESIGN

1.0 Background to the Research Problem

Armed conflict against children has been a menace in the international system. According to, “the use of kids in armed conflict is global in scope – a far greater problem than suggested by the scant attention it has received. An armed conflict is a political conflict in which armed force is used by two parties of which one is the government of a state resulting in at least twenty five battle-related deaths.”

Children are affected in several ways when it comes to armed conflict. One of the most immediate effects of armed conflict is the disruption of food supplies and health services. Thousands of children die as a result of armed conflict. These deaths resulting from knives, bullets and land mines and from indirect sources such as the disruption in food and health care. Their education is also cut short as a result of armed conflicts. Some children are also sexually exploited and others used as combatants during these conflict periods.

Child soldiers are children under the age of 18 who are recruited forcefully or kidnapped by a state or non-state armed groups. Child soldiers are easy to recruit for military purposes because of their vulnerability to influence.” They are recruited in several ways. Some through conscription, others through press-ganging or kidnapping and some are also forced to join armed groups. These child soldiers are utilized as contenders, cooks, suicide planes, human shield, delivery people, spies, or for motivations behind sexual satisfaction. These have adverse effects on the combatants, the major ones being psychological trauma and social dislocation. On the society, they become violent and are seen to threaten the peace and development of society. States, Human right activists, international organizations as well as individuals have raised concerns on how to address the use of child soldiers as combatants.
In 2001, the UN Security Council sent a powerful message to the world prohibiting the recruitment and use of child soldiers. Resolution 1379 requested the Secretary General to attach an annex to his report on children and armed conflict, in which parties who recruit and use children in armed conflict are to be listed. The United Nations (UN) under Secretary General Ban Kin Moon introduced the UN Secretary General’s (UNSG) Name and Shame List. This list blacklists countries that have committed grave crimes against children such as sexual violence, abduction, enlistment and use of children as soldiers, killing and maiming. Also attacking schools and hospitals and attacking or threatening to attack protected personnel are also crimes that warrant blacklisting. The list is intended to help address the issue of using minors in combat by serving as a means of shaming those parties that use children. It is in light of this that, the question of the effectiveness of the UNSG’s name and shame list is to be studied in this paper.

1.1 Statement of the Problem
There are still violators out there who are not on the list. They include; the Saudi coalition (Egypt, Saudi Arabia, United Arab Emirates), Israel, United States and the United Kingdom. These are great violators who are left off the hook and one would be tempted to ask why. The UNSG’s name and shame list blacklists countries that violate the rights of children until such a time that it is ascertained by the Security Council that they have stopped such acts will their names be removed. Since the naming and shaming of these countries begun several efforts have been made by some of these countries to rid their names of this list. Whilst some are implementing conditions required to take their names off the list, others have used crude methods to get off the list, with others who are known to be perpetrators of these grave acts against children not included in the list.
This has necessitated the research into the usefulness of the list as a tool to name and shame these countries. How effective is the list in naming and shaming? Does it mean anything to these countries that have their names in the list? Does it deter other countries from committing the crimes against children? This research therefore seeks to examine the effectiveness of the UNSG’s Name and Shame List in combating the use of minors as soldiers in combat.

1.2 Research Questions

• What does the UN Secretary-General’s (UNSG’s) Name and Shame List entail?

• How effective has the list been in combating the use of minors as combatants in armed conflict?

• What are the challenges affecting the successful implementation of the UNSG’s Name and Shame List?

1.3 Research Objectives

The study seeks to examine the following objectives:

• Give an overview of the UNSG’s Name and Shame List

• Investigate the effectiveness of the UNSG’s Name and Shame List in combating the use of minors as combatants in armed conflict by looking at the linkage between the list and the use of child soldiers.

• Investigate the challenges affecting the efficient and effective implementation of the UNSG’s Name and Shame List.

1.4 Scope of the Study

This study is limited to the activities of the UN (UNSG’s Name and Shame List) relating to the combating of the use of child soldiers. Specifically, the study considers the use of the list in recent years (2001 - 2015) to know its effectiveness.
1.5 Rationale of the Study

It is important to place value on the efforts being made by the Secretary General and the Security Council to name and shame child crime perpetrators. It is also necessary to identify and acknowledge the effectiveness of the said list and the role it plays in the issue of combating the use of child soldiers in armed conflict. It is also critical to establish the link between the UN and conflict zones to enhance the combating of the use of minors as combatants. This study will therefore add to existing literature for use by future researchers as well as aid in policy implementation in the area of children being used as soldiers.

1.6 Hypothesis

The UNSG’s Name and Shame List has had a minimal effect on the fight against the use of minors in armed conflict.

1.7 Conceptual/Theoretical Framework

This study uses a conceptual as well as theoretical framework to better explain the underlying theories and concepts for the subject under study. According to Luke Pring, the tools of International Law makes provision for the issues surrounding the phenomenon of child soldiering to be dealt with through a fundamental model. However, an effectual tool that can impose the peculiar protection that children enjoy their rights under international legal norms is not provided. Human Security however, provides the required drift for action regarding the large scale abuse of children and thus, its selection as the conceptual framework of this study.

The United Nations Development Programme (UNDP) 1994 Human Development Report lays the groundwork for human security. The report points to four important features that conceptualises human security. First of all, the argument is that the concept must be applied ubiquitously and be of interest to the whole globe. Secondly, the elements that form the theory
are grounded on mutuality. Third, human security is well attainable through prevention beforehand than intervening later on. Such an idea is well-known in modern-day conflict resolution with both the UN and EU’s focus on preventive operations. Lastly, the elementary concern of security must be the individual, as the theory borders around people (UNDP 1994:22-23).

Human security is a resourceful instrument for realising worldwide exposures existing in the child soldiers subject while disputing the old system of national security. A view revolving around people is essential for national, regional and worldwide stability. Luke Pring’s position advances in steam when human security is applied to children and when the child soldier’s issue is securitised. Encouraging the challenging and extensive definition of human security allows for a combined and full information by international human rights law, international humanitarian law, international criminal law and international refugee law. These fields then become an important element in the fight against the extensive exploitation of minors in armed conflict. The impact of armed conflict on children is plainly damaging and this vibrates into wider society. The child soldier’s phenomenon leads to wide displacement of children in and across the globe, which further increases the security threat wielded by children’s engagement in armed conflict.

It is important to make security propositions that human security theory can offer in relation to the issue of minors in combat. Pring further states that there is a need for system development allowing the international community to better supervise individual distress within war torn states. This can easily be done with some principles that regional actors can use to identify the demands and risks child soldiers face. Human security is a theory applicable to various suffering groups in society.
In order to help children in armed conflicts and stop their recruitment the UN sought to name and shame these culprits of grievous acts against children. Hence the emergence of the UNSG’s Name and Shame List. With regards to the questions that need to be investigated, this study is also using institutionalism as the theoretical framework. The main reason for choosing institutionalism is that, the UN by virtue of its Charter, is an institution, in that it involves continual and connected sets of rules that prescribe behaviour, roles, restrain activity, and shape expectations.\textsuperscript{9} Hence the use of institutionalism as a theoretical framework for the name and shame list by the UN which is a mechanism by the UN, an institution, to set rules and expect a certain outcome in behaviour by the bodies under the institution. Institutions are defined by Hodgson as the kinds of structures that matter most in the social realm that is to say they make up the stuff of social life.\textsuperscript{10}

Though institutionalism was defined in the economic sense, it resurfaced in political science in the middle part of the 20th century when the study of the progress of democracy in the United States dominated the American Political Science. One such economist and sociologist was Thorstein Veblen who argues that, individuals tend to be shaped by their institutional and sociocultural context. John Commons later argues that institutions are the practical rules of corporate action laid down and implemented by the state and other organizations. He further argued institutions produce order by creating expectations to which individuals align themselves to.\textsuperscript{11}

Amenta and Ramsey\textsuperscript{12} reviewed three types of institutionalism which were, sociological, historical and political. They argue that, the three types have different origins and emphasis in their research strategies and also their merits and demerits. In their view sociological institutionalism is a response to the views of organizations, such as resource dependent model,
and interstates relations like world systems theory, that abandon cultural structures and processes in explanation. Historical institutionalism is partly a result of rational choice theory and behaviourism in political science. Historical institutionalism asserts that, institutions are not typically made for functioning purposes and thus calls for historical research to find the workings behind the conception and continuity of institutions and policies. Political institutionalism is alike in approach to historical institutionalism, but it existed before it and forms the main theoretical strain within it. Further assert that, political institutionalism came as an answer to once dominating pluralist and Marxist treatments of politics that made clear only one-dimensional view of states and other political institutions. They argue further that, unlike sociological institutionalists, political institutionalists aim at long-standing political institutionalists and not on intersection in policy across countries.

According to Peters, the first major approach to institutional analysis is the normative approach advocated by March and Olsen. He claims that their argument is based on the fact that understanding political behaviour is by a “logic of appropriateness” acquired by people through their being members of the institutions. He further states that their argument stems from the fact that people operating within institutions act as they do because of normative standards rather than a desire to maximize individual utilities.

The normative approach, with its primary interest being on the appropriate behaviour of individuals in the institution, is particularly useful in throwing more light on the behaviour of the make of the United Nations hence making it relevant to this study. It allows us to access the effectiveness of policies that have been put in place to shape appropriate behaviours of member states. The UNSG’s list of shame then becomes a measure to shape and model the proper functioning of member states within the UN.
The concept of human security and the theory of institutionalism is used for this study to allow for a better understanding into use of the name and shame list as a means for combating the use of minors in combat by the UN. As stated earlier above, Human security is a resourceful instrument that for realising worldwide exposures existing in the child soldiers subject while disputing the traditional system of national security whereas institutionalism as a theory makes us understand the UN as an institution.

The most prominent of criticisms relating to human security is particularly geared towards its ambiguous nature and lack of a precise definition. Paris stated that human security can be likened to other vague critics of human security including Newman who asserts that it is normatively attractive but analytically weak. Khong argues that with the broadening of the concept of security to cover anything, the end result is that everything becomes prioritized hence by definition nothing is. Other critics including McCormack, Duffield and Waddell have argued that the concept pathologizes and disempowers weak and undeveloped states, thereby being in opposition to the narrative that human security is emancipatory. Chandler also argues that despite the widespread use of the concept in international policy discourse, the concept of human security has had little effect on the outcome of policies because it seeks to reinforce rather than challenge existing policy frameworks.

Although human security and institutionalism have been criticized, I am still convinced, that the two are most relevant and useful for this work. Both concept have the individual as the core of its existence. Human security deals with the protection of the individual and its essence and institutionalism an institution or body that regulates human activities as in the UN.
1.8 Literature Review

Sergeant 1st Class Nathan R. Chapman was the first American serviceman to be put to death by opposing fire in the War on Terrorism. Chapman’s unit was waylaid, and he was hit by a sniper fire. An Afghani child was responsible for the death of Sgt Chapman.\textsuperscript{18} In Afghanistan even after Sergeant Chapman’s death the use of minors as soldiers continued. This together with other related incidents of child soldiers as young as ten ranging from child snipers to a grenade tossing fifteen-year-olds, though tragically is not startling. The realness of the situation is that minors are nearly a visible characteristic of the modern battlefield. Six-year-olds now form as much as one-tenth of the world’s combatants with non-aged soldiers serving in 75\% of the world’s conflicts. Children being used as soldiers raises the incidence and violence of conflict, making conflict simple to start, difficult to end and more likely to reoccur. Using children in conflicts arises from intentional choices and schemes projected to profit from using children in war by both states and other armed non-state actors.

Singer\textsuperscript{19} claims that the factors that account for the increase of child soldiers include world poverty, lack of opportunities for the youth in terms of economic and educational issues and the spread of war and diseases. In that they are forced to take the seemingly easier way of being accepted and catered for in a group of armed individuals. As there is a dissemination of the doctrine rationalising the use of child soldiers’, there is also a collapse of ethical considerations against the use of children in war. The inability to use the ethical considerations as a means to end the use of children in armed conflict is attributed to technological and geopolitical changes with the fact that children are now more active on the battleground. This shows that ethical norms cannot be sustained in the face of outside forces making the norms limited in power. The failure reinforces the argument that the environment influences the strength of behavioural practices.
Regardless of the choice one makes in the argument over the influence of norms, the practice of using child soldiers goes against without doubt, widely accepted international beliefs about appropriate behaviour. A special office was created by the United Nations – the Special Representative of the UN Secretary-General (SRSG) for Children and Armed Conflict- to probe and attempt to influence children’s rights in armed conflict. A coalition, Coalition to Stop the Use of Child Soldiers, was also established in May 1998 by several leading nongovernmental organisations. A major strategy of the Coalition was to yield an agreement and validate treaties against the act of minor soldiering starting at the state and regional levels. The UN Special Representative, Olara Otunu, also tried directly to win over war groups to stop using minors by meeting in person with rebel leader groups in over twenty countries to discuss the end of the exercise.

Singer argues that regrettably, all the international consideration and condemnation of juvenile soldiers have not resulted in terminating the exercise. Most of the countries that signed various agreements flouted their obligations. The evidence of this is shown by the existence of more than 100 signatories with child soldiers existing in about 85 countries. Various uncomplicated actions that can be taken to make the use of juvenile soldiers hard comprise support for spreading out the handiness of birth registers to aid children and families to file better the ages of children with many abductions due to the fact that there is no proof of their being underage; spread out to particular vulnerable persons such as migrants and street kids to prevent the reason for their volunteering; criminalizing the practice; more aid should be given local religious and community leaders; and NGO’s can also entreat users of child soldiers based on local customs and beliefs.
In conclusion, Singer asserts that the current measures put in place to raise awareness and shame child soldier users will only partly get rid of the exploitation and abuse of children as soldiers. A new strategy is needed, the belief that the positive effects of using children far outbalances the costs should be changed. Responding directly to the policy itself and the partisan and financial principles underlying it, groups that seek to end the practice of juvenile soldiers have a far better chance of upsetting prospective juvenile soldier users.

The annual UNSG’s Name and Shame List is supposed to blacklist countries and groups “engage(d) in the recruitment and use of children, attacks on schools and/or hospitals and attacks or threats of attacks against protected personnel, and the abduction of children”. Lendman\(^2\) believes that the list has consistently failed the fairness test, his assertion being that Syria’s freedom-fighting military was blacklisted when they were combating US-supported terrorists, imported from several countries. He goes on to further state that no nation needs blacklisting more than America, Turkey, Israel and Saudi Arabia.

The US is constantly in violation of the rules that makes a country’s excluded from the list. US wars slaughter children indiscriminately and devastate the lives of millions of people yet it is not included in the list. Israel wages war against Palestinians, killing children as viciously as adults, engaging in brutalities and wrongful imprisonment or murder and yet still it is not blacklisted. Turkey is also waging genocidal war on its Kurdish population killing children indiscriminately and committing the region’s most serious human right abuses yet this did not allow their inclusion in the list.

In Lendman’s article titled “Children’s Rights: The “UNSG’s Name and Shame List” a Sham, he states that the Saudi-led coalition was included in the list for all the right reasons and yet
still the policy to have them included was reversed with the Secretary-General Ban Ki-moon citing pressure as the reason for the removal. Throughout his tenure he failed to hold Washington accountable for their actions of high crime against peace. It was claimed the loss of Saudi financing, if withheld, would cause millions to suffer, ignoring the horrors faced by the same millions in wars instigated largely by the US. He ends by stating that money would not solve the problem of high crimes perpetuated against children. The way to end the suffering of children is to stop US wars of aggression with NATO, Israel, Saudi Arabia and other partners who have gone rogue. He suggests America and its partners should head every annual UNSG’s Name and Shame List.

According to Heike Kreiger, the ‘UNSG’s Name and Shame List’, which entails the threat with targeted sanctions as a consequence of being listed and finally the application of sanctions by the Sanctions Committees, enables the Security Council to work with the motivations of coercion and self-interest. One can assume that parties comply with rules in their self-interest in order to get de-listed from the UNSG’s Name and Shame List. Having the annexed list, which is compiled by the Secretary-General and acknowledged by the Security Council, is generally seen as a significant step forward towards pressurizing those concerned to stop abusing children. The parties on the list are determined by the Secretary-General. The decisive factor is the groups’ non-compliance with relevant obligations among the grave violations the Secretary-General is authorized to report on. The Secretary-General decides which parties to list based on information gathered by a variety of sources, including entities of the UN system, such as peace operations and country teams. While it was criticized that in the first years the recruitment of children was the only trigger for listing a group in the Secretary-General’s annexes, the Security Council enlarged the system in 2009, and now the murder and marring of children, rape and other forms of erotic violence and attacking schools and hospitals are
relevant triggers as well. Many concerned parties seem to take the situation of being listed in the Secretary-General’s annexes seriously.

In “Inducing Compliance with International Humanitarian Law: Lessons for the Great Africa Lakes”, Kreiger argues further that this is already evidenced by public statements of the Karennis National Progressive Party aiming at being removed from the list. The mere existence of the annexed list and the fact that parties are mentioned there helped to convince parties to enter into action plans and to comply with international standards of child rights. The Special Representative to the Secretary-General on Children and Armed Conflict reports that citing the consequences of the monitoring and reporting mechanism, including targeted sanctions, could be an extremely strong tool to obtain commitments. It must be noted that although this list has with it all the good intentions to combat violence against children, pressures from society and some parties involved is making this objective a fiasco.

Cohn asserts that despite stronger laws and advocacy, the children used in armed conflicts situation has worsened in important respects. As the U.N. Secretary General reported in 2001, that lots of children have endured armed conflicts and violence since the 1990 Summit for Children than at any time in history. There has been and is being domestic legislation implementation preventing the enlistment and usage of broods as soldiers in a number of countries. The Security Council in 2001 called for a list of parties to equipped battle that enlist and use youngsters in violation of the universal responsibilities. This was done after four years of considering and resolving the effect of armed conflict on children.

The list included twenty-three parties to conflicts in five countries – Afghanistan, Liberia, D.R.C., Burundi and Somalia - that had violated their obligations regarding the recruitment of
children. It also added information on illegal child recruitment by seventeen revelries in eight wars not on the Security Council’s agenda, noting that in five currently concluded conflicts a great number of children had been recruited with demobilization underway. The Council therefore, had to take necessary steps by entering into dialogues with the parties involved in the recruitment of children, to “develop clear and time-bound action plans to end this practice” and also call on the parties to present information on measures they had taken to stop illegal child recruitment.

In her article titled “Progress and Hurdles on the Road to Preventing the Use of Children as Soldiers and Ensuring Their Rehabilitation and Reintegration”, she mentions four dispositions on the subject of child rights and armed conflict that she believes must be addressed.

• First, we avoid resolving the tensions between human rights impulse to strengthen norms and the humanitarian impulse to assist war-affected children.

• Second, pursuing activism and charitable programming without measuring seriously the partisan, financial, and common dynamics pushing a specific battle.

• Third, avoiding assessment of the lasting qualitative effect of the numerous and varying intervening means that have been fixed on behalf of war-affected children.

• The tendency to refer to the Convention on the Rights of the Child as a policy programming tool while glossing over the divergent conceptual approaches to juveniles’ privileges and the contradictory programs and policies that result.

There is broad consensus that transitional justice mechanisms should address explicitly crimes involving children. The Sierra Leone Truth and Reconciliation Commission was the first to do so. The Security Council in August 2000 called for a Special Court to try individuals bearing the greatest obligations for international and internal war wrongdoings committed in Sierra
Leone. The move was vehemently disagreed over whether the Court’s jurisdiction should extend to child soldiers who had perpetrated terrible abuses. We agreed on the facts around the experiences of child soldiers in Sierra Leone and we all cited the C.R.C. in support of our arguments, but the Office of the Special Representative for Children and Armed Conflict, the Office of Legal Affairs, and several NGOs felt that the Court's jurisdiction should extend to those young people who joined without restraint in brutal and wanton violence, while UNICEF, Human Rights Watch, and Save the Children entirely disagreed.

Ultimately the Security Council adopted a Statute that extended personal jurisdiction to persons between fifteen and eighteen at the time of the crime and includes a number of protective and therapeutic provisions to ensure the best interests of children who appear as defendants, victims and witnesses.

Cohn concludes that one working at the policy level amongst children and armed conflict may easily become complacent although there has been enormous progress in a short time. There cannot be enough description to convey the feeling of been a child in areas like Colombia, Liberia or even Uganda today, during the times of war. Looking at the children who have lived in those areas and witnessing the effect it has or had on them leaves one in a state of despair. There should therefore, be more research into this issue to bring about newer perspectives, newer answers and newer questions.

1.9 Sources of Data and Methodology
1.9.1 Sources of Data

Data gathered for this study were from primary and secondary sources. The secondary sources included published works – books, journal articles- and other library material. The primary sources were semi structured interviews. Respondents were purposively selected for the semi
structured interviews because of the nature of their responsibilities and also they have an interest in the subject.

These are:

- Director at Legon Centre for International Affairs and Diplomacy
- Director of Multilateral Bureau, Ministry of Foreign Affairs and Regional Integration
- Country Director at United Nations' Children’s Emergency Fund UNICEF
- Director of Academic Affairs at the Kofi Annan International Peacekeeping and Training Centre.

1.9.2 Research Methodology

This study adopts the use of qualitative research method to help address the issues raised in the study. This will be in a form of structured questions presented to each interviewee. The structured nature will help the interviewer keep to the confines of the subject matter. The open ended nature of the questions will also allow for more discussions into the topic and will grant the interviewer the opportunity to probe further till clarity of thought is established. Also review of articles, journals and books will be done on the subject of child soldiers and its prevention and also the name and shame list of the UN.

Data gathered will then be analysed using themes for relevant information to find out how effective the list of shame has been.

1.10 Arrangement of the Chapters

The chapters of this study are organised as follows:

The Chapter one is the introduction. Chapter two gives an overview of the usage of juvenile soldiers in equipped wars and the use of the UNSG’s Name and Shame List in combating child soldiers in armed conflicts. Chapter three discusses the successes, challenges and prospects of the name and shame list. Chapter four covers the summary, conclusion and recommendations.
There is a bibliography as well as an appendix which contains the interview guide used to generate data for this study.
Endnotes

4 Martz, Erin. Rehabilitation after War and Conflict: Community and Individual Perspectives. Springer science and Business Media 2010
7 Ibid.
8 Ibid.
11 https://www.britannica.com/topic/institutionalism
16 Ibid.
19 Ibid.
20 Ibid.
21 Ibid.
CHAPTER TWO
OVERVIEW OF CHILD SOLDIERS IN ARMED CONFLICT

2.0 Introduction
This chapter talks about child soldiers in armed conflict. It further discusses the history, how children are used and areas in which they are used as well as countries, the effects on children from being used. Then also the parties to conflict listed in the annexes of the Secretary-Generals report as well as years in which they are listed. This chapter gives out details of the list of shame and what it is all about as well as explore the link between the list of name and shame and the use of juvenile soldiers as stated above to fulfil the research objectives since it will give a better understanding as to why the list is used as a tool in the combat of the use of juvenile soldiers.

2.1 Phenomenon and Prevalence of the Use of Child Soldiers
2.1.1 History of Child Soldiers
The phenomenon of the use of youngsters as soldiers in armed conflict dates as far back to ancient Greece, specifically the city-state of Sparta.\(^1\) Though it is a disturbing phenomenon it has been a part of military science for centuries. Child soldiers in ancient Greece were used to add on to the adult military forces or to serve as expert military method intended to dispute opponent armies in many ways unexpected. The Spartan society evolved around the military and in a bid to ensure that the strength of the army is at its maximum best, male children were required by the Spartan government to begin military training as young as the age of 7. Once training began it was expected that the boys spend much of their lives in service to the military.\(^2\)

The Ottoman Empire was one of the most productive users of juvenile soldiers in history. As the empire expanded, children were enlisted into a top armed entity branded as the Jassinary Corps. The Janissaries were made up of Non-Muslim -Jews and Christians-youth since Islamic
law prevented the use of Muslims as slaves. These children were thought to have been around 14 years and were trusted to become administrators of the empire as they grew. This was because the Ottomans relied on them to remain loyal to the sultan.³

In the eighteenth and nineteenth centuries though the world had made some efforts at attaining modernisation, the use of children as soldiers was still a real military strategy. The British Navy used child soldiers in that era the most. A lot of boys were enlisted in the Royal Navy and served as cabin helps and “powder monkeys”, who were given the responsibility of preparing the ships’ cannons for battle. The American Civil War also made use of children though formal consent of parents was required most boys just run away and enlisted.⁴ Shaka Zulu formalised the practice in the nineteenth century though it was a common phenomenon to use children as soldiers in many traditional African cultures. He constituted a system where boys as young as six years entered as apprentices and with time as they grew, assumed more responsibilities and replaced the adult soldiers as and when it was required.⁵

An increase in the demand for manpower made the use of child soldiers a recurring strategy during World War I and II. With the exception of the United States that was strict on the enlistment age of seventeen, most of the countries that were involved in the wars used children as soldiers. Germans were the most notable through the service of the Hitler Youth organization. The European forces against whom the Germans were fighting also included child soldiers, with young Russian and Polish boys being motivated to join in the fight against the Germans.⁶

After World War II, a decline in the use of child soldiers was seen. As early as the 1970s, some terrorist organizations including Sri Lanka’s Liberation Tigers of Tamil Eelam made use of
youngsters to carry out fruitful suicide blasting missions. Their dependence on such a tactic was due to the fact that with children it was easier to get to certain targets as compared to adults. The Viet Cong used children as part of an emotional combat approach against American armies during the Vietnam War. Since it was easier for children to blend in with civilians, the Americans found it difficult to separate allies from enemies.⁷

Since the post-war era the practice of juvenile soldiers as a calculated approach has continued in many parts of the world. The exercise has become best associated with radical and revolutionary armies in Africa. The beginning of the present juvenile soldier philosophy happened in the 1970’s in the time of the Khmer Rouge in Cambodia.⁸ In the book “Assisting the Victims of Armed Conflict”, Hingorani made mention of a new rise in the type of combatants known as child soldiers. In his chapter titled “Protection of children during armed conflict”, the new type of combatants called juvenile soldiers came about as a result of the emergence of resistance movements during the World War II compromising the position of children further in Africa and Asia in tribal and regional strife, many of whom were seen in armed movements.⁹

A report released in November 2004 by the Coalition to Stop the Use of Child Soldiers found that youngsters were “hostile in practically every key battle, in both state and opposition armies.”¹⁰ Despite the numerous exertions of human rights advocates and the actions of global governing bodies such as the United Nations, the use of juvenile soldiers is still a worldwide issue.
2.1.2 Use of Children in Armed Conflict

Hundreds of thousands of youngsters are used as soldiers in equipped battles around the world. Many of such broods are kidnapped and beaten into submissiveness, whilst others volunteer to join the armed groups to escape scarcity or to guard their communities out of a revengeful sensation or for other motives.\(^{11}\) It is easier recruiting children for military purposes because of their vulnerability of being easily influenced. This lengthens the continuance of domestic wars as it tends to increase the power of dissident groups.\(^{12}\)

Children are directly active in combat but their roles are not restricted to fighting, as many boys and girls start out in supporting roles. A popular task given to children is to serve as porters, often transporting weighty loads including ammunition or wounded soldiers. Some children also act as guards, envoys and chefs or for other repetitive obligations. Females are mostly used as sex slaves and some others are used as suicide bombers.\(^{13}\) Children are used in armed conflicts because there are usually economically efficient as compared to adults. They are also easily indoctrinated and become efficient fighters because the concept of death to them has not developed yet. Children are used because they make for more soldiers and are a more formidable force and in kill situations they are not afraid to kill. Unlike children adults are hesitant when it comes to killing.\(^{14}\) Children are also used because it is easier for them to adapt to a new life faster as compared to adults as they are quick and agile.\(^{15}\)

2.1.3 Effects of Being Used as Child Soldiers

Hundreds of thousands of juvenile soldiers battled in current domestic combats in Africa and in other places, yet there is little knowledge on the lasting effect of juvenile soldiering. The key consequences of juvenile soldiering were found to be educational and economic. Fewer studies that are on the effect of conflict on abductees are interview-based or medical in nature. They
conclude that mental trauma and communal disorder are the major consequences of juvenile soldiering.\textsuperscript{16}

A Survey of War Affected Youth\textsuperscript{17} conducted on 741 youth in north of Uganda with 462 abductees found out the following negative effects of child soldiering:

- Since the abductees gave up their educational years to conflict, they are more likely to be ignorant than those that are non-abductees.
- The abductees if they find jobs, these jobs are sometimes of a lower skill and capital-intensity that is to say they earn about one third less than their other peers and the jobs do not require any special skills to perform.
- Abductees are found most often times to exhibit aggressive or violent behaviour post-conflict.
- Some abductees also experience some form of serious psychological trauma or distress.

The following positive effects were also found:

- The abductees are more expected to vote and take part in civic and partisan life than non-abductees.
- Abductees do not necessarily exclude themselves socially if acceptance rates are high in their communities.

Generally, the negative effects include juveniles’ growth, and well-being are interrupted when they are engaged into military groups. Enlisted youngsters run a great danger of getting slain or wounded or marred and have the consequence of suffering grave mental and social difficulties after. There is also a high level of being sexually maltreated by adults or other youngsters. Such traumatic experiences leave the children scarred for life and their development is disrupted.\textsuperscript{18}
Also, in a positive light where children are accepted into the communities with ease those children are found to be more confident and less depressed and those who still continue in school show more positive attitudes and behaviours. However, the positives recorded did not compensate for the war related trauma and experiences of the children.19

2.2 Use of Child Soldiers
2.2.1 Child Soldiers in Africa

In Africa there's an estimated 120,000 children presently being used as soldiers or personnel supporting activities of armed groups in conflict. This figure represents 40 out of a hundred of the global whole. Africa has the highest degree of progress of youngsters in conflict.20 In the Central African Republic, the UN estimated in 2014 that about 6000 youngsters were engaged in the ongoing war, with all parties to the conflict enlisting youngsters. The Democratic republic of Congo’s use of children has been said to “endemic” by the United Nations Stabilization Mission in the Democratic Republic of the Congo with about 30000 children in combat as at 2011.21

In Sierra Leone thousands of youngsters were enlisted and used throughout the conflict between 1991 and 2002 including the Armed Forces Revolutionary Council, the Civil Defense Forces and the Revolutionary United Front. Children were often enlisted forcefully and drugged to commit inhumane acts. In Burundi in 2004, hundreds of juvenile soldiers aided in the Forces Nationales pour la Liberation (FNL), a Hutu group. Youngsters between 10 and 16 were drafted into the Burundese Military. Juvenile soldiers are aggressive with the Chadian Military, integrated dissident armies, local self-defence forces and two Sudanese dissident groups working in Chad. In Ivory Coast during the 2002 civil war youngsters were used compulsorily by both sides. In Congo it is estimated that about 30000 youngsters were fighting at the top of the second Congo war. Congo has the highest rate of child soldiers. Rwanda,
Somalia, Sudan, Uganda, Zimbabwe, Sierra Leone and South Africa have all made use of children in their armed conflicts.22

2.2.2 Child Soldiers in Europe

Juvenile soldiers’ recruitment was also usual in Europe during the Middle Ages. Medieval Europeans, and others basically saw youngsters as small grown-ups and hence were projected to carry tasks as though they were fully grown adults. As a consequence of this view, many lads were drafted to work together with Christian Knights in combat as lords or de facto infantrymen.23

Boys as young as twelve years were used as military aides. The Children’s Crusade in 1212 enlisted thousands of youngsters as inexpert soldiers assuming that the heavenly command would assist them to conquer the opponent though none of the youngsters was directly involved in combat. Chechnya, Serbia Bosnia and Herzegovina, United Kingdom, Poland, Norway and Greece all made use of youngsters as soldiers. Greece and Norway allowed for the recruitment of children age 17 and 18 respectively. The Serbs used kids as young as ten to fight in Bosnia and Croatia.24

2.2.3 Child Soldiers in the Americas

In North America, Canada allowed persons to join the backup section at age 16 and the regular component at age 17 provided parental approval was given. United States drafted 17 year olds but they were not moved outside of the continental US or deployed in combat situations.25 In Latin America, throughout the Salvadorian Civil war both the army and dissident groups enlisted and abducted youngsters and taught them to be soldiers. Their ages ranged between 12 and 15. This made El Salvador the second Latin American country established to involve the use of youngsters in armed conflict. In South America, Bolivia has confessed that youngsters
as young as 14 may have been forcefully recruited into the military with about 40% of the Bolivian military perceived to be younger than 18. Columbia in 2005 estimated that 11000 youngsters were involved with left-wing guerrillas or right-wing paramilitaries.26

2.2.4 Child Soldiers in Asia
During World War II, majority of the Asian armies that came under attack from the Japanese fell back to the use of child soldiers to increase their numbers. The Japanese military did same when the war began to turn against them. A good number of Japanese boys gave themselves up willingly for hazardous and absolute deadly tasks such as kamikaze piloting.27 In 2004, the Coalition to Stop the Use of Child Soldiers, reported that in Asia thousands of youngsters are tangled in aggressive militaries in vigorous conflict and truce states in Afghanistan, Burma, Indonesia, Laos, Philippines, Nepal and Sri Lanka. Burma’s case was different as the government armed forces forcibly recruited and used children between 12 and 16.28

2.2.5 Child Soldiers in the Middle East
The use of juvenile soldiers was also engaged as a special tactic in the Iran-Iraq War that stormed over most of the 1980s. While both sides engaged children, Iran’s strategies were uncivilized, as they regularly sent juvenile soldiers into dynamic ordeals to pave the way for grown-up soldiers.29

2.3 The Types of the Armed Conflict
Prior to the Geneva Conventions were embraced, global law separated between the two sorts of equipped clash specifically: the traditional origination of war and common war. The ordinary origination of war was deciphered as a furnished clash between two states while common war was a state of outfitted clash between a state and an inside found subversive development that had waged war.30
The Geneva Conventions then introduced the following types

- **International Armed Conflict** which is characterized in the Conventions likened to the customary legitimate thoughts of the idea of ‘war’, that is an outfitted clash between at least two states. Article 2 common to the Four Conventions, gives that: … the present Convention might apply to all instances of proclaimed war or of whatever other furnished clash which may emerge between at least two of the High Contracting Parties, regardless of the possibility that the condition of war is not perceived by one of them.

- An equipped clash will along these lines be in presence in circumstances in which individuals are battling against frontier strength and outsider occupation and against supremacist administrations in the activity of their privilege of self-assurance, as cherished in the Charter of the UN and the Declaration on Principles of International Law concerning Friendly relations and Co-operation among States as per the Charter of the UN.  

- **Non-International Armed Conflict** additionally characterized in the Geneva Convention Common Article 3 as an outfitted clash that is not of a global quality happening in the domain of one of the High Contracting Parties. After the laws of war were returned to in the 1970's it was settled that more laws checking non-global outfitted clashes ought to be included. Extra Protocol II applies to: … every single furnished clash not secured by Article 1 … of Protocol I and which happen in the region of a High Contracting Party between its military or other sorted out outfitted gatherings which practice control, under mindful charge, over a piece of its domain as to empower them complete supported and purposeful military operations and to actualize this Protocol.  


2.4  Parties to the Armed Conflict

The additions of the UNSG's provide details regarding Children and Armed Conflict 2015, Annex I has the list of groups that enlist or utilize youngsters, slaughter or injure kids, confer assault and different types of sexual viciousness against kids, or participate in assaults on schools as well as healing facilities in circumstances of furnished clash on the plan of the Security Council.  

Annex II contains a list of groups that enlist or use youngsters, murder or harm them, commit rape and additional methods of sexual violence against youngsters, or engage in assaults on schools/and or hospitals in situation or armed conflict not on the plan of the security Council, or other situation.

The table below (TABLE 1) shows the parties to conflict in several countries with the years in which they were listed

<table>
<thead>
<tr>
<th>Parties to Conflict</th>
<th>Year on List</th>
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<tbody>
<tr>
<td><strong>Parties in Burundi</strong></td>
<td></td>
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<tr>
<td>1. Conseil national pour la défense de la démocratie (CNDD) of Leonard Nyangoma</td>
<td>2004</td>
</tr>
<tr>
<td>2. Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD) of Pierre Nkurunziza</td>
<td>2004</td>
</tr>
<tr>
<td>3. Parti de libération du peuple hutu-Forces nationales de libération (PALIPEHUTU-FNL)-Agathon Rwasa</td>
<td>2004/06/07/08</td>
</tr>
<tr>
<td><strong>Parties in Ivory Coast</strong></td>
<td></td>
</tr>
<tr>
<td>1. Forces armées des forces nouvelles (FAFN)</td>
<td>2004/06</td>
</tr>
<tr>
<td>2. LIMA force supplétive</td>
<td>2004</td>
</tr>
<tr>
<td>3. Armed militia groups affiliated with the Presidential camp (a) Front de libération du Grand Ouest (FLGO)</td>
<td>2006</td>
</tr>
<tr>
<td>(b) Mouvement ivoirien de libération ouest de Côte d’Ivoire (MILOCI)</td>
<td>2006</td>
</tr>
<tr>
<td>(c) Alliance patriotique de l’ethnie Wé (APWé)</td>
<td>2006</td>
</tr>
<tr>
<td>(d) Union patriotique de résistance du Grand Ouest (UPRGO)</td>
<td>2006</td>
</tr>
</tbody>
</table>

### Parties in Afghanistan

1. Afghan National Police, including the Afghan Local Police 2012/13/14/15
2. Haqqani Network 2012/13/14/15
3. Hezb-e-Islami of Gulbuddin Hekmatyar 2012/13/14/15
4. Taliban forces, including the Tora Bora Front, the Jamat Sunat al -Dawa Salafia and the Latif Mansur Network 2007/08/12/13/14/15

### Parties in Chad

1. National Army of Chad 2007/08/12
2. Sudan Liberation Army (SLA) 2006/07
5. Front uni pour le changement (FUC). 2007/08
7. Union des forces pour la démocratie et le développement (UFDD) 2008
8. Sudanese armed groups backed by the Government of Chad: 2008
   (a) Justice and Equality Movement;
   (b) Sudanese Toroboros.
9. Chadian self-defence groups operating in Ade, Dogdore and Mogororo

### Parties in the Central African region

1. Lord’s Resistance Army (LRA) 2012/13/14

### Parties in the Central African Republic

1. Ex-Séléka coalition and associated armed groups 2012/14/15
   b. Front démocratique du peuple centrafricain (FDPC) 2007/08/12/13
   c. Mouvement des libérateurs centrafricain pour la justice (MLCJ) 2008/12
   d. Union des forces démocratiques pour le rassemblement (UFDR) 2007/08/13
   2. Local defence militias known as the anti-Balaka 2013/14/15
   3. Lord’s resistance Army 2008
4. Armée populaire pour la restauration de la République et de la démocratie (APRD).
5. Self-defence militias supported by the Government of Central African Republic.

<table>
<thead>
<tr>
<th>Parties in the Democratic Republic of the Congo</th>
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<tbody>
<tr>
<td>1. Allied Democratic Forces (ADF)</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>2. Forces armées de la République Démocratique du Congo (FARDC)</td>
<td>2004/06/07/08/12/13/14/15</td>
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<tr>
<td>3. Forces démocratiques de libération du Rwanda (FDLR)</td>
<td>2004/06/07/08/12/13/14/15</td>
</tr>
<tr>
<td>4. Front de résistance patriotique en Ituri (FRPI)</td>
<td>2007/12/13/14/15</td>
</tr>
<tr>
<td>5. Mayi Mayi Alliance des patriotes pour un Congo libre et souverain (APCLS) “Colonel Janvier”</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>6. Mayi Mayi “Lafontaine” and former elements of the Patriotes résistants congolais (PARECO)</td>
<td>2012/13/14</td>
</tr>
<tr>
<td>7. Mayi Mayi Simba “Morgan”</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>8. Mayi Mayi Kata Katanga</td>
<td>2004/06/07/13/14/15</td>
</tr>
<tr>
<td>9. Nduma Defence Coalition (NDC)/Cheka</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>10. Mayi Mayi Nyatura</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>11. Mai Mai :Tawimbi”</td>
<td>2012</td>
</tr>
<tr>
<td>12. Mouvement du 23 Mars (M23)</td>
<td>2012/13</td>
</tr>
<tr>
<td>13. Laurent Nkunda and Jules Mutebutsi, dissident elements of FARDC</td>
<td>2004</td>
</tr>
<tr>
<td>14. Forces armées populaires congolaises (FAPC)</td>
<td>2004</td>
</tr>
<tr>
<td>15. Front nationaliste et integrationnaliste (FNI)</td>
<td>2004</td>
</tr>
<tr>
<td>16. Mai-Mai in the Kivus and Maniema</td>
<td>2004/06/07/08</td>
</tr>
<tr>
<td>17. Mudundu-40</td>
<td>2004/06/07/08</td>
</tr>
<tr>
<td>18. Parti pour l’unité et la sauvegarde du Congo (PUSIC)</td>
<td>2004</td>
</tr>
<tr>
<td>19. Union des patriotes congolais (UPC)-Thomas Lubanga and Floribert Kisembo factions</td>
<td>2004</td>
</tr>
<tr>
<td>20. Raja Mutomboki</td>
<td>2015</td>
</tr>
<tr>
<td>21. Congrès national pour la defense du peuple (CNDP), formerly led by Laurent Nkunda and currently by Bosco Ntaganda</td>
<td>2008</td>
</tr>
<tr>
<td>22. Lord’s Resistance Army (LRAR)</td>
<td>2007</td>
</tr>
<tr>
<td>23. Mouvement révolutionnaire congolais (MRC)</td>
<td>2007</td>
</tr>
<tr>
<td>24. Non-integrated FARDC brigades loyal to rebel leader Laurent Nkunda</td>
<td>2008</td>
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Parties in Iraq
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<tr>
<th>Parties in Mali</th>
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<tr>
<td>1. Mouvement national de liberation de l’Azawad (MNLA)</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>2. Mouvement pour l’unicité et le jihad en Afrique de l’Ouest (MUJAO)</td>
<td>2012/13/14/15</td>
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<td>3. Ansar Dine</td>
<td>2012/13/14/15</td>
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<tr>
<th>Parties in Myanmar</th>
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<tbody>
<tr>
<td>1. Democratic Karen Benevolent Army (DKBA)</td>
<td>2007/08/12/13/14/15</td>
</tr>
<tr>
<td>2. Kachin Independence Army (KIA)</td>
<td>2007/08/12/13/14/15</td>
</tr>
<tr>
<td>3. Karen National Liberation Army (KNU/KNLA)</td>
<td>2004/06/07/08/12/13/14/15</td>
</tr>
<tr>
<td>5. Karenni Army (KNPP/KA)</td>
<td>2004/06/07/08/12/13/14/15</td>
</tr>
<tr>
<td>6. Shan State Army South (SSA-S)</td>
<td>2007/08/12/13/14/15</td>
</tr>
<tr>
<td>7. Tatmadaw Kyi, including integrated border guard forces</td>
<td>2004/06/07/08/12/13/14/15</td>
</tr>
<tr>
<td>8. United Wa State Army (UWSA)</td>
<td>2006/07/08/12/13/14/15</td>
</tr>
<tr>
<td>10. Myanmar National Democratic Alliance Army.</td>
<td>2007/08</td>
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<tr>
<th>Parties in Somalia</th>
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<tbody>
<tr>
<td>1. Lower Shabelle Administrationa</td>
<td>2004</td>
</tr>
<tr>
<td>2. Juba Valley Alliancea</td>
<td>2004</td>
</tr>
<tr>
<td>3. Rahanwein Resistance Army (RRA/SNSC) of Mohamed Ibrahim Habsadea</td>
<td>2004</td>
</tr>
<tr>
<td>4. United Somali Congress/Somali Salvation Alliance (USC/SSA)-faction of Muse Sudi Yalahow</td>
<td>2004</td>
</tr>
<tr>
<td>5. Middle Shabelle Administration</td>
<td>2004</td>
</tr>
<tr>
<td>6. Puntland Administrationb</td>
<td>2004</td>
</tr>
<tr>
<td>7. Rahanwein Resistance Army (RRA/SRRC) of Mohamed Nir “Sharti gadud”b</td>
<td>2004</td>
</tr>
<tr>
<td>8. Somali Patriotic Movement/Somali Reconciliation and Restoration Council (SPM/SRRC)b</td>
<td>2004</td>
</tr>
<tr>
<td>9. United Somali Congress (USC) of Mohamed Kanyare Afrahc</td>
<td>2004</td>
</tr>
<tr>
<td>10. United Somali Congress/Somali Salvation Alliance (USC/SSA) of Omar Mohamed</td>
<td>2012/13/14/15</td>
</tr>
</tbody>
</table>
11. Al Shabaab
12. Ahlus Sunnah wal Jamaah (ASWJ)
13. Somali National Army
14. Alliance for the Restoration of Peace and Counter Terrorism (ARPCT)
15. Union of the Islamic Courts (ICU)
16. Transitional Federal Government (TFG)

Parties in South Sudan
1. Sudan People’s Liberation Army (SPLA)
2. SPLA in Opposition
3. White Army
4. Joint Integrated Units of the Sudan Armed Forces and SPLA
5. Other groups active in Sudanese territory
   (a) Chadian opposition forces
   (b) Lord’s Resistance Army (LRA)
6. Parties under the control of the Government of the Sudan
   (a) South Sudan Defence Forces, including the forces of Major-General Gabriel Tang Ginyi
   (b) Sudan. Armed Forces (SAF)
7. Pibor Defence Forces

Parties in Nigeria
1. Jama’atu Ahlis Sunna Lidda’awati wal-Jihad also known as Boko Haram
2. Civilian Joint Task Force

Parties in Sudan
1. Government security forces, including the Sudanese Armed Forces (SAF), the Popular Defense Forces (PDF) and the Sudan Police Forces
2. Justice and Equality Movement (JEM)
3. Pro-Government militias
4. Sudan Liberation Army/Abdul Wahid
5. Sudan Liberation Army/Minni Minawi
6. Sudan People’s Liberation Movement North (SPLM-N)
7. Sudan Liberation Army/Historical Leadership
8. Sudan Liberation Army/Mother Wing (Abu Gasim)
<table>
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<tr>
<th>Number</th>
<th>Group/Army/Movement</th>
<th>Year(s)</th>
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<tbody>
<tr>
<td>9</td>
<td>Sudan Liberation Army/Unity</td>
<td>2004/06/07</td>
</tr>
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<td>10</td>
<td>Janjaweed</td>
<td>2004</td>
</tr>
<tr>
<td>11</td>
<td>South Sudan Unity Movement (SSUM)</td>
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<tr>
<td>12</td>
<td>Sudan Liberation Movement/Army (SLM/A)</td>
<td>2008</td>
</tr>
<tr>
<td>13</td>
<td>Movement of Popular Force for Rights and Democracy;</td>
<td>2007/08</td>
</tr>
<tr>
<td>14</td>
<td>Sudan Liberation Army (SLA)/Free Will</td>
<td>2008</td>
</tr>
<tr>
<td>15</td>
<td>Sudan Liberation Army (SLA)/Peace Wing</td>
<td>2007</td>
</tr>
<tr>
<td>16</td>
<td>Sudan Liberation Army (SLA)/Shafi</td>
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### Parties in the Syrian Arab Republic

<table>
<thead>
<tr>
<th>Number</th>
<th>Group/Army/Movement</th>
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<tbody>
<tr>
<td>1</td>
<td>Ahrar al-Sham al-Islami</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>2</td>
<td>Free Syrian Army (FSA) — affiliated groups</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>3</td>
<td>Government forces, including the National Defence Forces and the Shabbiha militia</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>4</td>
<td>Islamic State of Iraq and the Levant (ISIL)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>al-Nusra Front (Jhabat Al-Nusra)</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>6</td>
<td>People Protection Units (YPG)</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>7</td>
<td>Islamic State of Iraq and Sham (ISIS)a</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>8</td>
<td>Jhabat Al-Nusraa</td>
<td>2013</td>
</tr>
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### Parties in Yemen

<table>
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<tr>
<th>Number</th>
<th>Group/Army/Movement</th>
<th>Year(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Al-Houthi/Ansar Allah</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>2</td>
<td>Al-Qaida in the Arab Peninsula (AQIP)/Ansar al-Sharia</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>3</td>
<td>Government forces, including the Yemeni Armed Forces, the First Armored Division, the Military Police, the special security forces and Republican Guards</td>
<td>2012/13/14/15</td>
</tr>
<tr>
<td>4</td>
<td>Pro-Government militias, including the Salafists and Popular Committees</td>
<td>2013/14/15</td>
</tr>
<tr>
<td>5</td>
<td>Saudi Arabia led coalition</td>
<td>2015</td>
</tr>
</tbody>
</table>

### Parties in Colombia

<table>
<thead>
<tr>
<th>Number</th>
<th>Group/Army/Movement</th>
<th>Year(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ejército de Liberación Nacional (ELN)</td>
<td>2004/06/07/08/12/13/14/15</td>
</tr>
<tr>
<td>2</td>
<td>Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-EP)</td>
<td>2004/06/07/08/12/13/14/15</td>
</tr>
<tr>
<td>3</td>
<td>Autodefensas Unidas de Colombia</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Illegal armed groups not participating in the demobilization process</td>
<td>2004</td>
</tr>
<tr>
<td>(a)</td>
<td>Autodefensas Campesinas del Casanare</td>
<td>2006/07</td>
</tr>
<tr>
<td>(b)</td>
<td>Frente Cacique Pipinta</td>
<td>2006/07</td>
</tr>
</tbody>
</table>
### Parties in Nepal

1. Communist Party of Nepal-Maoist (CPN-Maoist)  
   2004/06/07/08

### Parties in the Philippines

1. Abu Sayyaf Group (ASG)  
   2006/07/08/12/13/14/15
2. Bangsamoro Islamic Freedom Fighters (BIFF)  
   2013/14/15
3. Moro Islamic Liberation Front (MILF)  
   2004/06/07/08/12/13/14/15
4. New People’s Army (NPA)  
   2004/06/07/08/12/13/14/15

### Parties in Sri Lanka

1. Liberation Tigers of Tamil Eelam (LTTE)  
   2004/06/07/08
2. Karuna faction  
   2006/07/08

### Parties in Uganda

1. Local Defence Units (LDUs)  
   2004/06/07
2. Lord’s Resistance Army (LRA)  
   2004/06/07/08
3. Uganda People’s Defence Force (UPDF)  
   2004/06/07

2004 – The period is between November 2003 and December 2004


2008 - The period covers September 2007 to December 2008

Unless otherwise stated all years start in January and end in December.

### 2.5 Monitoring and Reporting Mechanisms

In the year 2005, the United Nations Security Council set up a working group and a monitoring and reporting mechanism (MRM) to progress the goal of protecting youngsters during equipped war and putting an end to the impunity of offenders. The mission of the MRM is to monitor, file and report on exploitations of human privileges in six areas: the killing and maiming of children, the recruitment of child soldiers, rape and other sexual violence against children, abduction, attacks on schools and hospitals and denial of humanitarian access.34

The MRM is a special system that has managed throw more light on the scale of ferocity against youngsters by publishing this evidence in the yearly report the Secretary-General presents. The
MRM amasses information from the UN country teams. The MRM was a significant approach in global reporting on youngsters involved in armed war. To have involved groups accountable for murder and maiming along with rape and other erotic violence in the annexes reported to the Security Council meant a more all-inclusive coverage. The monitoring systems for rape and other sexual violence are a part of the feeblest in the global system. However, equal weight should be devoted to the violations of human privileges with distinct annexes identifying those accountable for each group. The reporting structures for the MRM needs to be reinforced over improved resourcing and better management between agencies. However, the report covers countries identified as ‘situations of concern’ by the Security Council.

2.6 Disarmament, Demobilization, Reintegration Programs

Reintegration according to Child Soldiers International, is the process through which children who were associated with armed groups of forces are given the necessary support to return to civilian life and play valuable roles in their families and communities. Reintegration of former child soldiers is a complicated and long-term project. It starts with negotiations for the release of children and separating them physically from the armed forces or groups. Then the families of these children will be traced and the children are reunited with them. This phase of reintegration is time-consuming and requires lots of resources.

Children who are released from being exploited in the military are very vulnerable and many re-join after they face rejection from families and their communities upon their return. Girls in particular face serious stigma since it is believed that their social value has been lost due to their relationship with the armed groups and more so the actual or purported engagement in sexual relations with others outside of marriage. Child Soldiers International is working to
develop realistic reintegration projects to meet the needs of the children and their experiences as well as resources available and the communities.

In the Democratic Republic of Congo in 2016, over 150 girls who were former child soldiers were interviewed together with key members of their communities in the conflict-affected Provinces of Eastern DR Congo. Children continue to be recruited and used by several armed groups in Congo. When they are released, little or no support is given them to enable them reintegrate into their communities.

Disarmament, Demobilization, Reintegration (DDR) programs have contributed to tens of thousands of children leaving armies and armed groups. A number of major DDR programs for children have drawn to a close in recent years some of these are in Afghanistan, Angola, Burundi, Liberia and Sierra Leone. This has led to the release of tens of thousands of children. In countries like Central African Republic, Chad, Colombia, The Democratic Republic of Congo (DRC), Nepal, Sri Lanka and Sudan, measures are being put in place to cause the separation of children from armed groups and support their reintegration in these conflict stricken areas.

A fundamental principle of children’s DDR is that their release and reintegration should not be dependent on any formal peace process or be based on the establishment of official DDR programs but should be a priority at all times especially in places where conflicts are ongoing. This is a legal responsibility on State Parties who are signed onto the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Optional Protocol Article 6(3) requires State Parties to take measures that are feasible to ensure
that in hostile situations illegally recruited or used children are demobilized, or released and
given the needed support to reintegrate.

These programs have stored up a wealth of knowledge on the identity of girls and boys in
armed groups and their needs as well as what they prioritise to be able to enter civilian life
meaningfully and successfully. The Paris Principles and Guidelines on Children Associated
with Armed Forces or Armed Groups put in a concise form that a lot has been gained and make
provision for guidance to policy makers, practitioners and donors in designing and
implementing effective schemes and intervening measures to help protect children from being
involved in armed conflict and to procure the release and reintegration of those in armed
conflict situations.

In Asia particularly, programs for release and reintegration do not exist. Even in places where
these programs exist the children associated with armed conflicts do not have access to the
programs. DDR programs with its funding for them are generally short-term but successful
reintegration programs are long-term. In practice, child soldiers are released from armed
groups only at the end of the conflict in significant numbers. There should be active pursuance
of efforts to demobilize children in conflict situations though the results are often limited and
the successes short-lived.

In Sri-Lanka the efforts continued since the late 1990’s to end the recruitment of children by
the Liberation Tigers of Tamil Eelam (LTTE). However, as at January 2009, over 1400 children
or individuals recruited as children was recorded to be a part of the LTTE rank. There is the
belief that the number may be higher than reported. In the DRC, military tactics have constantly
foiled commitments to end recruitment and release of children. The Liberian DDR program
suffered many difficulties and was considered to have been poor in serving the needs of women and girls. Also in Liberia and Sierra Leone, the rates of participation of child soldiers in the programs did not match the provided figures. Figures are generally low for girls with participation levels between eight and fifteen percent of the estimated numbers.

According to the Paris Principles, sustained reintegration can be achieved when the political, legal, economic and social conditions needed for children to maintain life, livelihood and dignity have been secured. Child reintegration is therefore, defined as the process through which children transition into civil society and enter meaningful roles and take on identities as civilians who are accepted by their families and communities in a context of local and national reconciliation.

DDR programs are established in insecure or volatile environments which can lead to further outbreaks of hostilities. Participation rates in formal DDR programs for both boys and girls can be improved. The design and funding of these programs should factor in the fact that most of these children will never be discharged formally but will make their way into communities. This fact should however, not be a justification for the absence of DDR programs in needed areas. Also it is imperative to know that DDR programs cannot solve the problems of children in armed conflict but many of them can be anticipated and dealt with so these children can enjoy their rights as humans and not be re-recruited into these armed groups again.

2.7 The Secretary General’s List of Shame

In 2005, the Security Council adopted resolution 1612, one of the greatest furtherance in safeguarding children. This resolution made known a measure to monitor and report on well-timed and certain violations committed against children in several conflict-affected countries.
This led to the use of a list of parties to conflict that recruit or use children as soldiers in the yearly report of the Secretary-General on children and armed conflict.\textsuperscript{35}

\textbf{2.7.1 Triggers for listing}

The listing has been done since 2002 where parties who are recruiting and using children in armed conflict are named in the annexes of the yearly report of the Secretary-General on children and armed conflict.\textsuperscript{36} The list was broadened in 2009 and 2011 by the Security Council to include the killing and maiming of children, sexual violence against children and attacks on schools and hospitals.\textsuperscript{37}

- Recruitment and use of children
- Killing and maiming of children
- Rape and other forms of sexual violence
- Attacks on schools and hospitals.
- First listings for abduction

UN Security Council Resolution 1998, was adopted in 2011 after rechecking resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005) and 1882 (2009) on the protection of children in armed conflict, the Council declared schools and hospitals off limits for both armed groups and military activities, asking the Secretary-General for such crimes to be placed on a list of those perpetrating grave violations against children.\textsuperscript{38}

\textbf{2.7.2 Sanctions for listed parties}

The list of shame which entails the threat with targeted sanctions as the result of being listed and the application of sanctions by the Sanctions Committee helps the Security Council to work with the motivations of coercion and self-interest. The parties listed are determined by the
Secretary General this is based on information gathered through a range of sources including bodies of the UN system.\textsuperscript{39}

\textbf{2.7.3 Getting off the List}

A prerequisite for delisting any party is that there is United Nations-verified information that it has stopped perpetration of the patterns of sexual violence for which the party is listed for the period of at least one reporting cycle.\textsuperscript{40} Parties to conflict would have to enter into time bound action plan to end violations to be off the list. The agreements usually include activities such as the immediate release and reintegration of children, the criminalization of child recruitment through national legislation as well as unobstructed access for United Nations staff to military installation to verify the presence of children.\textsuperscript{41} An action plan is a written, signed commitment between the United Nations and the listed parties who have committed grave violations against children in the Secretary-General’s Annual Report on Children and Armed Conflict. The action plans are made specifically to address a specific party’s situation whilst outlining time-bound as well as concrete steps leading to complying with international law, de-listing and protecting children.\textsuperscript{42}

A party will be re-listed if it fails to comply with commitments for a minimum period of one reporting cycle following de-listing. Also it should provide unhindered and continuous access to the United Nation for monitoring and verification.\textsuperscript{43} Below is table of the action plan for delisting.
2.7.4 The Value of the Use of the List

The UN Security Council has declared continuously that it will look at sanctions such as embargoes of arms and other military assistance, against members that have been listed that refuse to end the use of children in their armed forces. Hence the list is supposed to serve as a warning to parties that have been listed to stop the recruitment and the use of children as soldiers in whatever conflict that may exist in their areas or sanctions like above-mentioned will be applied.

This naming and shaming exercise, is an effective method to pressurize perpetrators to end violations since it shows the world where the location of violators and can trigger sanctions
from the Security Council. Currently, 18 action plans to end violations against children have been signed with 20 armed forces and groups, ensuing in the release of thousands of children.\textsuperscript{45} Many concerned parties take being listed seriously this is evidenced by public statements of the Karennis National Progressive Party aiming at being taken off the list. The existence of the annexed list and the mention of parties there helps convince them to enter into action plans and to comply with international standards of child rights.\textsuperscript{46}

The naming and shaming of perpetrators in the Secretary-General yearly report on children and armed conflict and the ‘Most Persistent Violators’ lists have driven many state and non-state actors to enter into action plans with the United Nations to end violations against children. This has helped to deter political leaders and military commanders who do not want their names on the Security Council List.\textsuperscript{47}

2.8 Conclusion
Hundreds of thousands of children are being used in armed conflict all over the world. These children are forcefully recruited and used either directly as combatants or indirectly as cooks and in the doing of other menial jobs in armed conflict situations. In a bid to help resolve the issue of the use of children as soldiers in armed conflict and hence protect the rights of children the Security Council of the UN adopted a resolution which led to the inception of a list that would be used to name and shame perpetrators of grave violations against children. The list which is in the annexes of the UN Secretary-General’s annual report features armed groups and government who are in violation of the rights of children including some six triggers that would be used as a criteria for the listing process. Hence it was the use of children that necessitated the use of the list to help stop the menace.
Endnotes

2 Child Soldiers in the Ancient World.
3 Ibid.
4 Ibid.
5 Ibid.
6 Ibid.
7 Ibid, Post-War Era Child Soldiers
13 “Child Recruitment and Use, op. cit.

17 Ibid.
21 Ibid.
23 “Child Soldiers in History, op. cit.
24 “Nation and Groups Involved in Military Use of Children”, op. cit.
25 Ibid.
26 Ibid.
27 “Child Soldiers in History”, op. cit.
28 “Nation and Groups Involved in Military Use of Children, op. cit.
29 “Child Soldiers in History”, op. cit.
31 Ibid.
32 Ibid.
33 The parties underlined have been in the annexes for at least five years and are considered to be persistent perpetrators.
34 The Hidden crisis: Armed conflict and education.
36 https://childrenandarmedconflict.un.org/our-work/sg-list/


Kreiger, Heike, op. cit.

https://childrenandarmedconflict.un.org/our-work/action-plans/


Human Rights watch, p. 6.


Heike Kreiger, op. cit.

CHAPTER THREE
SUCCESES, CHALLENGES AND PROSPECTS OF THE UN SECRETARY GENERAL’S LIST OF SHAME

3.0 Introduction

With the institution of the Secretary-General’s List of Shame in 2002, it has been a useful tool in efforts at curbing violations against children in armed conflict to an extent. Perpetrators, either governments or non-state actors have been stigmatized by the listing process therefore creating pressure on parties to armed conflict to comply with international law. Over 20 governments and armed groups have signed action plans\(^1\) and taken steps to end the violations against children in order to be considered for delisting.\(^2\) Even with these efforts and seemingly glaring hope of the list being a good tool it is not without some challenges. The successes achieved with the use of the list that is to say how effective the list of shame has been in the combat of the use of child soldiers in armed conflict and also the challenges that affect the successful implementation of the list of shame by the Secretary-General is discussed further in this chapter. It is on the premise of the questions asked under the statement of the problem that this chapter seeks to provide answers regarding the effectiveness of the list, if it deters countries from committing crimes against children and also if it means anything to be on the list.

The data discussed here have been generated from relevant documents and a structured interview. The interview covered one personality who has an association with the subject area. The interview was originally intended for four interviewees, but three were unavailable as at the time the interview was to be held. The Director for the Legon Centre for Diplomacy and International Affairs was the one who was interviewed. The guide for the interview is attached as Appendix I.
3.1 Measures Taken by State and Non-State Actors

Attempts to end the recruitment of child soldiers and let go of them from armed forces and groups have become more intense in the past ten years. The UN negotiates action plans with armed parties to end the recruitment of children. Release and reintegration programmes are being enforced globally and are aimed at encouraging the process of transitioning children into civil society thereby assuming significant roles and identities as civilians. The International Labour Organisation (ILO) since its inception in 2000 have adopted a strategy to prevent the recruitment of children. This strategy seeks to focus efforts on the provision of a sustained opportunity of work for children.³

Several international groups including Child Soldiers International, War Child and the International Rescue Committee are working to do away with the use of child soldiers. This is being done through research, monitoring and advocacy and policy development as well as working with former combatants. The UN started to monitor and report on their activities on violations against children in armed conflict in 2005 when it was tasked by the Security Council. The Secretary-General in turn provides reports annually on children in armed conflict.⁴ The monitoring mechanism was put in place to guarantee the protection of children in line with international legal benchmarks.

The UN’s Optional Protocol on children in Armed Conflict, which came into force in 2002 demands that signatories raise the age of voluntary recruitment from 15 years to 18 years. The Optional Protocol was adopted and opened for signature, ratification and accession by General Assembly Resolution A/RES/54/263 of 25 May 2000 entry into force 12 February 2002.⁵ This implies that all those that appended their signatures to the Protocol shall not recruit anyone
below the age of 18 into their armed forces and also if there is any member of the force below that age then they cannot take direct part in hostilities.

IPEC has also enforced projects aimed at the economic reintegration of children formerly associated with armed groups. Through the projects, a sound approach for economic reintegration has been authenticated.6

A United Nations treaty prohibiting the use of Children in hostile situations has been sanctioned by 126 countries. The United Nations Children’s Fund (UNICEF) together with its partners are trying to rehabilitate child soldiers.7 This rehabilitation is done in UNICEF transitory care centres in the local communities. When the children get to the care centres they get a general medical check-up followed by treatment where necessary. Support is provided to get the children back into school or into vocational training or work.

Currently, there are three key regulations that interdict the use of child soldiers. These are the Optional protocol on the Involvement of Children in armed Conflict to the Convention of the Rights of the Child (February 2002), the Rome Stature of the International Criminal Court (1998) and Convention 182 of the International Labour Organisation (1999).8

The International Criminal Court was constituted in 2002 to pursue people charged with war crimes, genocide and crimes against humanity. The ICC’s first sentence was in March 2012, and it was against Thomas Lubanga the leader of an armed group in the Democratic Republic of Congo partly for using children in conflict.9 Amnesty International is calling for an end to the recruitment and use of child soldiers – their demobilization, rehabilitation and reintegration
into society. That is, their effort at helping end the menace of the use of children in armed conflict.

### 3.1.1 Relevance of the Measures Taken

A key aspect of UNICEF’s rehabilitation and reintegration efforts is to boost life skills and create economic self-sufficiency. Therefore, the United Nations release and reintegration programmes are aimed at supporting the process through which the children formerly involved in armed conflict transition into civil societies and enter purposeful roles and identities as civilians recognised by their families and their communities.

The ILO’s scheme is to preclude recruitment of children at risk. Its intent is to increase the ILO’s value added in the field of skills development and employment. IPEC’s strategy is to add to enhancing the economic element of reintegration programmes enforced by partner organisations.

The monitoring mechanism put in place by the UN is to guarantee children are shielded in accordance with international legal benchmarks. The most recent include the Optional protocol on the Convention of the Rights of the Child and the Rome Statute aforementioned. The Optional protocol sets the mark for mandatory enlisting by states and partaking in hostilities at 18 years. It also prohibits non-state armed groups from recruiting or using children under 18. The Rome Statute sets another mark by making it a war crime to draft children under 15 years or have them participate in hostilities.

The 2015 annual report of the UNSG on armed conflict and children showed a list of countries that are implementing action plans. These plans will get them off the list if fully implemented.
These included groups like the Afghan National Police in Afghanistan, The Forces armées de la Republique democratique du Congo in Democratic Republic of Congo, Tatmadaw Kyi including integrated border guard forces in Myanmar, Somali National Army in Somalia, Sudan People’s Liberation Army in South Sudan and Government Security Forces in Sudan, Government Forces in Yemen and the Moro Islamic Liberation Front in Philippines.

In 2015 also, there was a strong involvement with non-state armed groups, within or outside the peace process framework, in the Central African Republic, Colombia, Mali, Myanmar, the Philippines, Sudan and South Sudan. This led to about 8000 children being let go.\textsuperscript{14}

3.1.2 Successes of the List of Shame

The Special Representative for Children and Armed Conflict Under-Secretary-General (SRSG) Radhika Coomaraswamy was asked\textsuperscript{15} how effective the list of shame has been. In answering the question, SRSG Coomaraswamy submitted that the list is effective as a deterrent. She stated that in partnership with the ICC the Security Council uses the list to move the Security Council in a more robust manner and helps in dialogues. She further stated the cases of the Democratic Republic of Congo and Ivory Coast, who had sanctions of the Security Council imposed on them and that helped in stopping the recruitment of child soldiers. The list has served to identify thousands of child soldiers who were released because of the directed measures which could be turned against the countries which remain on the list.

There is grounds that suggests that, monitoring and identifying groups and individuals caught up in the use of child soldiers can play a part in safeguarding children. For instance, in the Central African Republic, one rebel commander demobilized child soldiers after he appeared on a monitoring and reporting mechanism list, insisting he did not know it was a crime.
Following his decision another militia\(^\text{16}\) surrendered a list that contained 174 child soldiers to the UN. In another instance, several armed groups including the Moro Islamic Liberation Front in the Philippines, the Nepalese Maoists have entered into an action plan with the UN to release minors and also armed groups named in the list have taken part in processes led by UNICEF to demobilize children.\(^\text{17}\)

In 2010, five state parties – Chad, Myanmar, Somalia, Sudan and the Democratic Republic of Congo - were a part of those listed in the annexes of the Secretary-General’s list for using child soldiers. Two out of the five with other African countries,\(^\text{18}\) signed a plight to stop the use of child soldiers and take concrete actions towards their release and reintegration. This shows that the naming and shaming creates an avenue to change behaviour.\(^\text{19}\)

The number of action plans that have been signed is significant to help assess the progress achieved so far. Since the adoption of resolution 1539, 18 action plans have been signed. This shows 18 parties have entered into dialogues or are undertaking dialogues with the UN to take action on specific commitments. This has resulted in the release of over 10000 children. Thousands have been saved and reintegrated into their communities.

The mere existence of the annexed list\(^\text{20}\) and the fact that parties are mentioned therein, helped to convince parties to enter into action plans and to comply with international standards of child rights. SRSG on Children and Armed Conflict reports that, citing the consequences of the monitoring and reporting mechanism, including targeted sanctions, could be a highly effective tool to obtain commitments.\(^\text{21}\)
3.1.3 Challenges of the List of Shame

It is easy to have some level of scepticism when the issue of the list of name and shame arises. Many violators may be incognisant of United Nations reporting systems, let alone the existence of their names on the list. An instance is when a rebel commander in the Central African Republic inactivated child soldiers after he made an appearance on the list, with the insistence that he did not know it was a crime.\textsuperscript{22} Hence the ignorance of violators of the crimes that trigger their being listed and the list is a great challenge to the successful implementation of the list of shame.

Violators like Al Qaida and the Taliban are not concerned about the systems that the United Nations have put in place.\textsuperscript{23} This is due to the fact that they are consistently listed and have done nothing to get off the list. This meaning that some states are not committed to the cause of combating the use of child soldiers. This therefore erodes the intent of the list since the violators may not enter into the time bound action plans for possible delisting and subsequent prevention of the use of children in armed conflict.

A release by the Human Rights Watch\textsuperscript{24} has stated that the UNSG should apply uniform standards when taking a decision on which countries and armed groups to list in his yearly report on grave violations against children in conflict. This will prevent the issue of including some parties for crimes committed and the exclusion of some parties for the same crimes due to pressure externally. Citing Israel as an example, they are alleged to be pressurising United Nations Officials in Jerusalem to keep the Israel Defense Forces off the UNSG’s list of shame. The Israel Defense Forces were listed because nearly twelve cases of Palestinian children were killed by them, over 1200 Palestinian children were injured, 41 incidents of damage to school structures, disruption of classes and injury to students. It is reported that Israel issued a warning
to the UN children’s agency working in Israel and Palestine not to discuss adding Israel to the list with local civil society groups, or face dire outcomes. The non-inclusion of some parties including Hamas fails the purpose of the list. The inclusion on the list should be based on some set standards by the Security Council not on politics.

Lendman believes that, the list has consistently failed the fairness test, his assertion being that, Syria’s freedom-fighting military was blacklisted when they were combating US-supported terrorists, imported from several countries. He goes on to further state that no nation needs blacklisting more than America, Turkey, Israel and Saudi Arabia.

Another challenge is the exclusion of some parties to armed conflict due to power play and funding. Lendman states that, the Saudi-led coalition was included in the list of shame for all the right reasons including killing and maiming children along with attacks on schools and hospitals and yet still the policy to have them included was reversed and that had them removed from the list due to pressure, a reason cited by the Secretary-General Ban Ki-moon. The way to end the suffering of children is to stop US wars of aggression with NATO, Israel, Saudi Arabia and other partners who have gone rogue. He suggests America and its partners should head every annual UNSG’s Name and Shame List because United States’ direct and proxy wars continue to slaughter children indiscriminately, devastating the lives of countless millions in numerous countries. It is therefore, clear from the above that interference from parties do not allow their inclusion. Hence, the dependence of the UN on countries and other entities like Saudi and America for funding also disallows the UN to list their names when they commit atrocities against people and in this case, children.
It must also be noted that, although this list has the good intentions of combating violence against children, pressures from society and some parties involved is making this objective a fiasco. For instance, citing the removal of the Saudi-led Coalition, who pressurized the Secretary-General to have their names off the list, then anyone wielding enough power and financial support can pressurize the UN for their non-inclusion in the list and will therefore defeat the purpose of the reporting on the list.

According to UN workers, the list has not been extensively used as a tool for advocacy at the field level, where the potential of the list may not be comprehended, or it may be seen as not relevant to the situation. The UN is unable to enforce sanctions on some listed parties. On whether there were any other means of sanctioning those that threaten to withdraw funding, the Director for LECIAD said all those states are member states of the UN and hence, care needs to be taken on the liberties taken, this she said was as a result of the fact that the states pay you and hence you cannot discipline the one that provides you with your finances. Naming and shaming may render some inducements to follow, with international law but it serves as a limited deterrent. Governments and armed groups continuously go against the rights of children and continue to close the gap amongst civilians and combatants because they do not foresee paying a price for their actions. Notable amongst these groups that are not in anticipation of paying for the crimes against children include Saudi Arabia, America, Turkey and Yemen. The International Criminal Court (ICC) should be the strongest source of protection of human rights in conflict affected states but its impact is not felt much. While the ICC could offer technical expertise and legal means of enforcement for the United Nations monitoring exercises, there has been no attempt systematically to foster cooperation, or to start prosecutions through the Security Council.
3.1.4 Prospects of the List of Shame

According to the SRSG Radhika Coomaraswamy, the list is not perfect and hence, it should be expanded to make measures aimed beyond the child soldier, so that all children connected one way or another to war are protected including those affected by sexual violence and abuse, intentional killing and maiming. She goes on to further state that this would help push forward the issue of accountability.

The fact that no country wants to be on the list is a point that needs not be understated. Not wanting to be on the list is the first step to putting measures in place to check against the recruitment and use of children in armed conflict. This point was further affirmed by the Director of LECIAD during the interview, where she stated that countries do not like to be on the list and hence, if there is a possibility of not showing up on it they are likely to take it. Adding to it she submitted that those who think they might fall foul of the rule will fight it so they don’t adopt it.

3.2 Conclusion

Inasmuch as countries do not like the naming and shaming it will prove an effective and beneficial tool since the countries may adopt strategies that will get them off the list. The study assumed the hypothesis that the list of shame has had a minimal effect on the fight against the use of children in armed conflict. On the basis of the findings above, it can be seen that though children are still being recruited and used in armed conflict, there have been improvement with some states signing and entering into agreements so as to get their names off the lists. They can only be delisted if they have completed the action plans given them by the UN. Hence the list of shame has had some effect on the combat of the use of children in armed conflict which by research and available documents cannot be said to be minimal.
Also countries do not like their names being on the list. This is seen by the fact that those that are listed some get into the action plans that are given by the UN in an effort to get delisted. Also some others including Saudi Arabia would use other means like pressurising the UN allegedly to get off the list.

There is also no doubt that this list comes with its own challenges that affects its successful implementation. These challenges have been discussed above in this chapter and therefore as a result can be looked at if this list can make the desired impact intended for it by the UNSG.
Endnotes

1 Action plans are another means to engage persistent perpetrators to end grave violations against children.
7 “Children After War” retrieved from stoptheuseofchildsoldiers.weebly.com/what-is-being-done-now.html
10 Ibid.
11 “Child Labour and Armed Conflict” op. cit.
12 Ibid.
14 www.childrenandarmedconflict.un.org
16 The militia in this case were the Popular Army for the restoration of the republic and Democracy and the Democratic popular Forces of Central Africa.
17 The Hidden Crisis: Armed Conflict and Education, p. 191.
18 The countries included Cameroon, Chad, the Central African Republic, the Niger, Nigeria and Sudan.
19 The Hidden Crisis;, op. cit.
20 The report of the Secretary-General has two annexes. Annex one has parties listed by name who are not on the Security Council. Annex two consists of those on the Security Council.
22 The Hidden Crisis:, op. cit.
23 Briefing by Radhika Coomaraswamy, op. cit.
26 Lendman, Stephen, op. cit.
27 The Hidden Crisis:, op. cit.
28 Ibid.
29 Ibid
30 Briefing by Radhika Coomaraswamy, op. cit.
CHAPTER FOUR
SUMMARY OF THE RESEARCH FINDINGS, CONCLUSION AND RECOMMENDATIONS

4.0 Introduction
This chapter summarises the findings of this research, draws conclusion and makes relevant recommendations.

4.1 Summary of the Research Findings
While the UN Secretary-General List of shame was born out of a need and a response to grave violations against children, it has become a tool to stop those grave violations one of which is to combat the use of children in armed conflict by state and non-state actors. So even though the list on its own may not necessarily drive actors to stop the use of children, the shame that comes with being listed in the appendices of the annual report of the UNSG and the accompanying action plan that is set out for perpetrators who find themselves on the list to implement to get their names off the list in some sense could help deter other parties from engaging children in armed conflict. Also efforts of international groups such as the Childs Right International and other protocols put in place are working to see to the end of the use of children as soldiers in armed conflict.

This list provides some checks for parties to armed conflicts who would naturally engage children due to their vulnerable nature and the ease to make them one of their own. The list has been resourceful in combating the use of child soldiers and to increase the effectiveness further adjustments to the list or its action plans or its sanctions can be done to further deter others from engaging children.
4.2 Conclusion
The list has been an effective tool in combating the use of children although it comes with controversies such as not naming some parties that use children in armed conflict or engage in violations against children which is a trigger for listing. The phenomenon of using children in armed conflict either as combatants or otherwise is not going to go extinct as some parties would be headstrong therefore the responsibility falls on the United Nations and the Security Council to intensify efforts aimed at stopping the use of children not only on states that are willing to comply with their directives but also on all alleged groups and governments that are not being listed for lack of evidence or political will.

4.3 Recommendations based on my findings
There is an indication that the list could yield more results if extensively used without fear or favour. One such indication is the call for a delisting by parties that see the shame in being listed for example, Saudi Arabia. It is therefore necessary that the UN remains independent of all countries and manages its own affairs without interference from the so-called super powers of the world so that they too if caught in such acts they would be listed and shamed just like any other.

The following recommendations, it is expected, could help in effectively using the list to combat the use of child soldiers:

- Stricter sanctions should be meted out to parties that get listed to deter others from getting on the list. Minimally, the UN Security Council should impose strict bans on the arms supply or any military assistance to any party recruiting or using child soldiers for as long as the recruitment and use goes on. Also, measures like financial and travel restrictions on leaders of these armed groups as well as governments and excluding them from any structures of governance or provisions of amnesty.
• There should be more information on the list put out there to serve as a source of knowledge for all countries under the UN so that those that are listed take immediate steps to get delisted and those that are not continue to stay off the list. Also to better disseminate information on the list, the UN must make sure that all those listed are notified officially of the fact that they are on the list so that the appropriate action can be taken.

• There should be further studies into the area to identify how the list could be better used to deter parties to armed conflict and the effective use of the list as a tool for monitoring and evaluation. From the interview that was conducted it was clear that there was no interest on the subject matter. Hence, more research should go into this area to better inform all member states that are under the UN and then to make the list yield more results by tailoring actions and sanctions to fit listed parties.

• States involved could also be fined huge sums to cater for the reintegration of the victims. Failure to comply may result in such states forfeiting the benefits that come with the membership of UN. This action would deter less privilege states from such acts since they would not be able to pay such huge sums. In addition, states should be made responsible for no-state armed groups in their states who perpetuate such acts, this will ensure that states eliminate the total existence of such armed groups in their domain.
BIBLIOGRAPHY

A. Books


B. Journal Articles


C. Documents/Reports/Papers


Martz, Erin. Rehabilitation after War and Conflict: Community and Individual Perspectives. Springer science and Business Media 2010


The Hidden Crisis: Armed Conflict and Education

D. Primary Sources

An interview with the Director of Legon Centre for International Affairs and Diplomacy (LECIAD), Professor Henrietta Mensah Bonsu.

E. Internet sources


Child Soldiers in History”. Gale Student Resources in Context, Gale, 2013. Student Resources in Context,
Children After War” retrieved from stoptheuseofchildsoldiers.weebly.com/what-is-being-done-now.html


Lendman Stephen Children's Rights: The “UNSG’s Name and Shame List” a Sham accessed from http://www.globalresearch.ca/childrens-rights-the-un-list-of-shame-a-sham/5530347 viewed on 19th October 2017


APPENDIX

INTERVIEW GUIDE

1. What do you know about the UN Secretary-General’s list of shame?

2. Do you think the list has been effective in combating the use of child soldiers in armed conflict?

3. Do you know of any challenge that the UN faces in enforcing the implementation of the list of shame?

4. Do you know of any challenge that affected states face in implementing the Action Plan?

5. What policies have been put in place by non-affected states to ensure that they get off the list?

6. What national policies have been put in place by non-affected states to avoid getting on the list?

7. Is there any effect of the name and shame list on the affected states? Both Positive and negative?

8. In your opinion do you think the list of shame is an appropriate measure in combating the use of child soldiers in armed conflict?

9. Would you suggest a different strategy for combating the use of child soldiers in armed conflict? If yes, what would you suggest? If No, Why?

10. Would you say the name and shame list is fairly applied irrespective of the state involved?