

AMNESTY INTERNATIONAL PUBLIC APPEAL

Democratic Republic of Congo (DRC)

Still under the gun: More child soldiers recruited

Armed groups in eastern DRC are still recruiting and using children as soldiers nearly 18 months' after the conclusion of a national peace agreement and almost one year after the inauguration of a new transitional power-sharing government.

Despite promises that the creation of a new integrated national army would end this abuse, little real progress has been made. The slow pace of reform of the army, and growing tensions in the east of the country between the different armed groups as they await integration, are contributing to continued insecurity and recruitment of children.

Some of the recruitments are linked to payments being made by the new DRC government to combatant forces. Commanders are enrolling new recruits – mainly children – to boost this payment. The continued use of child soldiers is also linked to rumours of a possible renewal of conflict.

Jim¹, aged 13, was one of those recently recruited. In February 2004 the commander of one of the armed bands operating in South-Kivu province convinced him to enrol on the promise of a government payment. Two weeks later he received 5,000 Congolese francs (FC) – around \$11 US. From this he was forced to give his commander 3,000 FC. He kept 1,000 for himself and gave the remainder to his mother.

A few days later, the commander handed Jim an assault rifle. The weapon was too big for the boy and he struggled with the rifle as the commander tried to show him how to use it. As he fumbled, the rifle went off, wounding Jim in his right arm.

Bleeding badly, Jim managed to walk to a hospital, where the doctors decided his arm

would have to be amputated. The operation lasted six hours, and Jim spent a further five weeks recovering in hospital. He is now at home with his family and receiving some assistance from a local human rights organization. But given current conditions in the DRC, Jim is unlikely to receive longer-term medical, social or economic support.

In the DRC, tens of thousands of Congolese children, girls as well as boys, some younger than 10 years of age, have been recruited to armed service. Some children have enlisted voluntarily, but many are forcibly recruited, including by being abducted. Throughout their military service, the children are subjected to beatings and rapes, and are forced into combat and to commit serious human rights abuses². Many children are also used as domestic or sexual slaves by the armed groups.

Working together, local human rights organizations, specialist child protection officers from the UN peacekeeping force to the DRC, MONUC, and international humanitarian NGOs have been making good progress against the use of child soldiers. By patiently negotiating with the armed groups, they have freed many children. The children are then cared for in transit centres before being returned to their families where possible. They have also worked with local communities and authorities to try to prevent further recruitment.

However, thousands of children are still believed to be held by armed groups in eastern DRC, and many commanders are proving reluctant to release them. The DRC government has not shown the political will and energy to tackle this abuse at the national level. Not even basic steps have been taken.

¹ All the names in this appeal have been changed to protect the children's identities.

² For further details please see Amnesty International's report, *DRC: Children at war* (AI Index: AFR 62/034/2003, September 2003).

The government has not, for example, ordered the release of children from armed forces designated to become part of the integrated army.

Integration of the army – an essential reform

In June 2003 a transitional government came to office in the DRC. Power in the government is shared between the former administration and most of the armed groups that have been warring over the DRC since 1998. The conflict has been marked by mass human rights abuses and is estimated to have cost the lives of over three million people.

The new government is supposed to create an environment of greater peace and security, implement reconstruction and reform, and lead the country to elections in June 2005³. To date, however, it has achieved relatively little. The UN, EU and some donor governments have recently criticized the slow pace of reform.

One fundamental reform is the creation of a unified DRC national army and the disarmament, demobilization and reintegration (DDR) into civilian life of tens of thousands of unneeded combatants. Without this, the DRC is unlikely to see the improvement in security essential if progress is to be made in other areas.

Accomplishing this task, and accomplishing it well, should be a major priority of the government and the international community. However, no national plan for reform and DDR has yet been published and only limited progress has been made. New regional military commanders drawn from the different forces have been appointed, and a national planning and coordination body established. But the vast majority of the military forces remain in their positions, unintegrated, and still exercising control over large areas of the country that in reality escape the authority of central government.

Releasing child soldiers from the armed groups should not be dependent on reform of the army. In reality, however, local commanders are reluctant to release child combatants as long as the integration of the army remains stalled and further conflict is possible.

Payments encourage fresh child recruitments

In early 2004 the government began to issue payments to the armed groups. This single payment - known as a "prime" or allowance - is

made by a military pay commission which travels from the capital, Kinshasa, to the provinces. The total amount to be given to each unit is based on troop numbers provided by unit commanders. The soldiers in each location then present themselves to the commission for payment. Each soldier typically receives around \$12 US.

However, neither the government nor the pay commission have taken any action to counter fraud. In fact, many commanders have given a vastly inflated figure for the number of troops under their command. As the pay commission began its visits, the commanders enlisted fresh recruits to meet these figures. Most were children. The pay commission made no attempt to verify the ages of those presenting themselves or their length of service in the unit.

A NGO worker told Amnesty International during its visit to eastern DRC in March 2004, that:

From the moment people knew the soldiers of the new army would be paid, the groups undertook massive recruitment, including of children, to increase the pay lists they would present when the commission arrived. They also prevented children still in their ranks from being demobilized, despite the efforts of the NGOs and UN. The pay commission did not look in any detail at the complement ("effectif") of troops, and disregarded the fact that many children were recruited recently or re-recruited to allow military commanders to justify their pay lists.

Amnesty International urges that visits to military units by the pay commission be undertaken in collaboration with MONUC Child Protection advisers, allowing MONUC officers to identify child soldiers and initiate their release from the armed force.

Commanders or armed groups are also reportedly recruiting children in the hope of improving their rank in the new national army: to attain the rank of colonel, for example, reportedly requires a contingent of at least 1,200 combatants.

Demobilized children still acutely vulnerable

Children who have previously served with the armed groups are valued by commanders because they are already trained and often battle-hardened. In many cases they find it difficult to readjust to civilian life and remain

³ For further details, see Amnesty International's report, "DRC: Addressing the present and building a future" AI Index: AFR 62/050/2003, November 2003.

vulnerable to the overtures of their former commanders and comrades.

As part of this recent wave of recruitment, former child soldiers who were being assisted by local NGOs in eastern DRC were forcibly re-recruited. In one case, a boy who had been freed five months' earlier was retaken by the armed group. After tearing up his demobilization certificate, the soldiers whipped the boy severely, accusing him of "desertion." In other cases, parents who tried to prevent the abduction of their children were threatened or beaten.

Other children have been tempted to return voluntarily to the armed groups by the prospect of receiving the "prime".

Rosy is 14 years' old. She was recruited by an armed group when she was 11. Her experiences were of a kind that no child should have to endure. She survived battles in which her friends, including other girl children, were killed, and at night she was raped by her commanders. She fell pregnant from one of these rapes and gave birth in the forest. But after eight months the baby boy fell ill. With no treatment other than "traditional" medicines concocted from herbs and leaves, the baby died.

Afterwards, Rosy fled to the shelter of a local child rights' organization, which helped her return to her family and civilian life. But the grinding poverty faced by most Congolese is such that, despite her harrowing experiences Rosy still contemplates a return to the armed group. She told Amnesty International:

"I can say that life in the army was terrible; I was forced to do things I should have not done. Now I am back with my family, but it is difficult to survive, and when I heard that the others in the army were going to be paid, I wondered if I should not join up again, so I could get some money to buy food or clothes. The army is terrible but, on the other hand, here I have nothing."

The risk of re-recruitment is also linked to the fact that children who have been released are not uniformly provided with official release papers ("*attestations de sortie*"). At present there is no clarity about which authorities should be responsible for issuing and authorising these papers.

Genuine peace still lacking

The political situation in the DRC is still extremely fragile. Within the government there

appears to be little true spirit of cooperation or unity of purpose and factionalism is rising.

There is still sporadic conflict in many areas of eastern DRC and armed groups continue to commit appalling abuses against Congolese civilians, including killings, rapes and torture. The loyalty to the new government of military commanders and local political leaders remains doubtful. In March and again in May, in Bukavu, the capital of South-Kivu province, soldiers mutinied against central authority: human rights abuses against civilians were committed, including unlawful killings, rapes and beatings.

Neighbouring countries, notably Rwanda and Uganda, remain deeply implicated in the turmoil in eastern DRC. Both countries withdrew the bulk of their forces from DRC in late 2002, but have maintained their links with and support for client armed groups in the country. In May the Rwandan government threatened to re-enter DRC in force.

With continuing heightened tension in the region, a return to more widespread conflict is possible. In this context commanders are reluctant to release child soldiers - who often make up a large proportion of their forces - and are continuing to recruit children.

The way forward

To date the DRC's political and military authorities have not given clear material or political support to these children, either in securing their release from military units or providing them with the support they need to return to civilian life and their childhoods.

The government, the regional military commands and unit commanders need to address this large-scale human rights abuse with urgent measures. These immediate steps need also to be complemented, in the longer-term, by new education and employment opportunities for former child soldiers. These children will face many challenges in their attempt to reintegrate themselves into civilian lives. Many of the children are girls who, like Rosy, also face special needs associated with the sexual violence they suffered.

To facilitate the reintegration of former child soldiers, schools should be rehabilitated as quickly as possible in the areas affected by the conflict, and teachers trained and recruited. Awareness campaigns should also be undertaken to avoid the stigmatisation of children who have been soldiers, and to support their integration - with care and compassion - into their home or host communities.

HELP US TO END THE RECRUITMENT AND USE OF CHILD SOLDIERS IN THE DRC:

Write to:

DRC President and Supreme Commander of the Armed Forces

Major-General Joseph KABILA
Président de la République
Présidence de la République
Palais de la Nation
Kinshasa-Ngaliema
République Démocratique du Congo

DRC Vice-President and Head of Political, Defence and Security Commission

Azarias RUBERWA MANYWA
Vice-Président de la République
Présidence de la République
Le Cabinet du Vice-Président
Kinshasa-Ngaliema
République Démocratique du Congo

DRC Minister of Defence

Jean-Pierre ONDEKANE
Ministre de la Défense nationale,
Démobilisation et Anciens Combattants
Ministère de la Défense nationale
Kinshasa-Gombe
République Démocratique du Congo

Committee for the Planning and Coordination of Disarmament, Demobilization and Reintegration (DDR)

Comité Technique de Planification et de
Coordination de DDR (CTPC/DDR)
e-mail: ctpc-ddr@minister.com

and to these armed groups :

MLC (Mouvement de libération du Congo)

e-mail : MLCongo@compuserve.com

RCD-Goma (Rassemblement congolais pour la démocratie – Goma)

e-mail: deskinfordc@yahoo.fr

Mayi-mayi:

e-mail: maimai@congo-mai-mai.net

appeal for:

o An immediate government order, made public, to all regional military commands and to each unit within these commands that the recruitment of children aged under 18 must stop;

o An immediate government order, made public, to all regional military commands and military units to cooperate with MONUC in the identification and release of serving child soldiers, and to allow MONUC full access to all military units and sites ;

o Visits to military units by the government pay commission to be made with MONUC Child Protection officers, allowing MONUC to identify child soldiers and initiate their release;

o A clear process to be put in place immediately for issuing children with official release papers;

o The prompt publication of a coherent plan for the integration of the new army, and the disarmament, demobilization and reintegration of combatants, prominent in which should be:

- A clear undertaking that no children under 18 will be included in the new integrated army;
- A clear undertaking that commanders who fail to engage genuinely in the release of child soldiers will be excluded from positions in the new army.

o Priority to be given to the establishment of reintegration programs for former child soldiers, including prioritizing the rehabilitation of the education system in eastern DRC.

Please also write to your own Minister of Foreign Affairs, calling on your government and the international community to prioritize the issue of child soldiers in their relations with the DRC government, and to ensure that reintegration programs for former child soldiers are supported in international material and financial assistance to the DRC.

More information on child soldiers and the human rights situation in the DRC can be obtained on Amnesty International's website:
<http://web.amnesty.org>

