AFRICAN CONFERENCE ON THE USE OF CHILDREN AS SOLDIERS

Maputo Declaration on the Use of Children as Soldiers

Participants in the African Conference on the Use of Children as Soldiers, held in Maputo, Mozambique, from 19-22 April 1999;

Appalled that more than 300,000 children under 18 years of age are currently participating in armed conflicts worldwide;

Acknowledging that poverty, injustice, displacement, lack of access to education, the proliferation of small arms and other factors contribute to the recruitment of children as soldiers;

Recognising the need to include children in building peace and reconciliation;

Welcoming and supporting the work of the Special Representative of the Secretary-General for Children and Armed Conflict to prohibit the recruitment and use of children in armed conflict;


Mindful that the African Charter on the Rights and Welfare of the Child prohibits the recruitment and use as soldiers of children under 18 years of age;

Welcoming the fact that the national legislation of the overwhelming majority of African States sets 18 years as the minimum age for military recruitment;

Welcoming the adoption of the Statute of the International Criminal Court that makes the conscripting or enlisting of children under the age of 15 years or using them to participate actively in hostilities a war crime, both in international and internal armed conflict and whether by armed forces or armed groups, while regretting that the age specified was not 18 years;

Alarmed that despite these standards African children, girls as well as boys, are currently taking part in armed conflicts across the continent in both governmental armed forces, including militia, and armed opposition groups, and are often subject to abuse or misuse as military "wives" or labourers, and that in many cases these include children under 15 years of age;

Determined to put an end to the use of children as soldiers;
1) Solemnly declare that the use of any child under 18 years of age by any armed force or armed group is wholly unacceptable, even where that child claims or is claimed to be a volunteer.

2) Call upon all African States to promote an environment that favours the safe and healthy development of children and to take all necessary measures to ensure that no child under 18 years of age takes part in armed conflict, in particular by:

- ending the recruitment of all children under 18 years of age into the armed forces and ensuring that measures are in place to prevent re-recruitment;
- establishing thorough recruitment procedures in particular for determining age;
- ensuring that birth registration is systematised and that identity documents are provided to children, and that in the absence of age documentation, the armed forces require sworn affidavits from parents or community elders that a recruit is 18 years or older;
- demobilising into safety all children, girls as well as boys, currently serving in the armed forces;
- ensuring the physical and psycho-social rehabilitation and effective reintegration into society of demobilised child soldiers;
- refraining from conscripting demobilised child soldiers;
- prohibiting the recruitment of all children into militia forces under their jurisdiction;
- bringing to justice those who continue to recruit or use children as soldiers;
- ensuring that children enrolled into military schools are not members of the armed forces and are treated in full accord with international and regional human rights law, in particular the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child;
- ratifying without delay the African Charter on the Rights and Welfare of the Child and the Statute of the International Criminal Court, to ensure their entry into force as soon as possible.

3) Condemn the use of children as soldiers by armed opposition groups and call upon these groups to end the recruitment of children and to demobilise or release into safety children already being used as soldiers.

4) Call upon African States to use their influence to bring pressure to bear on any government or armed opposition group which recruits or uses children as soldiers by refraining from providing them, whether directly or indirectly, with arms, military equipment, training or personnel.

5) Call upon African States to respect fully the provisions of international human rights and humanitarian law, in particular in the case of captured child soldiers, especially by:

- considering the broadest possible amnesty;
- recognising the need for justice and reconciliation and the importance of rehabilitation and reintegration; and
ensuring that neither the death penalty nor life imprisonment without possibility of release is imposed for offences committed by persons below 18 years of age and that child participants in armed opposition groups are not charged with or convicted of treason.

6) Call upon African States to refrain from providing sanctuary to any armed opposition group recruiting or using children as soldiers.

7) Call upon African States actively to support:

- the adoption of an Optional Protocol to the Convention on the Rights of the Child setting 18 years as the minimum age for all military recruitment and participation in hostilities; and
- the inclusion in the ILO Convention on the Worst Forms of Child Labour of a specific provision prohibiting the use of children as soldiers.

8) Call upon the Organization of African Unity to reinforce its action to promote an end to the use of children as soldiers across the continent, in particular by:

- requesting the Secretary General to submit an annual report on the use of children as soldiers;
- intensifying its efforts to ensure the early entry into force of, and adherence to, the African Charter on the Rights and Welfare of the Child; and
- ensuring that the issue of child soldiers is taken up on a systematic basis at relevant OAU meetings.

9) Call upon all governments, including those outside Africa, to provide adequate assistance to ensure the implementation of the above aims, in particular by providing resources for alternatives to children induced by circumstance to volunteer to join armed forces or armed groups, and for facilitating the demobilisation, rehabilitation and reintegration of child soldiers.

10) Call upon governments outside Africa to use their influence to bring pressure to bear on any government or armed opposition group which recruits or uses children as soldiers by refraining from providing them, whether directly or indirectly, with arms, military equipment, training or personnel.

11) Call upon the United Nations system to provide adequate assistance to ensure the implementation of the above aims, in particular by providing resources for alternatives to children induced by circumstance to volunteer to join armed forces or armed groups, and for facilitating the demobilisation, rehabilitation and reintegration of child soldiers, and call upon in particular the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund, the Office of the High Commissioner for Refugees, and the Office of the High Commissioner for Human Rights to intensify their efforts to ensure an end to the use of children as soldiers.

12) Call upon non-governmental organisations, in particular African NGOs, to work for the implementation of this Declaration and to disseminate it broadly.
13) Call upon African and international media to support efforts to end the use of children as soldiers, bearing in mind the imperative need to protect individual children from stigmatisation and to preserve their dignity, safety and self-respect.

14) Request the Government of Mozambique to present this Declaration to the 1999 Summit of the Organization of African Unity and to request the OAU Secretariat to disseminate the Declaration to all African Foreign Ministries.

15) Express their warm appreciation to the Government of Mozambique for hosting this Conference.

Adopted in Maputo, Mozambique, on 22 April 1999.