

Prepared by:

**Ozong Agborsangaya
Creative Associates International, Inc.**

**Policy Dialogue to Advance the
Process of Child Soldier
Demobilization**

**Final Report for Task Order, Educational
Assessment: Demobilization of Child
Soldiers in the Democratic Republic of
Congo**

**The Basic Education and Policy Support
(BEPS) Activity
Contract No. HNE-I-00-00-00038-00
Task Order No. 01**

Prepared for:

**The Global Bureau
Human Capacity Development Center
US Agency for International Development**

August 2000



CREATIVE ASSOCIATES INTERNATIONAL, INC
5301 Wisconsin Avenue, NW Suite 700
Washington, DC 20015

EXECUTIVE SUMMARY

The purpose of this activity was twofold: to assist the Democratic Republic of Congo (DRC), a crisis country in a situation of armed conflict, in formulating national policy to demobilize and reintegrate child soldiers, and to assess the educational needs of demobilized child soldiers. This activity contributed to moving the government forward, to issue a decree for a national policy that prohibits child soldiers. Stakeholder meetings launched a dialogue process between NGOs, government and donor partners, and civil society groups. The information gathered from interviews resulted in recommendations for programs to ensure that demobilized child soldiers, in particular, and children in crisis situations of armed conflict, in general, have access to education and special services. Nevertheless, the challenges of demobilization efforts in a situation of ongoing armed conflict are salient.

Recommended strategies include government oversight, through close collaboration between the Ministries of Human Rights and Defense, to establish an institutional structure that can implement and coordinate the demobilization process and set up monitoring mechanisms to prevent child soldier recruitment. Feasibility studies are needed to identify specific needs and strategies for rehabilitating and educating child soldiers (e.g., psychosocial profiling, vocational training), and assess the economic needs of families and communities at risk of having their children recruited as soldiers.

Child soldier demobilization efforts in the DRC face a set of challenges. The DRC is still at war, and the military establishment views child soldiers as valuable assets to the Congolese Armed Forces and heroes. Since the outbreak of civil war in 1996, both government forces and various armed rebel groups have recruited child soldiers. An overwhelming majority of children were forcibly removed from their classrooms and neighborhoods, and transported to training camps. As a result of deteriorating economic conditions, some children voluntarily join the Congolese Armed Forces. The high compensation offered to child soldiers has become a ticket to escape poverty. Some parents actually encourage their children to enlist, because the \$100/month a child soldier can earn provides a significant source of household income that enables parents to feed the rest of the family. For this reason, strategies to demobilize children also need to provide alternative income-generating opportunities for vulnerable families, to prevent demobilized child soldiers from turning out in the streets, involved in crime or drawn back into armed conflict.

Although the government reports that recruitment of minors into the army has ended, enforcement capacity is weak. An institutional structure is needed to oversee and coordinate the reintegration and demobilization processes. Civil society organizations can play a crucial role in monitoring these processes. The Minister of Human Rights' advocacy campaign resulted in the political will to take action. But no peace treaty to date has formally recognized child soldiers. Consequently, demobilization program design may not fully take into account the special needs of children and youth. Although opportunities exist for child soldiers to resume their education, government schools deny access to many children because they cannot pay the tuition. In addition to education, child soldiers who return to civilian society require psychosocial services because they are traumatized by the violence of warfare.

Interviews and meetings with thirty key stakeholders provided the information used to assess the various educational needs of demobilized child soldiers and evaluate the existing institutional capacity for demobilizing child soldiers and monitoring child soldier recruitment. These interviews and meetings focused on identifying the barriers to family and community participation in the social reintegration process and to child soldier demobilization, and on exploring formal and non-formal education opportunities. International agency capacities for child soldier demobilization were also assessed.

CONTENTS

EXECUTIVE SUMMARY	ii
CONTENTS	iv
I. INTRODUCTION	1
Purpose	1
USAID Strategic Objectives	1
Basic Education and Policy Support (BEPS) Statement of Purpose	2
II. BACKGROUND	3
Armed Conflicts in the Democratic Republic of Congo	3
Current Situation in the Democratic Republic of the Congo	4
III. TECHNICAL TASKS, METHODS, SCHEDULE, AND RESULTS	7
Specific Technical Tasks	7
Activities	7
Schedule	8
Results	9
III. FINDINGS AND LESSONS LEARNED	10
General Lessons Learned	10
Findings by Tasks	10
IV. RECOMMENDATIONS	13
Follow-up Actions for the Next Stage	13
Long-term Recommendations	14
V. CONCLUSIONS	16
APPENDICES	17
Appendix A: Proposal for BEPS	18
Appendix B: List of Interviewees and Meetings	21
Appendix C: Official Journal of the Democratic Republic of the Congo Decree of Law No. 066, June 9, 2000 for the Demobilization and Reintegration of Vulnerable Groups, Particularly Child Soldiers	22

I. INTRODUCTION

The Democratic Republic of Congo (DRC) is one of the countries where children are most acutely affected by armed conflict and vulnerable to child soldiering. This policy dialogue and needs assessment was carried out in a crisis country of armed conflict to increase the government's capacity to provide the types of basic education, special services and training that demobilized child soldiers need. In April, 2000, the DRC government requested technical assistance to formulate a policy to demobilize and reintegrate child soldiers. The technical assistance consisted of: collecting essential background information; initiating a dialogue process between key stakeholders; assessing institutional capacities to oversee the demobilization and rehabilitation of child soldiers; and identifying opportunities and barriers to education for demobilized child soldiers. The results provide a basis for strategic advice to design and implement rehabilitative programs for child soldiers, their families and communities (see Scope of Work in Attachment A).

PURPOSE

The purpose of this activity was twofold: to assist the Democratic Republic of Congo (DRC), a crisis country in a situation of armed conflict, in formulating national policy to demobilize and reintegrate child soldiers, and to assess the educational needs of demobilized child soldiers (see Appendix A for full Scope of Work). In addition, the fieldwork was to assess opportunities in formal and non-formal education for demobilized child soldiers, for family and community participation in the process of reintegrating child soldiers into civilian life, and identify barriers to implementing child soldier demobilization. The assessment findings were to be used to recommend measures to prevent further recruitment of child soldiers and pilot program strategies, to ensure that child soldiers in crisis country situations of armed conflict, in general, have access to educational, vocational, and other services when they are demobilized, and to prevent child soldier recruitment. When the technical assistance was fielded, however, the DRC government had not yet moved beyond a conceptual stage to address child soldier demobilization and was not ready to actually implement child soldier demobilization. Consequently, two tasks in the initial Scope of Work did not prove to be appropriate for implementation at that stage. These tasks were the assessment of the specific education needs of demobilized child soldiers, to ensure successful reintegration, and recommendations for potential pilot programs to respond to these educational needs. Nevertheless, this assignment resulted in laying preliminary groundwork for their completion at a later stage.

USAID STRATEGIC OBJECTIVES

This activity supports USAID/Congo's Democracy and Governance Strategic Objective, to promote good governance and rule of law, with emphasis on multi-stakeholder problem-solving, by strengthening institutions and improving human rights. This activity also supports the broader USAID agency goal, "Human capacity built through education and training," and fulfills one of the particular mandates of the BEPS Activity, to provide educational assistance

that integrates public policy analysis with dialogue, advocacy, and political awareness to countries in crisis or traumatized situations.

BASIC EDUCATION AND POLICY SUPPORT (BEPS) STATEMENT OF PURPOSE

The Basic Education and Policy Support Activity (BEPS), is a five-year, worldwide initiative funded by USAID's Center for Human Capacity Development, to improve the quality, effectiveness, and access to formal and nonformal basic education, through short- and long-term assistance to USAID Missions, Regional, and Global Bureaus. To provide educational assistance to countries in crisis and/or traumatized situations, the BEPS Activity is premised on the importance of integrating public policy analysis with dialogue, advocacy, and political awareness. Educational support for countries in crisis is intended to satisfy both pedagogical needs, and additionally, facilitate the restoration of harmony, progress, and sense of community.

BEPS technical support covers four main areas: basic education; education and policy reform; restorative and additive educational work in crisis, USAID presence and non-presence countries; and education to combat abusive child labor. Technical services include policy appraisals and assessments, policy dialogue, training and institutional strengthening; pilot project design and implementation; feasibility studies, applied research studies, seminars/workshops, and evaluations. The BEPS Activity also consists of compiling and disseminating results, lessons learned, and other information through electronic networks, training workshops, national conferences, quarterly and annual reports, and publications.

The purpose of this field work was to assist the Democratic Republic of Congo (DRC) in formulating national policy to demobilize and reintegrate child soldiers, assess the educational needs of demobilized child soldiers, and lead a process of policy dialogue to implement policy prohibiting of child soldier recruitment. The institutional capacities of the government to oversee child soldier demobilization and of international agencies to demobilize child soldiers were assessed. Barriers to formal and non-formal education opportunities for demobilized child soldiers were identified.

II. BACKGROUND

An effective plan to end child soldier recruitment requires understanding the war's complexity and the diversity of armed groups involved. For this reason, a brief review of the ongoing armed conflicts in the Democratic Republic of the Congo, current challenges to child soldier demobilization, and factors contributing to child soldier recruitment follows.

ARMED CONFLICTS IN THE DEMOCRATIC REPUBLIC OF CONGO.

Since 1996, the various conflicts in the DRC have been characterized by widespread recruitment of child soldiers by the Congolese government forces, rebel groups and militias, such as the Mai-Mai. There is also strong evidence that foreign troops allied to Kabila's forces and rebel movements have recruited minors. In 1996 and 1997, under the ruse of an internal rebellion, a regional alliance, composed of Rwanda, Uganda, Angola, Burundi and Eritrea, successfully removed President Mobutu of then Zaire, and replaced him with current President Laurent Kabila. Mobutu's 30-year dictatorship left a legacy of economic disarray, infrastructural breakdown, diminished standards of living, ethical decay and an imminent implosion. Although child soldiers predated these recent conflicts, most child soldier recruitment occurred during this initial war, which the Congolese refer to as the "War of Liberation."

Since August 2, 1998, a second conflict has pitted former allies against each other. On one side, rebel groups backed primarily by Rwanda, Uganda and Burundi sought to overthrow Kabila, On the other side, Zimbabwe, Angola and Namibia intervened to protect DRC's sovereignty and Kabila's government. Other countries such as Chad were also briefly involved in favor of President Kabila's government. At the outbreak of this second war, the shortage of manpower further compelled the recruitment of child soldiers.

In this second, ongoing war, rebel forces accuse President Kabila of turning out to be another dictator promoting regional instability through his support for the guerrilla forces opposed to the governments of his former allies, including the Rwandan *génocidaires*. Kabila has resisted the rebel movement with the support of his reconfigured group of allies, and accuses Rwanda and Uganda of aggression against Congolese territory in order to gain control over the DRC's natural resources, particularly diamonds and gold.

Armed groups from outside the DRC are engaged in waging no fewer than seven separate wars concurrently on Congolese territory. In addition to the conflict of Congolese rebels challenging Kabila's leadership, there are wars: between Rwanda and the former Rwandan Army (ex-Far) and *Interahamwe* militia; between Uganda and its own rebels and Sudan; between Angola and UNITA rebels; between the Burundian Government and the Forces Démocratiques rebels; between Congo-Brazzaville and militias backing Lissouba, the deposed former President; and, most recently, between Uganda and Rwanda. All these armed groups are known to recruit Congolese children.

CURRENT SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Social, Economic, and Political Challenges

Amidst several ongoing armed conflicts, the policy to demobilize child soldiers is being promoted in a country that suffers already from dismal social and economic development indicators. The conflicts have exacerbated the precarious socio-economic situation in the Democratic Republic of the Congo. With annual inflation rate at 335% in 1999 (projected at 1,200% for 2000) and crises over salary, fuel and imports, the situation for the masses is worsening daily. According to the Federation for Congolese Enterprises (FCE), 70 out of 315 businesses have gone bankrupt in the past year with many more businesses expected to follow. Humanitarian sources confirm that there are about 1.3 million internally displaced persons (IDPs). Even more disturbing, a comprehensive mortality study released by the International Rescue Committee (IRC) suggests that since August 1998, there have been at least 1.7 million deaths in war-affected areas, over and above the 600,000 that would normally be expected. The overwhelming majority of these additional deaths are attributable to preventable diseases, such as cholera and malnutrition.

In addition, the rise of prostitution, particularly in Kinshasa, has serious implications for public health. Within Kinshasa, anxiety and mistrust prevail. During this field visit, four Ministers and the president of a leading non-governmental umbrella organization, Conseil National des ONG de Développement du Congo (CNONGD), were detained on a variety of obscure charges. Rebels have reportedly been infiltrating the outskirts of Kinshasa—Masina and N'djili airport.

Despite these challenges, a vibrant civil society is taking shape. Although the many proliferating NGOs and umbrella organizations have a key role to play, they are no substitute for a committed government partner with the capacity to implement an agreed-upon program.

Child Soldier Recruitment and Demobilization in the DRC

Demobilizing child soldiers in the DRC faces a set of challenges. The DRC is still at war, and the military establishment views child soldiers as valuable assets to the Congolese Armed Forces and heroes. Congolese child soldiers or “Kadogos” are considered heroes of the so-called 1996 War of Liberation, and are credited for the capture of Kinshasa and the ultimate fall of Mobutu. Although the Government reports that recruitment of minors into the army has ended, enforcement capacity is weak. An institutional structure is needed to oversee and coordinate the reintegration and demobilization processes. Civil society organizations can play a crucial role in monitoring these processes.

In the DRC since the outbreak of civil war in 1996, both government forces and various armed rebel groups have recruited child soldiers. An overwhelming majority of children were forcibly removed from their classrooms and neighborhoods, and transported to training camps. As a result of deteriorating economic conditions, some children voluntarily join the

Congolese Armed Forces. The high compensation offered to child soldiers has become a ticket to escape poverty. Some parents actually encourage their children to enlist, because the \$100/month a child soldier can earn provides a significant source of household income that enables parents to feed the rest of the family. For this reason, strategies to demobilize child soldiers also need to provide alternative income-generating opportunities for vulnerable families, to prevent demobilized child soldiers from turning out in the streets, involved in crime or drawn back into armed conflict.

No reliable statistics are available to specify the number of child soldiers in the DRC. But the total number is estimated to be between 10,000–15,000. UNICEF's estimated figure of 12,000 child soldiers is an educated guess, based on information gathered during an immunization campaign at the military camps. Civil society groups and discussions with child soldiers suggest much higher figures.

From its onset, the first civil war in 1996 encouraged the recruitment of children and targeted the most vulnerable and disenfranchised. The majority of child soldiers were recruited from the Kivu provinces in 1996. They were among the children who walked 100km a day, from the east, to capture Kinshasa. Most child soldiers report having been forcibly recruited. Some of the child soldiers interviewed shared consistent stories of armed individuals who snatched young boys out of classrooms and transported them to training camps, such as Camp Rumangabo or Camp Kidote. Other children have reported being picked up while playing in their neighborhoods. The training camps were temporary homes for thousands of other child recruits who underwent military training and indoctrination for a period of three months.

Noteworthy, however, is the finding that some children join the Congolese Armed Forces (FAC) voluntarily. The handsome compensation offered by the FAC has become a ticket to escape poverty and the deteriorating economic and social conditions in which they live. In a context where 68% of the population does not have enough food to survive, some child soldiers believe that the armed group will offer them food security. Parents interviewed mentioned that child soldiers were earning \$100 a month. By contrast, an adult with a college education usually earns only 10% of that amount (\$10). Some parents actually encourage their children to enlist and consequently, do not favor the government's demobilization initiative. Without the extra income their children bring in as soldiers, parents are unable to adequately provide for their children's needs. In some cases, the children have become the family breadwinners. For this reason, strategies to demobilize children also need to provide viable, alternative income-generating opportunities for vulnerable families, to prevent demobilized child soldiers from turning out in the streets, involved in crime or drawn back into armed conflict. Finally, a more disturbing reason that some children cited as a reason for joining the army was to avenge the deaths and the suffering of their families during the Mobutu era and other ongoing conflicts.

Although the government has officially reported that the recruitment of child soldiers has ended, it recognizes the difficulty of verifying what is actually happening. Independent observers have reported continued child soldier recruitment in some areas of the country. For example, Kinshasa, the capital, provides plenty of recruitment opportunities mainly because of its large population of street children. Mbandaka in the Equateur Province is one

of the heaviest recruiting grounds for both the Congolese Armed Forces (FAC) and the MLC, the rebel group led by Bemba. Bunia in the Oriental Province, which is closer to Kisangani, is a fertile recruiting ground for the RDC, led by Wamba Dia Wamba. In Lumumbashi, there is intense recruiting by the FAC and its allies, including Zimbabwe. Both the Ministry of Defense and the Ministry of Human Rights recognize the need to increase advocacy within the military establishment to ensure that child soldier recruitment ends. But because the country is literally divided by the territorial split between the Rwandan- and Ugandan-backed rebel forces in the east, and President Kabila's government and allies based in Kinshasa, access to many areas is limited.

One compelling priority to address is the situation facing upwards of 500 child soldiers (including approximately another 1000 others from Camp Kitona, Bas Congo region) who have returned to civilian society without undergoing any formal demobilization and reintegration processes, such as psychosocial evaluations and treatment for trauma. Many of the demobilized child soldiers who were interviewed appeared traumatized as a result of their participation in killings and their experience with the horrors of armed conflict. In their current condition, without the benefit of treatment, these children can be a potentially destabilizing factor in their respective communities. Moreover, some former child soldiers who still possess weapons present a potential physical danger to themselves and to their community members.

Recently, several governments and non-governmental organizations have renewed their determination to reverse the growing and tragic victimization of child soldiers in armed conflict. In 1999, upon the recommendation of the Human Rights Minister, the President of the DRC agreed to the principle of demobilizing child soldiers. Since then, the Human Rights Ministry has engaged in research and diagnostic consultations to promote policy dialogue about child soldiers.

III. TECHNICAL TASKS, METHODS, SCHEDULE, AND RESULTS

The purpose of this activity was twofold: to assist the Democratic Republic of Congo (DRC), a crisis country in a situation of armed conflict, to formulate a national policy to demobilize and reintegrate child soldiers, and to assess the educational needs of demobilized child soldiers.

SPECIFIC TECHNICAL TASKS

The four main tasks were to:

- Assess the institutional capacities of the government and international agencies in the DCR to oversee child soldier demobilization and reintegration as well as monitor and prevent child soldier recruitment;
- Identify existing barriers to implementing child soldier demobilization;
- Assess opportunities/barriers to family and community participation in the social reintegration process; and
- Recommend next steps and report lessons learned as a basis for recommending strategies to improve other demobilization programs to ensure that children in armed conflict and crisis situations, in general, have access to educational, vocational, and other services.

At the beginning of this activity, the DRC government had not moved beyond a conceptual stage to address child soldier demobilization to actually formulate a policy and implement the demobilization of child soldiers. Consequently, two tasks in the initial Scope of Work did not prove to be appropriate for that stage, given the realities and complexities of the wider political environment. These tasks were to assess the specific education needs of demobilized child soldiers for successful reintegration, and to recommend potential pilot programs to respond to these educational needs. Given the stage at which the DRC government was in the process, it was not possible to carry out these two tasks from the original Scope of Work at the time of this field visit. Nevertheless, essential preliminary groundwork for their completion was laid during this assignment. Many of the barriers to formal and non-formal educational opportunities for demobilized child soldiers were identified. But the specific educational needs of demobilized child soldiers will have to be assessed at a later stage, once the demobilization and process begins and the government's institutional structure is in place to oversee the reintegration of child soldiers. Likewise, in order to recommend potential pilot program strategies to respond to the educational needs of demobilized child soldiers, more dialogue and information are needed.

ACTIVITIES

Formal and informal interviews and discussion groups provided information from a wide range of stakeholders involved in child soldier demobilization efforts (see List of

Interviewees in Attachment B). The twenty-one key stakeholders included representatives from the government of the Democratic Republic of Congo, United Nations, Organization for African Unity, World Bank, USAID, the donor community, key civil society actors in the DRC, child soldiers and their families. Meetings with the government included the Minister of Human Rights and other high-level officials within the Ministries of Defense, Reconstruction and Education, the Commission for Reintegration and the Presidency.

Discussions were also held with representatives of leading international agencies concerned with the problem of child soldiers. These agencies include UNICEF, Save the Children (SCF-UK), International Labor Organization (ILO), World Bank, United Nations Observer Mission in the Congo (MONUC), UN Office for Coordination of Humanitarian Assistance (OCHA) and the International Committee for the Red Cross (ICRC).

In addition to the above agencies, over ten representatives of local NGOs and umbrella organizations including *Aide à L'enfance Défavorisée* (AED), ACOPERA, *Femmes Chrétiennes pour la Démocratie et le Développement* (FCDD), *Conseil Nationale de ONGs Spécialisées* (CNOS), Conseil National des ONG de Développement du Congo (CNOGD), and *Groupe d'action pour la démobilisation et la réinsertion des enfants soldats* (GADERES) were interviewed. Informal interviews were also held with representatives of the business community, such as the Federation of Congolese Enterprises (FCE).

The most informative interviews were with fourteen (14) child soldiers. The average age of the child soldiers who participated in these interviews is 14 years old. Through the *Collectifs des Parents des Enfants Soldats* (COPES)—a consortium to organize the families of child soldiers—ten (10) parents of child soldiers were also interviewed.

SCHEDULE

DATES	ACTIVITIES
June 2- June 4, 2000	<ul style="list-style-type: none"> ▪ Participate in orientation and planning meetings ▪ Develop detailed agenda and work-plan
June 5 – June 14, 2000	<ul style="list-style-type: none"> ▪ Meetings with government officials in the DRC within the Ministry of Human Rights, Education and other relevant Ministries ▪ Meetings with international organizations working on child labor issues including UNICEF, World Bank and others ▪ Meetings with civil society representatives and other relevant stakeholders
June 15 – June 30, 2000	<ul style="list-style-type: none"> ▪ Hold debriefing sessions ▪ Prepare final report

RESULTS

Three main results achieved during this short-term activity were:

- The DRC government adopted a national policy prohibiting child soldiers (see Attachment C).
- Meetings to begin stakeholder dialogue were launched, including NGO partners, government partners, the donor community, and civil society groups.
- General recommendations to improve demobilization programs and ensure that children in crisis situations of armed conflict have access to education, and other services were formulated based on information collected.

An initial policy dialogue process began as a result of this field visit, and linkages were built between all the key stakeholders addressing the issues of child soldier demobilization. This has laid the groundwork for collaboration between the international community and NGO partners, the government of the DRC, and civil society organizations in the DRC. In addition, this process clarified the needs and generated ideas about how to end child soldier recruitment. Stakeholder agreement was clear, that the government should establish an institutional structure to implement the demobilization process immediately.

III. FINDINGS AND LESSONS LEARNED

GENERAL LESSONS LEARNED

The three main lessons learned through this activity were:

- The difficulty of undertaking the demobilization of any component of the armed forces while a country is still at war.
- The importance of involvement on the ground with key stakeholders is crucial in the design of a strategy and a scope of work for technical assistance.
- The importance of including all the stakeholders in the policy dialogue process and assessments is critical. The complexities of the field became apparent at the onset of fieldwork. On arrival in the DRC, it became evident that some tasks in the initial Scope of Work would not be appropriate or timely, given the realities of the political environment and the stage at which the government was in developing institutional capacity to oversee child soldier demobilization.

FINDINGS BY TASKS

Task 1. Assess Institutional Capacities In-country

Government's Institutional Capacity. On arrival in the field, the technical advisor discovered that no national laws or legislation on child soldiers were in effect. Through the process of policy dialogue, the government was assisted to move forward on adopting a national policy to demobilize child soldiers and prohibit recruitment. Technical assistance to formulate national policy was an important first step in this assignment, because it then provided an official framework to begin the demobilization process for child soldiers. Technical assistance initially consisted of working with the Ministry of Human Rights team to draft a presidential decree, which served as the only framework for legislation because the DRC's parliament is non-existent.

Following vigorous advocacy led by the Minister of Human Rights, President Kabila signed *decret loi N# 066* on June 9th, 2000 for the demobilization and reintegration of all vulnerable populations (see Attachment B). The decree signing is significant because it reflects the political will to demobilize child soldiers. According to the decree, vulnerable populations include child soldiers (girls or boys under the age of 18), the disabled, the chronically ill, the elderly, widows, and the orphans in their care. The presidential decree specifies that the Ministry of Defense will be responsible for implementing all military aspects of the demobilization phase including a census, identify and instruct all military officers on implementation of the new law. The decree also gives the Ministry of Human Rights the responsibility to coordinate civilian aspects of the demobilization process and, in collaboration with the Commission for Reintegration, establish all necessary *ad hoc* structures (see Attachment C).

The next priority is to establish an institutional structure that would oversee and coordinate the process of demobilization and reintegration. Effective, efficient and timely progress requires that this institution be set up without delay and that skilled personnel be identified. The Minister of Human Rights is developing a plan for such a structure. The planned institution, the *Bureau National de Coordination de la Demobilisation et de la Reinsertion* (BUNACODER), is the result of consultations at the Forum de Kinshasa (1999), and with several other experts (see Attachment C). It is imperative that the institutional structure established by the government to oversee the demobilization process have adequate capabilities and power to verify and enforce the prohibition of further child soldier recruitment. This will require identifying and hiring skilled personnel and instituting and enforcing effective monitoring mechanisms.

International Agencies' Capacities to Demobilize Child Soldiers. Given the size of the DRC, there is a tremendous need for assistance from the international community to support effective implementation of this process. The leading agencies are UNICEF, the World Bank and ILO, and the Save the Children-UK. However, there is a definite need for commitments from other partners to ensure coverage of the entire country. The World Bank, in partnership with the International Labor Organization (ILO), has planned a \$700,000 program for the demobilization of vulnerable populations—notably the elderly, the physically disabled, the chronically ill and child soldiers.

UNICEF has made \$1 million available to support child soldier demobilization. The activities proposed in their scope of work "*cadre logique*," include providing support to the institutional framework, needs assessments, information campaigns, assessment for opportunities of reintegration, reinforcement of human resources relevant to children involved in armed conflict. At this time, the Minister of Human Rights is discussing a budget of approximately \$1.5 million to support the government's institutional structure. Initial activities include a census/survey to determine the exact numbers of the child soldiers.

Save the Children/UK plans to initiate a pilot program targeting child soldiers in Kinshasa and work with incarcerated child soldiers in Bukavu.

Among civil society organizations working on child soldier demobilization, GADERES is an umbrella organization that include several local organizations that deal with the plight of children, particularly child soldiers. Advocacy is its main priority. Several other civil society organizations, including church-based organizations are currently working with disenfranchised and vulnerable youth, including child soldiers, need support.

Task 2. Barriers to Effective Implementation of Child Soldier Demobilization

The fundamental challenge to effective child soldier demobilization is the fact that the DRC is presently still at war. Many in the military establishment still believe that child soldiers are some of the best assets of the Congolese Armed Forces. It is naïve to believe that the mere issuance of the decree will benefit child soldiers unless legal remedies and institutions take action to implement the policy.

Extremely limited resources are a major obstacle towards effective demobilization. In fact, President Kabila delayed signing *decret loi N# 066* because he was concerned about his

government's lack of funds for the effective reintegration of child soldiers into the civilian community. President Kabila insisted on getting the international community to commit financial support during the process. Thus far, UNICEF (\$1.8 million) has made the largest commitment, which includes multiple donations from the international community. Other pledges from the international community include \$1 million from the Government of Italy. As of this writing, there has been no receipt of these promised funds.

Task 3. Assess Barriers/Opportunities for Formal and Informal Education of Demobilized Child Soldiers

Information is needed to thoroughly identify and understand the multiple needs of the child soldiers. Feasibility studies are needed to assess psychosocial and economic profiles, skill levels, vocational training needs, and identify viable opportunities for income-generation. Such information will further clarify specific educational, vocational, and special service needs of demobilized child soldiers and clarify the nature of the specific barriers that the government and its partners need to overcome with policies and programs.

Child soldiers' interrupted education puts them at a major disadvantage. A significant percentage of Congolese child soldiers have missed almost 3 school years. Opportunities do exist for child soldiers to resume their education within the formal education system. Some of the child soldiers interviewed have been granted permission by the FAC to return to school, to continue at the grade level they had attained prior to joining the army. Thus far, there have been no reports of misbehavior or acts of violence against teachers or fellow students. In fact, child soldiers have reportedly been more disciplined and focused than other students who had not been soldiers. One child proudly told how his teacher often rebukes his fellow classmates and portrays him as a role model.

Nonetheless, an overwhelming difficulty confronting child soldiers who choose to return to school is lack of funds. Many former child soldiers have been refused by institutions because they cannot afford tuition. Apparently, their salary has been reduced from \$100USD to \$13USD per month, and the military does not pay them on a regular basis. Even the more fortunate ones who are able to pay their tuition still complain about their inability to concentrate on schoolwork because they are often hungry. This issue highlights the need to explore incentives programs that offer meals and scholarships to child soldiers who want to resume their schooling.

Task 4: Assess Opportunities/Barriers for Family and Community Participation in the Social Reintegration Process

A significant challenge to the social reintegration process is the fact that many child soldiers have no living relatives. Because the war has destroyed many families and communities, there are few opportunities for families and communities to participate in the social reintegration process. For a majority of the child soldiers interviewed, either their families have been war casualties or they do not know the whereabouts of their families

IV. RECOMMENDATIONS

FOLLOW-UP ACTIONS FOR THE NEXT STAGE

Follow-up actions for the next stage include strengthening the DRC government's institutional capacities to implement and monitor child soldier demobilization, needs assessments and feasibility studies, educational pilot programs to serve former child soldiers, broad-based stakeholder involvement, and a media campaign.

Strengthening the DRC Government's Institutional Capacities

Enhanced collaboration between the key ministries involved in child soldier demobilization is crucial. The key government ministries are the Ministry of Human Rights and the Ministry of Defense. The international community needs to support the DRC government to establish an effective institutional structure to oversee implementation of the demobilization and reintegration process. This institutional structure needs to include civil society, families and child soldiers in the design of reintegration programming. The institution established by the government to oversee the demobilization process needs to have adequate capabilities and power to verify and enforce the prohibition of further recruitment of child soldiers, hire skilled personnel and institute effective monitoring mechanisms. Capacity-building of ministry personnel in areas relevant to implementing and managing the demobilization and reintegration process is crucial. Civil society organizations have an important role to play in monitoring the institution's progress and activities.

Needs Assessments, Feasibility Studies

There is an urgent need to determine the real size of the child soldier population in the DRC. The Ministry of Defense should commission a census/survey. This information is essential to effectively plan reintegration programming. To ensure continuity between the demobilization and reintegration phases, the Ministry of Human Rights should initiate a series of feasibility studies designed to thoroughly understand the needs of the child soldier population. An in-depth educational assessment can provide a robust basis on which to design and plan pilot program strategies to respond to the educational needs of demobilized children. Studies need to determine skill levels, psychosocial and economic profiles, and vocational training needs. An equally important task is to identify and assess target communities for rehabilitation efforts, including feasibility assessments based on political, social, economic and cultural factors.

Educational Pilot Programs for Demobilized Child Soldiers

Pilot program strategies need to be designed, to respond to the educational needs of demobilized child soldiers. There is a critical need for scholarships to willing and deserving children. An initial target population can be the approximately 500 children who left the army to return to school. At \$100 a year, full scholarships for 500 children will cost \$50,000.

This is urgent, especially because the school year begins in September 2000, and these children will not be able to attend school otherwise. The scholarship should cover tuition and basic needs, including food and shelter.

Broad-based Stakeholder Involvement and Unity of Effort

With a vibrant civil society emerging in the DRC, in a range of organizations, the many proliferating NGOs and umbrella organizations hold promise, to play a key role in providing the government with a strong partner. To be effective, ministries responsible for implementing the demobilization of child soldiers need various forms of reinforcement. Support can be as simple as provision of basic office equipment. For example, the Ministry of Human Rights currently does not have a working fax machine. Children and parents must be consulted throughout the demobilization phase. Strategies need to reflect their needs and concerns with regard to family reunification, vocational and educational opportunities and barriers. It is especially essential to include actual child soldiers and their families, because they are the primary beneficiaries of policies.

Media

A nationwide campaign to inform and mobilize all citizens, especially the military, about the decree should be initiated. Civil society can play a critical role in collaborating with the government, once monitoring mechanisms for the recruitment of child soldiers have been established. Still, efforts should be made to ensure that the international media and other child advocates do not exploit child soldiers. At the same time, they should not be made a preferred group of children, as this may foment resentment from other groups who also need and deserve attention.

LONG-TERM RECOMMENDATIONS

Two long-term recommendations are offered.

- **International Community Support.** International community support is needed for civil society and the business community, to implement action. Coordination among the donor community and international agencies is crucial.
- **Economic Recovery.** As a long-term strategy to minimize or eradicate conflict and the participation of children as soldiers, extensive efforts should be undertaken to foster economic recovery. The government should prioritize initiatives for rebuilding communities and their social networks. These initiatives can be in the form of assistance in rebuilding family life, promoting reconciliation, and mobilizing families. The capacity for conflict prevention at the community level also should be fortified. Before attempting to construct new structures to receive demobilized children, already existing structures should be expanded. There are many local organizations that already work with street children (including child soldiers) and their capacity should be strengthened. Examples of capacity building for these organizations include the provision of additional beds and food donations.

V. CONCLUSIONS

In a context of ongoing armed conflict, the fact that the DRC government is engaging in discussions about child soldier demobilization is significant. In order to effectively demobilize child soldiers, the Government of the Republic of Congo will need funding and technical support to strengthen the government's newly-created institution established for the purpose of implementing the demobilization process. Some of the technical support will consist of carrying out a census/survey to determine the real size of the child soldier population. Feasibility studies to thoroughly understand the needs of the child soldier population are also needed. Civil society can play a critical role in collaborating with the government once mechanisms to monitor child soldier recruitment have been established. Civil society initiatives to undertake an awareness campaign to promote children's rights, with particular regard to the use of child soldiers, can also be effective, but will require funding. Coordination among the donor community and international agencies is crucial.

Finally, all efforts must be made to end the conflict in Congo. The Lusaka cease-fire is an important first step towards peace in the region. Despite the fact it has been repeatedly and egregiously violated by all conflicting sides, the cease-fire remains the only point of consensus among all parties involved in the conflict. The next critical steps are to garner commitment to peace-building in the region, sustain the establishment of an institutional structure in the DRC's government, and implement practical actions to finally end the war.

APPENDICES

Appendix A: Proposal for BEPS

Educational Assessment: Demobilization of Child Soldiers in the Democratic Republic of Congo

I. Scope of Work

One of the most alarming trends with child labor occurs in the context of armed conflict and the participation of children as soldiers. Several of the countries most severely affected are in Africa. One of the countries most acutely affected is the Democratic Republic of Congo (DRC). The GDRC recognizes the urgency of this crisis and has requested Creative Associates International Inc. (CAII) to carry out an assessment of the government's efforts to address this problem and design reconstructive and rehabilitative programs targeting child soldiers (see attachment A).

Since 1997, the various conflicts in the DRC have been marked by widespread recruitment of child soldiers by both the government forces and the various armed rebel groups. From the onset, the civil war encouraged the recruitment of children, particularly targeting the most vulnerable and disenfranchised children. While no reliable statistics are available regarding the number of child soldiers, the total number is likely to be at least several thousand.

Recently, several governments as well as non-governmental organizations have renewed their determination to reverse the growing and tragic victimization of these children who continue to be used to fight wars. In 1999, upon the recommendation of the Human Rights Minister, President Kabila agreed to the principle of demobilization of child soldiers. The Ministry of Human Rights is now engaged in undertaking research and diagnostic consultations to promote policy dialogue targeting child soldiers.

Unfortunately, no peace treaty to date has formally recognized the existence of child combatants. Therefore, their special needs are unlikely to be taken into account in demobilization programs. Former child soldiers have grown up away from their families and have been deprived of many of the normal opportunities for physical, emotional and intellectual development. Many former child soldiers do not have access to the educational programs, vocational training, family reunification, or even food and shelter that they need to successfully rejoin civilian society. As a result, many lack the ability to obtain legitimate employment and income generating opportunities. They end up on the street, are exploited, become involved in crime, or are redrawn into armed conflict.

II. Objective

Reintegration and reconstructive policy targeting child soldiers in crisis countries can help them to establish new foundations in life based on the development of their individual capacities. The objective of the CAII study will be to assess the GDRC's general framework for the demobilization of child soldiers. The CAII study will focus on the following key areas:

- Evaluate the different monitoring mechanisms for the recruitment of child soldiers

- Evaluate existing legislative provisions or legal remedies and institutions
- Assess the formal or nonformal education opportunities for demobilized child soldiers
- Assess opportunities for participation of families and communities in the social reintegration process
- Assess action steps that can be taken to prevent future recruitment into armed conflict
- Identify existing challenges and barriers to implementation of the demobilization of child soldiers
- Develop lessons learned as a basis for recommendations for innovative change for improving other demobilization programs
- Develop recommendations for potential pilot program strategies to respond to the educational needs of demobilized child soldiers

III. Methodology

Techniques will include various formal as well as informal interviews and discussion groups. An important component of the methodology will also seek to ascertain the opinions of a wide range of stakeholders in the demobilization efforts to garner qualitative and quantitative data. The range of stakeholders will include representatives from the Government of the DRC, UN, OAU, World Bank, USAID and the donor community, key civil society actors within the DRC and other relevant partners.

IV. Key Personnel

CAII proposes Ms. Ozong Agborsangaya, CAII employee, to implement this activity and serve within the Task Order #1 functional labor category of Editor/Technical Writer (CLIN #20) under the BEPS contract (#HNE-I-00-00-00038-00). A resume is provided in Attachment B.

V. Schedule

The proposed time schedule for the activity is June 3, 2000 to June 30, 2000. CAII's proposed works schedule for the project is as follows:

June 2- June 4, 2000

Participate in orientation and planning meetings
Develop detailed agenda and work-plan

June 5 – June 14, 2000

- Meetings with government officials in the DRC within the Ministry of Human Rights, Education and other relevant Ministries
- Meetings with international organizations working on child labor issues including UNICEF, World Bank and others
- Meetings with civil society representatives and other relevant stakeholders

June 15 – June 30, 2000

- Hold debriefing sessions
- Prepare final report

VI. Deliverables

The technical writer and editor will submit the following:

- A final report, which will summarize the major activities of the task order, outcomes, results, lessons learned, and recommendations for the future.

Appendix B: List of Interviewees and Meetings

The technical advisor held interviews and meetings with 30 key stakeholders from the organizations listed below. Names of individuals interviewed are on file at Creative Associates International, Inc. and available upon request.

International Agencies and Donor Community

International Committee for the Red Cross (ICRC)
International Human Rights Law Group
International Labor Organization
MONUC
Save the Children/UK
UNICEF
United Nations, Office for the Coordination of Humanitarian Assistance (OCHA)
USAID
World Bank

Government of the Republic of Congo

Ministries of Human Rights, Defense, Demobilization Issues, Education, and Reconstruction

Civil Society Organisations

Afrique Editions
Aide à l'enfant défavorisé, (AED)
BERCI
Conseil National des ONG de Développement du Congo (CNONGD)
Coopératif des Parents des Enfants Soldats (COPES)Fédération des Entreprises du Congo
Femmes Chrétiennes pour la Démocratie et le Développement (FCDD)
Groupe D'Action pour la démobilisation et la réinsertion des enfants soldats (GADERES)

**Appendix C: Official Journal of the Democratic Republic of the Congo Decree of Law
No. 066, June 9, 2000 for the Demobilization and Reintegration of Vulnerable Groups,
Particularly Child Soldiers**

**JOURNAL OFFICIEL
DE LA
REPUBLIQUE DEMOCRATIQUE
DU CONGO**



Cabinet du Président de la République

**DECRET - LOI N° 066 DU 09 JUIN 2000 PORTANT
DEMOBILISATION ET REINSERTION DES
GROUPES VULNERABLES PRESENTS AU SEIN
DES FORCES COMBATTANTES**

41^{me} Année

NUMERO SPECIAL

Juin 2000

AVANT-PROPOS

La signature du Décret-Loi n° 066 du 09 juin 2000 portant démobilisation et réinsertion notamment des enfants soldats parmi les groupes vulnérables, est l'expression concrète de l'intérêt particulier attaché par le Gouvernement de Salut Public à la protection de l'enfance.

En qualifiant d'enfant soldat toute fille ou tout garçon âgés de moins de 18 ans, ce Décret-Loi reprend la définition de l'enfant telle qu'elle figure dans la Convention relative aux droits de l'enfant, et permet à la République Démocratique du Congo de s'aligner déjà sur la teneur des récents instruments internationaux de protection des droits de l'enfant qui relèvent de 15 à 18 ans l'âge minimum de recrutement.

Il s'ensuit que ce texte de loi emporte forcément interdiction stricte d'enrôlement d'enfants et traduit la volonté, voire la détermination, du Gouvernement de Salut Public d'assurer l'harmonisation entre l'ordre juridique congolais et l'ordre juridique international en matière de droits humains. A cet égard, la parution de ce Décret-Loi en pleine guerre d'agression, révèle le caractère significatif du message lancé par la République Démocratique du Congo. La décision du Chef de l'Etat procède du souci de voir l'enfant congolais s'épanouir spirituellement, mentalement et physiologiquement dans les milieux adéquats, en vue de son développement intégral.

Aboutissement d'un long et constant plaidoyer du Ministère des Droits Humains, ce Décret-Loi ne peut toutefois être mis en œuvre sans l'implication effective tant des ressources humaines congolaises spécialisées en la matière, que des partenaires bilatéraux et multilatéraux par leurs appuis techniques et financiers.

Il appartient désormais à tous ceux que le sort des enfants affectés par la guerre préoccupe, d'assumer leurs pleines responsabilités.

Léonard SHE OKITUNDU
Ministre des Droits Humains

PRESIDENCE DE LA REPUBLIQUE

DECRET-LOI N° 066 DU 09 JUIN 2000 PORTANT DEMOBILISATION ET REINSERTION DES GROUPES VULNERABLES PRESENTS AU SEIN DES FORCES COMBATTANTES

LE PRESIDENT DE LA REPUBLIQUE,

Considérant la nécessité de renforcer la protection des droits fondamentaux de la personne humaine en République Démocratique du Congo, spécialement ceux des groupes vulnérables faisant partie des forces combattantes, par leur démobilisation et leur reclassement ;

Considérant les instruments juridiques internationaux aux principes desquels la République Démocratique du Congo confirme avec fermeté son adhésion en l'occurrence :

Les Conventions de Genève du 12 août 1949 sur le Droit International Humanitaire et leurs protocoles additionnels du 8 juin 1977 ;

La Convention des Nations Unies du 20 novembre 1989 relative aux droits de l'enfant ;

Les résolutions 1261, 1265, 1279 et 1291 du Conseil de Sécurité des Nations Unies concernant la protection des populations civiles et plus particulièrement celles des enfants soldats ;

Considérant les objectifs du plan cadre des opérations pour la survie, la protection et le développement des enfants signé entre la République Démocratique du Congo et l'UNICEF le 10 mai 1999 ;

Considérant les orientations stratégiques définies dans le schéma directeur du processus de démobilisation et de réinsertion des enfants soldats en République Démocratique du Congo, adopté par le Forum Panafricain de Kinshasa

du 10 décembre 1999, ainsi que le plan d'action préparatoire du processus issu de la synthèse et de l'analyse des travaux de ce Forum ;

Considérant la situation d'agression du territoire souverain de la République Démocratique du Congo par des armées étrangères comme un état de force majeure qui nécessite la mise en application de mesures exceptionnelles et drastiques de protection de la population ;

Vu tel que modifié et complété à ce jour, le Décret-Loi Constitutionnel n° 003 du 27 mai 1997, notamment en ses articles 5 et 8, relatif à l'organisation et à l'exercice du pouvoir en République Démocratique du Congo ;

Vu le Décret n° 208 du 15 mars 1999 portant nomination des membres du Gouvernement de Salut Public ;

Vu le Décret n° 209 du 15 mars 1999 portant élargissement de l'équipe gouvernementale de Salut Public ;

Vu le Décret n° 217 du 29 mars 1999 complétant le Décret n° 208 portant nomination des membres du Gouvernement de Salut Public ;

Vu l'urgence ;

Le Conseil des Ministres entendu,

DECRETE :

Article 1 : Il est lancé un ordre de démobilisation et de réinsertion familiale et/ou socio-économique des groupes vulnérables, hommes et femmes, présents au sein des Forces Armées Congolaises ou dans tout autre groupe armé public ou privé, sur l'ensemble du territoire de la République Démocratique du Congo.

Article 2 : Par groupes vulnérables, il faut entendre : les enfants soldats, filles ou garçons âgés de moins de 18 ans, qui constituent un groupe particulier justifiant une intervention humanitaire urgente, les invalides, les malades chroniques, les personnes âgées, les veuves et les orphelins à charge.

Article 3 : Le Ministère de la Défense et le Ministère des Droits Humains sont chargés, dans les domaines relevant de leurs compétences respectives, de l'exécution du présent Décret-Loi.

Le Ministère de la Défense règle les aspects militaires de la démobilisation, à savoir : le recensement, l'identification, la radiation des effectifs des Forces Armées Congolaises et la sensibilisation spécifique du corps militaire.

Le Ministère des Droits Humains coordonne les aspects civils du processus de démobilisation et crée les structures ad hoc notamment avec le Commissariat Général à la Réinsertion.

Article 4 : Le présent Décret-Loi entre en vigueur à la date de sa signature.

Fait à Kinshasa, le 09 juin 2000

Laurent Désiré KABILA
Président de la République