

**Disarmament, Demobilisation and Reintegration of Children in
African Conflicts: Assessing Programs through an International
Children's Rights Law Perspective**



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Executive Summary

As conflicts continue to significantly impact children, including through their recruitment and use in hostilities, Disarmament, Demobilization, and Reintegration (DDR) programs for children associated with armed forces and armed groups (CAAFAG) remain essential components of post-conflict recovery and peacebuilding. However, in practice, DDR initiatives are not always fully aligned with international children's rights standards, which may compromise long-term outcomes for former CAAFAG.

This thesis explores the complexities of DDR programs for CAAFAG, focusing on the reintegration phase, arguably the most difficult component to design and implement effectively. Adopting an international children's rights perspective, this research critically assesses the extent to which existing DDR programs have complied with relevant legal standards. The analysis is situated within the African context, where child recruitment has been widespread and protracted. In this regard, a comparative study of two countries with significant experiences in both child recruitment and DDR programming, Sierra Leone and the Democratic Republic of Congo (DRC), serves as the core of the research.

Chapter One introduces the definitions of "CAAFAG" and "DDR" provided in the relevant legal frameworks. It also presents the research scope, objectives, research questions, explains the rationale behind the selection of the case studies, and clarifies the methodology used in the analysis.

Chapter Two explores the structure, evolution and debated aspects of DDR programs for children. It discusses their key phases and objectives, as well as the main stakeholders and the diverse approaches to implementation. Special attention is paid to common challenges identified in the literature, including inclusivity, program accessibility, linkages with transitional justice and the complex victim-perpetrator status of some CAAFAG. Real-world examples of DDR programs involving children are used to illustrate these issues.

Chapter Three comprehensively reviews the legal framework relevant to DDR for CAAFAG, by focusing primarily on international children's rights law, while also drawing on international humanitarian law, criminal law and labour law. Key soft law instruments, such as the Paris Principles and the UN Integrated DDR Standards, are also reviewed, alongside the African Charter on the Rights and Welfare of the Child. Based on this analysis, the chapter identifies the main features of DDR programs consistent with a child rights-based approach.

Chapter Fourth explores the two case studies. It details the DDR program implemented in Sierra Leone from 1998 to 2003 and the one launched in the DRC from 2003 onwards. The DDR efforts are presented with a focus on the child-specific dimensions, and each case is contextualized within its conflict history and relevant domestic legal framework. A comparative analysis highlights achievements, shortcomings and transferable lessons.

Chapter Five synthesizes findings, emphasising the need for holistic and context-sensitive reintegration strategies, as well as for child-friendly accountability mechanisms for children involved in serious human rights violations.

The thesis concludes by arguing that, while legal and policy progress has been made in integrating children into DDR processes, critical challenges persist, especially in the reintegration phase. It calls for more comprehensive, inclusive and children's rights-consistent DDR strategies, and identifies key areas for further research.

Overview of Main Findings

This thesis provides a comprehensive analysis of Disarmament, Demobilization, and Reintegration (DDR) programs for children associated with armed forces and armed Groups (CAAFAG), with a specific focus on the reintegration phase through a children's rights lens. By analysing relevant legal frameworks and literature and comparing the experiences of Sierra Leone and the Democratic Republic of Congo (DRC), a series of key findings emerge, that can inform future DDR practice and policy.

Firstly, community involvement, recommended by international soft law instruments, has proven essential to successful reintegration, as demonstrated in Sierra Leone, where community engagement played a key role in enhancing program outcomes. However, compliance with international children's rights standards requires a careful and balanced approach to community involvement, in order to avoid reinforcing stigma or rejection of returning children and to address the root causes of tensions.

Another significant finding concerns the inadequate responsiveness of DDR programs to the diverse needs of CAAFAG, particularly girls. Although early DDR efforts largely excluded girls, recent years have seen growing recognition of their specific needs during both the design and in the implementation phases. Nevertheless, such recognition has often resulted in fragmented or reactive solutions rather than in comprehensive structural adjustments. As a result, girls remain underrepresented in DDR programming. The thesis argues that holistic and preventive approaches, accounting for broader societal discrimination and stigma, are necessary to ensure effective reintegration and prevent re-recruitment, in line with the non-discrimination principle enshrined in international and regional children's rights instruments.

The thesis also explores the relationship between reintegration and accountability. These are frequently treated as distinct processes, with accountability either neglected or approached through mechanisms designed for adults, thereby contravening child-friendly justice standards. This lack of appropriate strategies to address the dual identity of CAAFAG as both victims and, in some cases, perpetrators of serious violations undermines reintegration and community reconciliation. Child-friendly accountability mechanisms, drawing on transitional justice or traditional practices, remain rather underexplored but are essential to address this gap.

The issue is particularly relevant in the African context, where traditional ceremonies and restorative justice practices, such as those seen in Sierra Leone and Uganda, offer culturally grounded alternatives that could be adapted to align with children's rights standards. The case studies examined reinforce the importance of context-sensitive approaches, in line with international standards, especially given the multistakeholder nature of DDR program implementation, often involving international actors operating within local environments. Africa also emerges as a uniquely important setting for advancing DDR research and practice, not only due to the prevalence of child recruitment and the existence of ongoing DDR programs, such as the one in the DRC, but also because it is the only continent with a regional children's rights instrument containing provisions specifically relevant to CAAFAG.

From a research perspective, the literature review reveals the persistent gap in longitudinal and comparative data on reintegration outcomes of CAAFAG. This lack of robust, long-term evidence hinders the formulation of effective and evidence-based policies. While acknowledging the practical challenges of conducting such studies, also at the base of the comparative case studies approach adopted in this thesis, the limitations of relying solely on isolated case studies for drawing global conclusions are emphasised.

In conclusion, DDR programs for CAAFAG must be reoriented around inclusive, context-sensitive approaches, grounded in international children's rights law. Future research should focus on longitudinal evaluations, innovative accountability mechanisms and the adaptation of child DDR to emerging conflict contexts. These efforts are crucial for fulfilling international obligations under the CRC and OPAC and contributing to sustainable peace and the long-term well-being of affected children.

1. Introduction

1.1. Children associated with armed forces or armed groups

The latest report of the United Nations Secretary General on Children and Armed Conflict states that 7,402 children were recruited and used globally in 2024 alone.¹ Between 2005 and 2022, the UN documented the recruitment and use of over 105,000 children, though actual figures are believed to be significantly higher.² The traditional image of “child soldier”, typically an African boy wilding an AK-47, has been increasingly critiqued and replaced by a more comprehensive understanding of children’s roles in armed conflict. This broader perspective recognises the diverse experiences and functions children may assume within armed forces or groups, promoting a more inclusive and accurate approach to the issue.

According to the internationally recognised definition, “children associated with armed forces and groups” (CAAFAG)

“refers to any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.”³

Disarmament, Demobilisation and Reintegration (DDR) programs for of CAAFAG are essential components of the post-war phase in contexts where this phenomenon exists. According to the UN operational standards on the topic, DDR is

“[a] process that contributes to security and stability in a post-conflict recovery context by removing weapons from the hands of combatants, taking the combatants out of military structures and helping them to integrate socially and economically into society by finding civilian livelihoods”.⁴

Significant progress has been made in terms of incorporating CAAFAG into DDR programs, historically designed with adult male combatants in mind. Nonetheless, substantial challenges remain, especially in the reintegration phase, often struggling to address children’s specific needs.

1.2. Scope and framework of the analysis

The thesis will adopt an international children’s rights perspective to assess DDR initiatives for children implemented in two selected African countries, Sierra Leone and Democratic Republic of Congo (DRC). This choice is intended to allow for a meaningful comparison, based on the region’s prominence in DDR

¹ UNSG, “Children and Armed Conflict: Report of the Secretary-General” A/79/878-S/2025/247, 17 June 2025, para 7.

² UNICEF, at <https://www.unicef.org/protection/children-recruited-by-armed-forces>

³ The Paris Principles, Principles and guidelines on children associated with armed forces or armed groups, February 2007, para 2.1.

⁴ IDDRS, 2019, Module 1.20, p.6.

literature and the severity of the CAAFAG issue. These countries were selected due to the scale and brutality of child recruitment during their respective conflicts. They also represent contrasting scenarios: Sierra Leone is often cited as a success story, while the DRC exemplifies ongoing challenges amid persistent conflict and repeated recruitment.

The analysis will focus on the reintegration phase, as it shows the greatest differences between programs for adults and those for children and is the most complex to implement,⁵ as also highlighted by the recurring calls on states and donors to strengthen their efforts in the reintegration of CAAFAG.⁶

To this end, Chapter 2 will examine the nature, characteristics and controversial aspects of DDR for children, drawing from relevant academic and policy literature. Chapter 3 will analyse the applicable binding and non-binding international legal standards, focusing on reintegration. Chapter 4 will explore the DDR initiatives for CAAFAG implemented in Sierra Leone (1998–2003) and the DRC (2003–2019, with reference to ongoing developments). Chapter 5 will outline the main challenges and lessons learned from these case studies. Conclusions will follow.

1.3. Aim of the research

The thesis' overall goal is to identify the key elements DDR programs should include from an international children's rights perspective and to assess the extent to which existing practices align with these standards. Drawing on insights from past and current practices, this research aims at highlighting the main issues and lessons learned, to inform the future design and implementation of DDR initiatives.

To this end, the central research question this work will answer is: To what extent do DDR initiatives for children conducted in African countries align with international children's rights standards, particularly in the reintegration phase?

This will be explored through the following sub-questions:

1. What are DDR programs for CAAFAG?
2. Which are the relevant international children's rights standards for DDR for CAAFAG? In particular, what are the fundamental elements of the reintegration phase, and how is it recommended to address CAAFAG who are allegedly responsible for committing human rights violations?
3. How have DDR processes been conducted in the selected case studies?

1.4. Methodology

This research adopts a qualitative methodology, primarily based on desk research. The phenomenon of DDR programs for children will be described by drawing on relevant academic research and international reports, to highlight its main characteristics, trends and contested aspects. Examples of real-world programs will illustrate global developments and key challenges.

Subsequently, two complementary methods will be applied. On the one hand, the doctrinal method of legal research, which, as Bath explains, "concentrates on doctrines which are syntheses of rules, principles, norms, or interpretive guidelines and values, and proceeds with both locating the sources of

⁵ R. Haer, "The study of child soldiering: issues and consequences for DDR implementation." *Third World Quarterly*, 38.2, 2017, p. 454.

⁶ Recommendations can be found also in the latest UNSG report (n 1), paras 23, 35, 51, 80, 89, 129.

law and interpreting or analysing the text”.⁷ Reference will be made to international children’s rights standards and relevant soft law.

On the other hand, DDR programs implemented in the selected countries will be examined using the method of comparative case studies, understood, as Goodrick explains, as involving the study of “two or more cases” to generate “more generalizable knowledge” about “how and why particular programmes or policies work or fail to work”.⁸ This approach is well suited to the objectives of the thesis, as it supports an in-depth understanding of the factors that influence the success of interventions and of how they can be adapted to different contexts to achieve intended outcomes.⁹ The analysis will draw on academic publications, practitioner reports, case law and legislation. Particular attention will be given to UN documentation, including the Concluding Observations by the Committee on the Rights of the Child under the CRC and the OPAC, as well as reports issued by the Special Representative of the Secretary General for Children and Armed Conflict. Indeed, these UN mechanisms are crucial for both the implementation of DDR programs and the monitoring and fostering of States’ compliance with children’s rights in such initiatives.

⁷ P. Ishwara Bhat, *Idea and Methods of Legal Research*, Delhi, 2020, pp. 28-29.

⁸ D. Goodrick, *Comparative Case Studies*, UNICEF, 2014, p. 1.

⁹ *Ibidem*.

2. Disarmament, Demobilization and Reintegration for Children Associated with Armed Forces and Armed Groups

2.1. Phases and objectives of Disarmament, Demobilization and Reintegration processes

DDR programs are established during or after armed conflicts and aim at removing combatants from military structures and redirecting them to civilian life, within the broader efforts to promote security and stability.¹ First developed in the late 1990s within the UN peacekeeping operations, they became increasingly common in post-conflict reconstruction.²

These programs include the three components indicated by their name, often implemented sequentially but not necessarily so.³ The first phase involves disarming former combatants. This is done in disarmament sites, where their weapons are registered, stored and/or destroyed,⁴ and may occur voluntarily or through inducements to surrender weapons and ammunitions.⁵

Demobilization follows, entailing the discharge of active combatants from the command and military structures of armed forces or groups.⁶ This phase is sometimes defined “release”, to emphasize the unlawful nature of their service.⁷ Former combatants receive civilian identity, discharge documents and a reinsertion assistance covering basic needs.⁸ They are then screened to determine their admissibility to the further steps of the program.⁹

The third phase is reintegration, serving both security and humanitarian-development aims.¹⁰ It involves the return of beneficiaries to their communities, where they are supported through counselling, medical assistance, microcredits and training,¹¹ to enable them to secure stable employment and income.¹² The

¹ DPKO, Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS), 2006, sec. 1.20, p. 6.

² L. Waldorf, "Linking DDR and transitional justice.", in A. Cutter Patel, P. De Greiff and L. Waldorf (eds), *Disarming the past: Transitional justice and ex-combatants*, Social Science Research Council, 2009, p.18.

³ *Ibidem*, p. 19.

⁴ R. Haer, "The study of child soldiering: issues and consequences for DDR implementation." *Third World Quarterly*, 38.2, 2017, p. 454.

⁵ *Ibidem*.

⁶ DPKO (n 1).

⁷ M. Drumbl, *Reimagining Child Soldiers in International Law and Policy*, Oxford, 2012, p. 168.

⁸ R. Haer (n 4), p. 454.

⁹ A. Delgado, "The role of children in disarmament demobilization and reintegration: an opportunity of inclusion as peacebuilders", ICIP working papers, 2016/02, p. 14.

¹⁰ L. Waldorf (n 2), p. 20.

¹¹ M. Drumbl (n 7), p. 168.

¹² IDDRS, revised in 2019, at <https://www.unddr.org/the-iddrs/>, sec. 4.30, p. 2.

peaceful processing of political grievances and the reconstruction of social capital and cohesion are also promoted.¹³

While the first two phases are linear, and their outcomes easily assessable, reintegration is more complex.¹⁴ One of the main debates concerns the scope of reintegration assistance, whether it should focus solely on ex-combatants' needs, as argued by practitioners focusing on security objectives, or extend support to war-affected communities, as argued instead by critics of this security approach.¹⁵ However, recent DDR discourse increasingly emphasises the role of reintegration, particularly within peacebuilding and sustainable development efforts.¹⁶ This aligns with a broader shift from a technical approach, rooted in geopolitical conceptions of security, toward a comprehensive understanding centred on "human security", prioritizing the needs of individuals, especially the most vulnerable.¹⁷ This evolution also challenged the assumption that combatants constitute a static and homogeneous category, thereby creating space for the experiences of children, youth and female ex-combatants to be recognized and integrated into peacebuilding processes.¹⁸

These slow yet significant developments are particularly relevant for children, who are not only exposed to serious and potentially long-term harm due to their recruitment and use, but also face unique challenges during the release process.¹⁹ Nonetheless, children have often been excluded from DDR programs,²⁰ due both to the misperception that they do not pose a threat in post-conflict settings,²¹ and to the denial of the necessity of DDR for children. Indeed, some governments maintain that the recruitment of children is illegal and thus exceptional, arguing that fighting forces primarily consist of adult male combatants.²² This was the case, for instance, in Thailand, where the government has refused to acknowledge child recruitment by the National Revolutionary Front-Coordinate (BRN-C),

¹³ L. Waldorf (n 2), p. 20.

¹⁴ M. Drumbl (n 7), p. 169.

¹⁵ L. Specker, "R-Phase of DDR processes: An Overview of Key Lessons Learned and Practical Experiences.", 2008, p. 7.

¹⁶ Global coalition for reintegration of child soldiers, "Reframing child reintegration: From humanitarian action to development, prevention, peacebuilding and beyond", September 2020, p. 11.

¹⁷ A. Delgado (n 9), p. 13. The concept of "vulnerability" will be used in this work by referring to the meaning proposed by Robert Chambers of the University of Sussex, who defined it as the exposure to contingencies and stress and difficulty coping with them. Transposed to the (international human rights) legal domain, the risk consists in a risk of violation of a guaranteed right, which would consist in a more responsive State as to the protection of human rights. For a detailed analysis see F. Ippolito, *Understanding vulnerability in international human rights law*, Vol. 27, Editoriale scientifica, 2020. pp. 10-23.

¹⁸ *Ibidem*.

¹⁹ Global coalition for reintegration of child soldiers (n 16), p. 11.

²⁰ M. Drumbl (n 7), p. 169.

²¹ R. Haer (n 4), p. 454.

²² L. Withers, "Release and reintegration of child soldiers: one part of a bigger puzzle.", in Derluyn et al (Eds), *Re-Member: Rehabilitation, Reintegration and Reconciliation of War-Affected Children*, Intersentia, Cambridge/Portland, 2012, p. 210.

thereby preventing the implementation of any prevention or DDR measures.²³ Where DDR programs for children have existed, they have frequently been inadequate, both in terms of respect for children's rights and of resources allocated to them.²⁴

As noted above, there is growing awareness of the diverse roles played by children and of the need of child-specific DDR programming.²⁵ This has led to adaptations in practice, such as removing the requirement for children to present a weapon in the disarmament phase and replacing cash reinsertion assistance with more child-appropriate support.²⁶ These changes draw on lessons learned from past experiences, such as the Liberian DDR, where cash payments were distributed indiscriminately and families and commanders pressured CAAFAG to surrender their money.²⁷ However, the most significant differences emerge in the reintegration phase, defined by the Paris Principles as the "process through which children transition into civil society and enter meaningful roles and identities as civilians who are accepted by their families and communities".²⁸

For a long time, reintegration initiatives focused mainly on children's recovery from wartime trauma, such as PTSD, depression and anxiety.²⁹ Over time, however, their scope has expanded. In addition to counselling and health check-ups, reintegration programs increasingly include alternative care,³⁰ "catch-up" education, vocational training, microcredits and public works projects,³¹ all within broader reconciliation efforts aiming at enabling the full enjoyment of children's rights.³² This process usually begins at Interim Care Centres, which are transit facilities preparing ex-CAAFAG to return to the communities, which are also informed and supported in anticipation of receiving the child.³³ Although ex-combatants are usually returned to their families, this can be challenging. Often, the community is the very environment where the child was recruited, abused and, sometimes, even involved in perpetrating violence, which can place considerable pressure on both the child and the community.³⁴ Regarding the duration of the reintegration phase, the aforementioned interventions generally fall within an immediate to medium-term timeframe, as they usually last no more than a year, often due to limited

²³ *Ibidem*.

²⁴ R. Haer (n 4), p. 454.

²⁵ IDDRS (n 12), sec. 5.20.

²⁶ R. Haer (n 4), p. 454.

²⁷ T. Veiga, "A New Conceptualisation of Child Reintegration in Conflict Contexts.", *E-International Relations*, 2019, at <https://www.e-ir.info/2019/06/21/a-new-conceptualisation-of-child-reintegration-in-conflict-contexts/>.

²⁸ Principles and guidelines on children associated with armed forces or armed groups, February 2007, 2.8.

²⁹ I. Derluyn et al., "Victims and/or perpetrators? Towards an interdisciplinary dialogue on child soldiers." *BMC international health and human rights*, 15, 2015, p. 6.

³⁰ Global coalition for reintegration of child soldiers (n 16), p. 12.

³¹ R. Haer (n 4), p. 454.

³² *Ibidem*.

³³ M. Drumbl (n 7), p. 168.

³⁴ *Ibidem*.

funding. This was a persistent issue for the early DDR efforts for CAAFAG, such as the Liberian DDR program, where a funding shortage of US\$ 39 million hindered job training and education for CAAFAG,³⁵ but also for the more recent ones. For example, in May 2023 the Danish Refugee Council urged the humanitarian community to address the inadequate financing of the DDR program implemented in Cameroon and invest in CAAFAG reintegration after release.³⁶ However, long-term development, peacebuilding and prevention of child recruitment require more sustained programs, which should not only address conflicts' root causes but also empower beneficiaries to assume meaningful roles in society.³⁷

Given the specificities of CAAFAG's reintegration, this work focuses on this phase of DDR processes. Since reintegration is significantly influenced by the narratives about CAAFAG's participation in conflict, such as gender-specific experiences and the victim-perpetrator dichotomy,³⁸ this chapter briefly explores how these issues have been tackled in theory and in practice.

2.2. Contexts of implementation and main stakeholders

DDR programs can be implemented either during ongoing conflicts or after their conclusion. While implementing DDR during conflict may be preferable where feasible, it often faces significant challenges, such as unpredictability,³⁹ that can undermine its effectiveness.⁴⁰ This holds true for both international and non-international armed conflicts, with the latter having become particularly concerning in terms of child recruitment in the post-Cold war years, as discussed by Singer.⁴¹

Although DDR is a formal mechanism, disengagement can also occur informally. This is particularly relevant for children, often leaving armed forces or groups on their own, either upon release or escape, and returning directly to communities.⁴² As a result, formal DDR programs often struggle to identify and support these children and to address their specific needs.⁴³

DDR for CAAFAG involve numerous stakeholders. Traditionally, the primary responsibility has fallen on humanitarian organizations, including both UN agencies and NGOs. However, this approach has

³⁵ B. Mezmur, "Children at Both Ends of the Gun: Child Soldiers in Africa", J. Sloth-Nielsen (ed.), *Children's Rights in Africa*, Routledge, 2008, p. 207, citing Amnesty International statistics.

³⁶ DRC, CAAFAG Assessment Report, Southwest region, Cameroon, May 2023, at https://drc.ngo/media/0hye24mw/drc_caafaf-assessment-report_fv.pdf, p. 20.

³⁷ L. Withers (n 22), p. 207.

³⁸ A. Delgado (n 9), p. 16.

³⁹ Global coalition for reintegration of child soldiers (n 16), p. 13.

⁴⁰ L. Withers (n 22), p. 205.

⁴¹ P. Singer. "The enablers of war: Causal factors behind the child soldier phenomenon." In S. Gates and S. Reich (eds) *Child soldiers in the age of fractured states*, 2010, p. 93-107.

⁴² Global coalition for reintegration of child soldiers (n 16), p. 13.

⁴³ *Ibidem*.

hindered the consolidation of a comprehensive and inclusive protective environment, as well as of the development of national ownership over the process.

The latter can be better achieved through the meaningful involvement of the conflict-affected State, which should progressively take on responsibilities, within a long-term, system-strengthening approach.⁴⁴

Local ownership of the process is also crucial, and communities are key stakeholders. Community attitudes towards returning CAAFAG, shaped by numerous factors, are often negative or even hostile.⁴⁵ In such contexts, community mobilization and preparation for the reintegration phase is essential.⁴⁶ Particular care should be taken to avoid creating resentment, for example by ensuring that ex-combatants are seen as sharing in everyday responsibilities and hardships.⁴⁷ This emerged for instance in Sierra Leone, where “community-level reintegration may have actually improved when assistance to ex-combatants ran out” and they “shared everyday problems of survival”.⁴⁸

Children are the beneficiaries of DDR programs, they have been victims of recruitment and use by armed factions and are usually perceived predominantly as weak and vulnerable. However, growing attention has been given to their agency. This includes acknowledging their capacities and perspectives, which should be fostered through their meaningful participation in the design and implementation of programs,⁴⁹ to ensure need-based interventions. CAAFAG’s participation will be further examined in the following chapters.

Stakeholder coordination is therefore crucial for the effectiveness of DDR processes, particularly in the reintegration phase. As emphasized by the Global Coalition for Reintegration of Child Soldiers, strong partnerships would be desirable among these actors, to which also donors and the private sector are added.⁵⁰

2.3. Main challenges in the implementation

When examining DDR programs, it is essential to identify the main challenges for children. Reintegration programs often fall short of achieving transformative outcomes due to insufficient resources to address both the needs of individual children and the environments in which they return.⁵¹

Regarding the DDR programs’ structure, accessibility issues, particularly due to eligibility criteria, have often influenced the programs’ inclusivity. One key element is the definition of CAAFAG, usually based on age. While the Paris Principles adopt a straight 18 approach, ideally bringing clarity, controversies still exist. Some scholars argue for culturally sensitive definitions of childhood, noting practical difficulties posed by a strict age threshold. These include unreliable age assessment in the absence of birth and

⁴⁴ *Ibidem*, p. 9.

⁴⁵ L. Withers (n 22), p. 212.

⁴⁶ *Ibidem*.

⁴⁷ L. Waldorf (n 2), p. 21.

⁴⁸ *Ibidem*.

⁴⁹ *Ibidem*, p. 17.

⁵⁰ *Ibidem*, p. 19.

⁵¹ A. Delgado (n 9), p. 28.

identity documents;⁵² as well as the facts that the “youth” category, extending beyond age 18 and to which older teenage CAAFAG are likely to belong within a limited timeframe, may still face vulnerabilities.⁵³

Another eligibility criterion is the degree of direct participation in armed conflict required to enter DDR programs. Early programs often restricted access to those who carried weapons or had proven combat experience,⁵⁴ like it was the case during the Sierra Leone DDR process.⁵⁵ Moreover, eligibility criteria are frequently determined in peace agreements or national legislation, where political compromises may shape who is included. Furthermore, operational challenges in the screening process persist, particularly in identifying certain categories, such as children and women.⁵⁶

Program outreach can also be complicated. Many DDR initiatives have failed to reach actual CAAFAG, inadvertently contributing to re-marginalize them.⁵⁷ This failure can be attributed to two main factors. First, the identification process of the beneficiaries is often delegated to military commanders or influential community leaders, whose selection may reflect existing power hierarchies. This happened in Sierra Leone, where lists of “child soldiers” were drafted by many communities to maximize benefits from reintegration programs. Those lists often included sons of village or militia chiefs and imams, even if they were not ex-combatants.⁵⁸ Second, DDR programs frequently overlook informally disengaged children,⁵⁹ as public visibility may discourage those who want to keep a low profile.⁶⁰

Criteria for awarding reintegration assistance to demobilized CAAFAG also require careful evaluation, as benefits can sometimes fuel stigmatization and social tensions, particularly where disparities exist between DDR and reparation programs for victims.⁶¹

2.4. Child victim’s protection and instances of accountability: the victim-perpetrator dichotomy

Recruitment of children is internationally prohibited and classified by the UN as one of the six grave violations against children during armed conflict. However, child soldiers often commit or contribute to atrocities, thereby introducing the dimension of culpability alongside that of victimhood. This duality presents significant challenges, particularly in matters of accountability. Scholarly debate often centres

⁵² Haer (n 4) p. 455.

⁵³ Global coalition for reintegration of child soldiers (n 16), p. 18.

⁵⁴ L. Waldorf (n 2), p. 19.

⁵⁵ T. Veiga (n 27).

⁵⁶ *Ibidem*.

⁵⁷ R. Haer (n 4), p. 456.

⁵⁸ L. Ah-Jung, “Understanding and Addressing the Phenomenon of ‘Child Soldiers’: The Gap between the Global Humanitarian Discourse and the Local Understandings and Experiences of Young People’s Military Recruitment”, Working Paper 52, University of Oxford, 2009, p. 28.

⁵⁹ L. Withers (n 22), p. 210.

⁶⁰ *Ibidem*.

⁶¹ M. Drumbi (n 7), p. 172.

on the nature of recruitment, specifically whether voluntary enlistment of CAAFAG is possible, and, if so, whether they can be held accountable for their actions.⁶²

On the one hand, the international community widely recognizes CAAFAG as victims,⁶³ emphasizing children's protection needs⁶⁴ and asserting that "voluntary" enlistment is inherently impossible for CAAFAG because of "desperation", "manipulation" or lack of the "cognitive skills to make a free choice".⁶⁵

On the other hand, CAAFAG have also been portrayed as threats to security⁶⁶ due to their involvement in violence, raising concerns about their role as perpetrators, which could hinder peacebuilding efforts.⁶⁷ However, even within this perspective, children are generally seen as lacking full decision-making capacity,⁶⁸ a critical limitation when evaluating accountability. Nonetheless, there have been cautious but meaningful openings towards the recognition of children's agency. Some scholars argue that not all recruitment results from overt coercion and consider instead driving factors to join armed factions, children's concerns and grievances.⁶⁹ Acknowledging (partial) agency necessitates a reassessment of how accountability should be applied.

In this regard, the two main models of justice have been contrasted as applicable to CAAFAG, the retributive and the restorative one. Retributive justice, focused on avoiding impunity, seeks to impose punishments proportional to the gravity of the crimes committed. As argued by Leveau, CAAFAG "should be prosecuted merely on the basis that they committed crimes",⁷⁰ which echoes the just war theory recalled by McMahan, viewing CAAFAG as posing "a threat in exactly the same way that adult combatants do, [so] [w]hether they are morally responsible for the threat they pose is irrelevant".⁷¹ Restorative justice, according to the definition by Marshall, can be understood as the "process whereby all the parties with a stake in a particular offense come together to resolve collectively how to deal with the aftermath of the offense and its implications for the future".⁷² As emphasised by Aptel, restorative

⁶² R. Haer (n 4), p. 456.

⁶³ I. Derluyn (n 29), 2015.

⁶⁴ A. Delgado (n 9), p. 22.

⁶⁵ R. Haer (n 4), p. 456.

⁶⁶ A. Delgado (n 12), p. 22.

⁶⁷ *Ibidem*, p. 16.

⁶⁸ *Ibidem*, p. 22.

⁶⁹ R. Haer (n 4), p. 456.

⁷⁰ F. Leveau, "Liability of child soldiers under international criminal law", *Osgoode Hall Review of Law and Policy*, 4 (1), 2013, p. 45.

⁷¹ J. McMahan, "Child Soldiers: The Ethical Perspective.", in S. Gates and S. Reich (eds.) *Child Soldiers in the Age of Fractured States*, Pittsburgh, PA: Pittsburgh University Press, 2010, p. 28.

⁷² T. Marshall, "The evolution of restorative justice in Britain", *European Journal on Criminal Policy and Research*, 4(4), 1996, p. 37.

justice processes “fully respect children’s rights”,⁷³ while allowing CAAFAG’s “free and willing acknowledgment of their criminal conduct”, thus contributing to their rehabilitation and reintegration.⁷⁴ However, studies have shown that prosecuting CAAFAG through retributive mechanisms may jeopardize their reintegration,⁷⁵ by reinforcing stigma⁷⁶ and deterring voluntary disengagement due to fear of punishment.⁷⁷ Nonetheless, categorically denying CAAFAG’s responsibility for systemic violations can undermine their agency, an essential component of their status as rights holders, and hinder their reintegration as empowered and self-aware members, rather than passive recipients of protection.⁷⁸ Moreover, the complete absence of accountability for crimes committed by CAAFAG may exacerbate resentment, mistrust and discriminatory attitudes in receiving communities, which could perceive DDR programs as “rewards” to perpetrators.⁷⁹

Although differing in focus, both the victimhood and accountability approaches often reflect a one-dimensional understanding of CAAFAG’s status and experiences.⁸⁰ In response, some scholars, like Drumbl and Derluyn, have proposed comprehensive, nuanced and interdisciplinary approaches to DDR processes. These include alternative forms of accountability that allow for children’s participation and better reflect the complexity of their roles. Customary and traditional justice mechanisms are frequently cited in this regard, as they typically encourage the acknowledgment of the atrocities committed or witnessed by CAAFAG, facilitating the processing of past traumas and symbolically closing the chapter of conflict. This is often grounded in the belief that combatants have been “contaminated” by war and must undergo purification, enacted through their symbolic return to civilian life. Another interesting aspect is traditional mechanisms’ collective approach to healing, acknowledging that the harms of war extend beyond individuals and affect the community as a whole.⁸¹ This aligns closely with a restorative justice model, creating greater opportunities to integrate the accountability process with social norms.⁸² However, it is important not to rely solely or uncritically on traditional rituals, as their effectiveness can

⁷³ C. Aptel, “International criminal justice and child protection”, in S. Parmar, *Children and transitional justice: Truth-telling, accountability and reconciliation*, Cambridge: Harvard University Press, 2010, p. 109.

⁷⁴ *Ibidem*, p. 98.

⁷⁵ M. Drumbl (n 7), p. 178.

⁷⁶ R. Haer (n 4), p. 457.

⁷⁷ M. Drumbl (n 7), p. 179.

⁷⁸ *Ibidem*, p. 206.

⁷⁹ I. Derluyn (n 29), p. 7.

⁸⁰ A. Delgado (n 12), p. 16. In the case of the victimhood approach, a bi-dimensional understanding of children, who are seen as victims and witnesses, is also common but similarly problematic, see M. Drumbl, “Children in Armed Conflict”, in J. Todres, and S. M. King (eds), *The Oxford Handbook of Children’s Rights Law*, Oxford Handbooks, 2020, p. 670.

⁸¹ M. Drumbl (n 7), p. 178.

⁸² R. Haer (n 4), p. 457.

significantly depend on contextual factors.⁸³ Moreover, many restorative justice mechanisms are not inherently child-sensitive and may inadequately address the specific needs of former CAAFAG.⁸⁴

2.5. Transitional justice and Disarmament, Demobilization and Reintegration for Children Associated with Armed Forces or Armed Groups

Accountability and the victim-perpetrator dichotomy are also crucial for the interaction of DDR programs and transitional justice (TJ).⁸⁵ Transitional justice is the “the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation”.⁸⁶ Developed during post-Cold war democratic transitions, and later employed in post-conflict contexts,⁸⁷ TJ tools typically include criminal prosecutions, truth commissions (TRCs), victim reparation policies and institutional reforms,⁸⁸ which, at least in principle, are all rooted in a victim-centred approach.⁸⁹

The relevance of TJ for children lies in its simultaneously retrospective and prospective nature. Indeed, these processes seek not only to address past violations, but also to prevent their recurrence.⁹⁰ In this regard, children’s exposure to armed conflict can severely disrupt their development, potentially fostering a traumatized new generation and perpetuating the cycle of conflict.⁹¹ Nonetheless, the engagement of TJ processes with, as well as the attention given by the relevant literature to, children has been slow to consolidate and remains partially unexplored. Gradually moving beyond the portrayal of children as passive victims,⁹² their participation has increasingly been addressed, particularly within non-prosecutorial TJ mechanisms such as TRCs, as seen in South Africa, Sierra Leone and Liberia, and traditional justice processes, such as Uganda’s *Mato Oput*, a tool of accountability including apology, compensation and forgiveness.⁹³

⁸³ M. Drumbl (n 7), p. 178.

⁸⁴ R. Haer (n 4), p. 457.

⁸⁵ I. Derluyn (n 29), p. 6.

⁸⁶ UN Security Council, “The rule of law and transitional justice in conflict and post-conflict societies. Report of the Secretary-General to the Security Council”, 23 August 2004, S/2004/616, para 8.

⁸⁷ L. Waldorf (n 2), p. 22.

⁸⁸ UNSC (n 86), para 8.

⁸⁹ *Ibidem*, paras 16,18.

⁹⁰ L. Waldorf (n 2), p. 22.

⁹¹ D. Bloomfield, T. Barnes and L. Huyse (eds), *Reconciliation after Violent Conflict. A Handbook*, Stockholm: International Idea, 2003, p. 57.

⁹² I. Derluyn (n 29), p. 5-6.

⁹³ L. Steinl, *Child Soldiers as Agents of War and Peace: A Restorative Transitional Justice Approach to Accountability for Crimes under International Law*, 14, T.M.C. Asser Press, 2017, p. 411.

TJ and DDR processes have traditionally been implemented on parallel tracks, primarily because of their differing objectives: while TJ focuses on accountability and long-term reconciliation, DDR is mostly concerned with achieving immediate security and stabilization.⁹⁴ As a result, DDR processes often fail to address the potential responsibility of demobilized individuals for violations, which is particularly problematic in the case of children⁹⁵. Instead, integrating TJ and DDR could help to disrupt cycles of violence and contribute to sustainable long-term peace. Such an integrated approach allows for the identification and resolution of the root causes of child recruitment, such as poverty and inequalities,⁹⁶ while simultaneously reducing children's vulnerability, within broader stabilization efforts.⁹⁷ This alignment can occur within a comprehensive post-conflict reconstruction framework,⁹⁸ in which reintegration is crucial.⁹⁹ DDR seeks to promote "social cohesion" between former combatants and receiving communities, while TJ aims at facilitating reconciliation between perpetrators, victims and other social components.¹⁰⁰ As neither DDR nor TJ is sufficient in isolation,¹⁰¹ enhanced coordination between them appears likely to address short-term tensions and support reintegration through a multisectoral¹⁰² institutional framework,¹⁰³ generating mutual benefits. DDR can provide information about armed groups, that can support TRCs and reparations mechanisms. In return, TJ processes can facilitate reintegration of former CAAFAG by promoting societal acceptance and addressing grievances.¹⁰⁴ Enhanced coordination can foster this synergy,¹⁰⁵ especially considering that DDR and TJ initiatives are often run by overlapping stakeholders.¹⁰⁶

2.6. The gender dimension of Disarmament, Demobilization and Reintegration for Children Associated with Armed Forces and Armed Groups

⁹⁴ M. Drumbl (n 7), p. 174.

⁹⁵ *Ibidem*.

⁹⁶ Global coalition for reintegration of child soldiers (n 16), p. 6.

⁹⁷ L. Withers (n 22), p. 206.

⁹⁸ *Ibidem*, p. 207.

⁹⁹ L. Waldorf (n 2), p. 17.

¹⁰⁰ *Ibidem*, p. 22.

¹⁰¹ L. Withers (n 22), p. 207.

¹⁰² Global coalition for reintegration of child soldiers (n 16), p. 6.

¹⁰³ L. Waldorf (n 2), p. 22.

¹⁰⁴ *Ibidem*, p. 23-24.

¹⁰⁵ Global coalition for reintegration of child soldiers (n 16), p.6.

¹⁰⁶ L. Waldorf (n 2), p. 16.

Another fundamental element for DDR for CAAFAG is gender, which, like other differences among CAAFAG,¹⁰⁷ has long been overlooked. This neglect has contributed to the dominant conceptualization of CAAFAG as male child-soldiers actively engaged in combat, leading to the exclusion of girls, who serve in various roles¹⁰⁸ and are estimated to represent 6 to 50% of CAAFAG, even if only a small number of them is formally identified and released.¹⁰⁹ Even when girls are formally eligible, programs frequently fail to address their specific needs or to promote tailored reintegration initiatives.¹¹⁰ For example, in Sierra Leone's DDR, UNICEF estimated that out of the 6,845 children demobilized, only 8% were girls and those who entered the program often reported abuse and marginalization.¹¹¹ However, encouraging trends have recently emerged elsewhere, for instance in the Cameroonian DDR program, implemented at Meri Center, where, as of November 2022, out of 1,189 registered children, 45.6% were girls.¹¹²

Girl CAAFAG often face significant challenges in securing livelihoods, due to both the high levels of unemployment¹¹³ and their reduced social desirability in marriage, increasing their vulnerability to re-recruitment.¹¹⁴ Girls are also more likely to experience stigmatization by their families and the return communities,¹¹⁵ especially if they are also young mothers,¹¹⁶ and face discrimination in accessing healthcare and education.¹¹⁷ These compounded disadvantages aggravate their psychosocial distress,¹¹⁸ that should be understood through the lens of girls' specific experiences.

The available figures from early DDR efforts, such as the Liberian program ended in 2004 or the DRC one until 2006, reveal that only 8 to 15% of the estimated girl CAAFAG have participated in the

¹⁰⁷ E.g. differences in roles played in armed forces or groups. See R. Haer (n 4), p. 459.

¹⁰⁸ M. Wessells, Girls in armed forces and groups in Angola: Implications for Ethical Research and Reintegration. In S. Gates and S. Reich (Eds.), *Child Soldiers in the Age of Fractured States*, University of Pittsburgh Press., 2010, p. 184.

¹⁰⁹ The Alliance for child protection in humanitarian action, "Girls Associated with Armed Forces and Armed Groups", 2020, at <https://alliancecpha.org/en/GAAFAG>, p. 4.

¹¹⁰ M. Drumbl (n 7), p. 206.

¹¹¹ J. Williamson, "The disarmament, demobilization and reintegration of child soldiers: social and psychological transformation in Sierra Leone.", *Intervention Journal of Mental Health and Psychosocial Support in Conflict Affected Areas* 4.3 2006, p.191.

¹¹² IOM, "Disarmament and reintegration: Cameroon has made the protection of children in the context of DDR a priority", 10 November 2023, at <https://www.iom.int/news/disarmament-and-reintegration-cameroon-has-made-protection-children-context-ddr-priority>.

¹¹³ M. Wessells (n 109), p. 194.

¹¹⁴ R. Haer (n 4), p. 459.

¹¹⁵ *Ibidem*.

¹¹⁶ L. Withers (n 22), p. 201.

¹¹⁷ M. Wessells (n 108), p. 194.

¹¹⁸ *Ibidem*.

programs.¹¹⁹ This exclusion stems from several factors. Firstly, the dominant security-centred approach to DDR, focusing on combatants, often fails to consider girls who served in non-combat roles, e.g. servants, porters, cooks and concubines.¹²⁰ Secondly, many girls have been deemed just “too young to be soldiers”.¹²¹ Finally, many DDR programs are implemented through formal and high-profile procedures, potentially clashing with the needs of numerous already stigmatized girl CAAFAG, preferring to keep a low profile. As a result, many girls quietly reintegrate to civil life,¹²² sometimes in villages other than their own, a dynamic that is rarely considered within the traditional DDR concept of reintegration.¹²³

Against this backdrop, recent literature emphasizes the need of tailoring DDR programs to diverse beneficiaries,¹²⁴ including through the composition of support packages and the design of empowerment initiatives aimed at challenging the perception of girls as passive followers.¹²⁵ The implementation of these programs should also consider the local context,¹²⁶ particularly gender and social norms, to minimize stigmatization. An interesting example comes from the DDR process in South Sudan. Until 2018, less than 1% of released CAAFAG were girls, who were assumed to be protected because they only played supportive roles. In 2018, military child protection focal points were included in DDR teams and raised the issue about the girls’ condition with female officers, who could then access girls and more easily explain them that the armed group had been demobilized. This led to an increase of formally released girls to 35%.¹²⁷

Finally, a gender-sensitive approach can also enhance DDR for boys and non-binary children, who are likewise impacted by the traditional gender stereotypes often reinforced by armed forces and groups. These stereotypes, particularly those linking masculinity to violence, can contribute to the recruitment and retention of children in the military structures.¹²⁸

In conclusion, this chapter has highlighted the main unresolved issues surrounding DDR programs for CAAFAG. Recognizing these debates is essential to critically engage with the relevant legal framework, which will be addressed in the following chapter.

¹¹⁹ L. Withers (n 22), p. 209.

¹²⁰ M. Wessells (n 108), p. 184.

¹²¹ *Ibidem*, p. 193.

¹²² *Ibidem*, p. 185.

¹²³ *Ibidem*, p. 194.

¹²⁴ R. Haer (n 4), p. 454.

¹²⁵ *Ibidem*, p. 459.

¹²⁶ M. Wessells (n 108), p. 185.

¹²⁷ UNICEF Sudan, Practical Guide to fulfil the reintegration needs and rights of girls formerly associated with armed forces and armed groups in South Sudan, 2019, at <https://www.unicef.org/southsudan/media/2296/file/UNICEF-South-Sudan-Practical-Guide-Reintegration-Girls-2019.pdf>, pp. 9, 71-72.

¹²⁸ Global coalition for reintegration of child soldiers (n 16), p.17.

3. Legal framework on Disarmament, Demobilization and Reintegration for Children Associated with Armed Forces and Armed Groups

To outline the international legal approach and developments concerning DDR for CAAFAG and clarify the legal background of the case studies examined in Chapter Four, this chapter reviews the relevant international legal instruments on the matter. It begins by summarising the obligations concerning the prohibition of recruiting and using children in hostilities, followed by a section on the legal framework governing DDR programs, with a focus on reintegration. A final section tackles accountability for CAAFAG who have committed crimes. Discomfort surrounding accountability has sometimes generated oversimplified operational responses, such as adopting a blanket non-responsibility approach. However, entirely avoiding the issue carries substantial risks, such as impeding victims' access to justice, undermining community trust in reintegration processes, and hampering the children's own understanding of their actions, further exacerbating their already fragile condition.¹ Not all CAAFAG have committed crimes, and accountability components must not be applied indiscriminately. However, supporting those who have been involved in serious violations to acknowledge and reflect on the consequences of their actions, on both individuals and communities,² can importantly contribute to their reintegration. In this regard, the inclusion of accountability elements must be carefully calibrated to ensure consistency with the child's best interests and restorative justice principles. Notably, while acknowledging the complexities of "balancing culpability, a community's sense of justice and the best interests of the child",³ the Machel Report claims that "[y]oung people must not be seen as problems or victims, but as key contributors in the planning and implementation of long-term solutions".⁴

The chapter primarily refers to international children's rights law, which is particularly relevant for the protection of CAAFAG.⁵ The United Nations Convention on the Rights of the Child (CRC)⁶ and its Optional Protocol on the involvement of children in armed conflict (OPAC)⁷ are at the centre of the analysis. Unlike some other international human rights law (IHRL) instruments, these treaties do not include derogation clauses and therefore apply both in times of peace and armed conflict.⁸ Key instruments from international humanitarian law (IHL), international criminal law (ICL), and international labour law are also considered. Given the limited scope of binding legal provisions directly addressing

¹ J. Tobin (ed.), *The UN Convention on the Rights of the Child: A commentary*, OUP Oxford, 2019, p. 1557.

² L. Guercio and P. Massidda, "Creating an International Institution for the Rehabilitation and Reintegration of Children Involved in Armed Conflict.", *Globalisation, Cultural Diversity and Human Rights*. Springer Nature, 2024, p. 73.

³ G. Machel, Report of the Expert of the Secretary-General "Impact of Armed Conflict on Children", A/51/306, 26 August 1996, para 250.

⁴ *Ibidem*, para 242.

⁵ B. Mezmur, "Children at Both Ends of the Gun: Child Soldiers in Africa", J. Sloth-Nielsen (ed.), *Children's Rights in Africa*, Routledge, 2008, p. 204.

⁶ UN Convention on the Rights of the Child, G.A. Res. 44/25, 44th Sess., A/RES/44/25 (1989)

⁷ Optional Protocol to the CRC on the involvement of children in armed conflict, G.A. Res. 54/263, A/RES/54/263 (2000).

⁸C. Aptel, *Atrocity Crimes, Children and International Criminal Courts: Killing Childhood*, Routledge, 2023, p. 35.

CAAFAG, and especially their accountability,⁹ significant attention is devoted to key soft law instruments, particularly the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles)¹⁰ and the UN Integrated DDR Standards (IDDRS).¹¹ The Paris Principles, drafted in 2007 by UNICEF and partners to update the 1997 Cape Town Principles,¹² provide operational guidance to prevent child recruitment and use in armed conflicts and to facilitate release and reintegration.¹³ Through the Paris Commitments, 112 States¹⁴ agreed to support the Principles' implementation. The IDDRS, a set of standards developed by the UN Inter-Agency Working Group on DDR, draw on best practices from UN-supported DDR initiatives. First published in 2006, they were updated in 2019 with a revised UN Approach to DDR offering more comprehensive guidance.¹⁵ The African Charter on the Rights and Welfare of the Child (ACRWC) is also considered, as it is the most significant regional instrument applicable in Africa. References to relevant jurisprudence, particularly of the International Criminal Court (ICC) and the Special Court for Sierra Leone (SCSL), are included to support the understanding of the application of the legal norms discussed.

3.1. Children Associated with Armed Forces and Armed Groups

3.1.1 International Children's rights law

According to Art. 38 CRC, "States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities",¹⁶ while the recruitment of children aged 15 or older into their armed forces is allowed.¹⁷ The OPAC, currently ratified by 173 States,¹⁸ raises this standard by prohibiting the compulsory recruitment and direct participation in hostilities of all persons under the age of 18.¹⁹ This also applies to the recruitment of children by armed groups, which States are obliged to prevent.²⁰ While voluntary enlistment of children aged 15 to 18 into national armed forces is still permitted under OPAC, it must meet specific safeguards,

⁹ M. Drumbl, *Reimagining Child Soldiers in International Law and Policy*, Oxford, 2012, p. 102.

¹⁰ Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (2007).

¹¹ IDDRS, 2019, at <https://www.unddr.org/the-iddrs/>.

¹² Cape Town Principles and Best Practice on the prevention of recruitment of children into the armed forces and on demobilization and social reintegration of child soldiers in Africa, Cape Town, 1997.

¹³ Paris Principles, 1.2.

¹⁴ Data as of 2022 at <https://uk.ambafrance.org/France-reaffirms-its-commitment-to-freeing-children-from-war>.

¹⁵ IDDRS (n 11).

¹⁶ CRC, Art. 38(2).

¹⁷ *Ibidem*, Art. 38(3).

¹⁸ https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsq_no=IV-11-b&chapter=4&clang=en

¹⁹ OPAC, Arts. 1 and 2.

²⁰ *Ibidem*, Art. 4(1).

including the genuine voluntariness of the recruitment, the informed consent of the child's parents or legal guardians, and reliable proof of age.²¹ However, concerns persist regarding their practical application, particularly in contexts of poverty and insecurity, inherently compromising the voluntariness of recruitment.²² In this regard, international jurisprudence and doctrine have progressively clarified the irrelevance of whether enlistment is voluntary or forced, leaning towards the condemnation of all forms child recruitment.²³ For instance, during the Sierra Leonean civil war, many children joined armed forces due to the lack of viable alternatives for survival.²⁴ Nonetheless, OPAC's stricter approach toward the recruitment practices of non-state armed groups, generally more active in child recruitment than national armies,²⁵ is commendable. This is especially relevant in Africa, where the involvement of armed groups in the use of child soldiers remains prevalent. Nonetheless, doubts persist regarding OPAC's effective implementation.²⁶ This is partly attributable to the vague language of Article 4(2), requiring States to take "all feasible measures" to prevent child recruitment by armed groups: this obligation's indeterminate nature leaves significant discretion to States and is particularly problematic in non-international armed conflicts (NIAC), where enforcement of domestic legislation is often limited or impossible.²⁷

3.1.2. International humanitarian law

The prohibition of military use of children under the age of 15, as enshrined in the CRC, reflects the corresponding provisions of IHL, whose observance is explicitly required by the CRC itself²⁸ through an innovative inclusion,²⁹ making the CRC one of the most conflict-sensitive IHRL instruments,³⁰ and highlighting the complementarity and mutual reinforcing effects of these two bodies of international law.³¹ While the Fourth Geneva Convention (GC IV) on the Protection of Civilians contains general provisions

²¹ *Ibidem*, Art. 3(3).

²² B. Mezmur (n 5), p. 206.

²³ C. Aptel (n 8), p. 82.

²⁴ K. Vandergrift, "International Law Barring Child Soldiers in Combat: Problems in Enforcement and Accountability: Challenges in Implementing and Enforcing Children's Rights", *Cornell International Law Journal* 37, 2004, cited in B. Mezmur (n 5), p. 206.

²⁵ UNSG, "Children and Armed Conflict: Report of the Secretary-General" A/79/878-S/2025/247, 17 June 2025. Children were mainly recruited and used by armed groups in many countries, including but not limited to Colombia, Somalia, Haiti and Lebanon.

²⁶ B. Mezmur (n 5), p. 206.

²⁷ J. Tobin (ed.) (n 1), p. 1691.

²⁸ CRC, art. 38(1).

²⁹ B. Mezmur (n 5), p. 201.

³⁰ B. Nylund, "International Legal Protection for the Recovery and Reintegration of War-Affected Children", in I. Derluyn et al. (eds.), *Re-Member: Rehabilitation, Reintegration and Reconciliation of War-Affected Children*, Series on Transitional Justice, Intersentia, 2012, p. 36

³¹ C. Aptel (n 8), p. 35.

for the protection of children,³² it does not mention child soldiers. However, Additional Protocol I (AP I), applicable to international armed conflicts (IAC), and Additional Protocol II (AP II), applicable to NIAC, both prohibit the recruitment of children under 15³³ and require that they are granted special protection even if they take part in hostilities.³⁴ Despite this commendable extension of such protection to NIACs, Mezmur highlights that the intensity threshold required to classify a conflict as a NIAC under IHL is often not met in many situations involving CAAFAG in Africa. As a result, IHL may not be triggered, leaving children particularly vulnerable.³⁵

3.1.3. International Criminal Law

The recruitment and use of children under the age of 15 to actively participate in hostilities constitutes a war crime under ICL and may entail individual criminal responsibility pursuant to Article 8(2)(b)(xxvi) and 8(2)(e)(vii) of the Rome Statute. The Rome Statute also provides for reparations to victims, including compensation and rehabilitation programs relevant to child soldiers.³⁶ Domestically, this crime was also included in the SCSL Statute,³⁷ which led to the prosecution of several individuals, most notably in *Prosecutor v. Charles Taylor*³⁸ and *Prosecutor v. Brima, Kamara and Kanu (AFRC Case)*,³⁹ where convictions were secured for the recruitment and use of underage children in hostilities.

3.1.4. International Labour Law

The International Labour Organization (ILO) Worst Forms of Child Labour Convention No. 182 defines the “forced or compulsory recruitment of children for use in armed conflict” as one of the worst forms of child labour⁴⁰ and requires the prohibition and elimination of such practices. Notably, the Convention adopts 18 as the upper age threshold for defining a “child,” aligning with the CRC and OPAC, and going beyond the lower age limits set under IHL.

3.1.5. Soft law

The Paris Principles define “unlawful recruitment or use” of children in accordance with the applicable international or domestic law of the specific context, which are thus the reference for relevant age

³² GC IV, Arts. 14, 17, 23, 24, 132.

³³ API, Art. 77(2) and 77(3); APII Art. 4(3)(c).

³⁴ API, Art. 77 (3) and 77(4); APII art. 4(3)(d).

³⁵ B. Mezmur (n 5), p. 201.

³⁶ Rome Statute of the International Criminal Court (Rome Statute), art. 75(2).

³⁷ Statute of the Special Court for Sierra Leone (SCSL Statute), 2178 UNTS 145 (2002), art. 4(c).

³⁸ *Prosecutor v. Charles Ghankay Taylor* (Judgement Summary), SCSL-03-1-T, SCSL, 26 April 2012.

³⁹ *Prosecutor vs. Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu* (the AFRC Accused), SCSL-04-16-T, SCSL, 20 June 2007.

⁴⁰ ILO Convention No. 182: Concerning the Prohibition and Immediate Elimination of the Worst Forms of Child Labour, 38 ILM. 1207, Art. 3(a).

thresholds.⁴¹ Nevertheless, they promote a broader understanding of child soldiering, encompassing all persons under 18 recruited and used by armed forces or groups in any capacities, thus also including indirect participation. While this comprehensive definition builds upon the earlier Cape Town Principles' definition of "child soldier", it is framed under the term "child associated with an armed force or armed group", first introduced by the IDDRS in 2006.⁴² In 2017, the Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers, endorsed by 107 States as of 2023,⁴³ reaffirmed political commitments to prevent child recruitment and use, focusing on addressing the practice's root causes.

3.1.6. African Charter on the Rights and Welfare of the Child

Article 22 ACRWC reflects a firm stance against the recruitment of children, aligning with the OPAC by adopting a clear minimum age of 18 for both direct participation and recruitment into armed conflict.⁴⁴ Notably, the ACRWC appears to offer a stronger protection standard than OPAC. While OPAC obliges States to take "*all feasible measures*," generally interpreted as an obligation of conduct, the ACRWC requires States to take "*all necessary measures*," suggesting a higher degree of obligation, potentially closer to an obligation of result.⁴⁵

3.2. Disarmament, Demobilization and Reintegration: focus on Reintegration

The prohibition of recruitment and use of underage children entails a corresponding obligation for States to demobilize them, although not explicitly stated in Article 39 CRC.⁴⁶ International law also imposes an obligation to rehabilitate and reintegrate CAAFAG, which can be fulfilled through diverse mechanisms, including DDR programs.

3.2.1 International Children's rights law

The CRC key provision concerning the reintegration of CAAFAG, and conflict-affected children more generally,⁴⁷ is Article 39, which reads "States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and re-integration shall take place in an environment which fosters the health, self-respect and dignity of the child". This article establishes both the content and quality of the recovery and reintegration processes: the first sentence outlines the scope of the obligation, while

⁴¹ Paris Principles, 2.5.

⁴² DPKO, IDDRS, 2006, p. 2.

⁴³ The latest data at https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/human_rights-droits_homme/principles-vancouver-principes.aspx?lang=eng.

⁴⁴ ACRWC, Art. 22(2).

⁴⁵ B. Mezmur (n 5), p. 204.

⁴⁶ F. Ang, "Article 38. Children in Armed Conflicts", in A. Alen et al (Eds.) *A Commentary on the United Nations Convention on the Rights of the Child*, Martinus Nijhoff Publishers, Leiden, 2005, p. 28.

⁴⁷ B. Nylund (n 30), p. 37.

the second defines the standards for the environment in which those processes must occur.⁴⁸ Recovery, both physical and psychological, and reintegration are interdependent and mutually reinforcing processes.⁴⁹ Specific protection issues,⁵⁰ such as those connected to CAAFAG's health conditions, can also exist and require attention. For CAAFAG, "social reintegration" acquires a distinct meaning, reflecting the child's prior association with armed forces or groups, and the accompanying risks of stigma, trauma or exclusion. Effective reintegration must therefore consider the specific context of the conflict, the impact on the child and their family, and the broader community dynamics, through the active involvement of all relevant actors.⁵¹

The reference to the implementing context in Article 39 highlights the importance of other rights enshrined in the Convention, such as the right to health and the best interests of the child. The latter, enshrined in Art. 3 CRC, is fundamental in guiding decisions regarding family reunification, educational and vocational activities for CAAFAG. In this regard, child-centred DDR processes should align with the CRC broader framework, as also emphasised by the IDDRS.⁵² Relevant provisions include Art. 6 on the right to life, survival and development, with particular attention to moral and social development;⁵³ Art. 2 on non-discrimination, which has deep implications for the eligibility criteria⁵⁴ and calls for a gender-sensitive approach; Art. 12, guaranteeing children's right to be heard and to have their views given due weight in accordance with their evolving capacities. The latter is especially relevant for ensuring the participation of CAAFAG in all phases of DDR and peacebuilding efforts, where their inclusion contributes to sustainable peace processes.⁵⁵

Further relevant obligations are found in Art. 6(3) OPAC, requiring States to "take all the feasible measures to" demobilize them and provide them with assistance "for their physical and psychological recovery and their social reintegration". This was the first binding international agreement to explicitly impose DDR-related obligations concerning children.⁵⁶ Moreover, States are required to cooperate to this end "including through technical cooperation and financial assistance",⁵⁷ which remains crucial given recurring programs' funding and sustainability challenges.

Finally, reintegration for CAAFAG should be understood within the broader framework of the access to justice and the right to an effective remedy for children affected by armed conflict. Justice for these children is not limited to prosecuting perpetrators; it also requires measures to restore rights and compensate for harm, including redress for long-term consequences. In this sense, recovery and reintegration, through the provision of relevant services aligning with Art. 39 CRC and the creation of an

⁴⁸ *Ibidem*, p. 39.

⁴⁹ *Ibidem*, p. 37.

⁵⁰ *Ibidem*, p. 38.

⁵¹ *Ibidem*, p. 45.

⁵² IDDRS, para 5.1.1.

⁵³ *Ibidem*.

⁵⁴ *Ibidem*.

⁵⁵ B. Nylund (n 30), p. 39.

⁵⁶ J. Tobin (ed.) (n 1), p. 1697.

⁵⁷ OPAC, art. 7 (1).

enabling environment for rehabilitation, are essential elements of remedies. This understanding has been clearly articulated by the CRC Committee in its draft General Comment on children's right to access to justice and to an effective remedy.⁵⁸

3.2.2. International humanitarian law

Although IHL does not directly regulate the reintegration of CAAFAG, GC IV requires States to provide special protection to "children under fifteen" who are orphaned or separated from their families due to war. Article 24 GC IV states that such children must "not left to their own resources" and obliges States to facilitate "their maintenance, the exercise of their religion and their education". Article 77(3) AP I extends this protection to "children who [...] take direct part in hostilities", though the provision still applies only in situations of IAC and only to children under 15. These safeguards are thus limited in both age and scope. However, the analysis of customary IHL conducted by the International Committee of the Red Cross (ICRC)⁵⁹ recognizes that certain protections apply in NIAC, as well. Rule 135, for example, affirms that "children affected by armed conflict are entitled to special respect and protection", including "access to education, food and health care" and "reunification of unaccompanied children with their families".⁶⁰ Although there is no specific customary IHL rule on DDR, the ICRC acknowledges that various legal instruments and UN bodies call on States to provide support for DDR processes for children,⁶¹ reinforcing the obligation to move beyond protection and toward longer-term recovery.

3.2.3. International Labour Law

Art. 7(2) ILO Convention No. 182 requires States to take various measures aimed at eliminating the worst forms of child labour, including child soldiering. These measures notably align with DDR goals and include the provision of the "necessary and appropriate direct assistance for the rehabilitation and social integration of children".⁶² Moreover, the Convention calls for "access to free basic education, and [...] vocational training"⁶³ as well as the identification and outreach to "children at special risk",⁶⁴ such as those accused of perpetuating crimes during their association with armed forces or groups. The Convention also emphasizes the importance of addressing the specific situation of girls.⁶⁵

⁵⁸ CRC Committee, Draft GC No. 27 (202x) on children's right to access to justice and to an effective remedy, para 59.

⁵⁹ J. Henckaerts and L. Doswald-Beck (eds), *Customary international humanitarian law*, Volume I (rules) and II (practice), Cambridge University Press, 2005. The regularly updated practice is at <https://ihl-databases.icrc.org/en/customary-ihl>.

⁶⁰ *Ibidem*, Volume I, Rule 135.

⁶¹ ICRC, "Practice relating to rule 135", Section A. Special protection, at <https://ihl-databases.icrc.org/en/customary-ihl/v2/rule135#65025553-cf0a-4593-8e12-7808b149b303>.

⁶² ILO Convention No. 182, Art. 7(2)(b).

⁶³ *Ibidem*, Art. 7(2)(c).

⁶⁴ *Ibidem*, Art. 7(2)(d).

⁶⁵ *Ibidem*, Art. 7(2)(e).

3.2.4. The Paris Commitments and Principles

The Paris Principles affirm that the release of CAAFAG should be sought “unconditionally”, i.e. must not depend on factors such as the child’s status or nationality, and should occur “at all times”, including during ongoing conflicts.⁶⁶ Furthermore, release, protection and reintegration initiatives for children must not be contingent on the implementation of parallel DDR programs for adults.⁶⁷ This prioritization is echoed in the Vancouver Principles, urging the prioritization of CAAFAG in DDR processes.⁶⁸

A notable contribution of the Paris Principles is their gender-sensitive approach.⁶⁹ States are encouraged to consider the “physical, social and emotional”⁷⁰ impacts of girls’ association with armed forces or groups and to address these specific needs during the design and implementation of release and reintegration programs.⁷¹ The Principles also call for tailored measures for children in situations of heightened vulnerability, including children with disabilities,⁷² refugees and internally displaced children,⁷³ recognizing the additional barriers to reintegration they face.

Furthermore, the Principles outline standards for child-specific reintegration, promoting an inclusive approach to programming. Reintegration programs are envisioned not only to support individual children, but also to promote social cohesion and national reconciliation. Therefore, programmes should “enhance [children’s] self-worth and promote their capacity to [...] construct a positive life”, while always considering their age, development stage and specific needs.⁷⁴ Recommended measures include material assistance,⁷⁵ family tracing⁷⁶ and reunification or alternative family-based care arrangements,⁷⁷ support for families and communities where the child returns.⁷⁸ Importantly, the Principles stress the need to prepare communities for the reintegration of CAAFAG, to mitigate risks of stigma and rejection

⁶⁶ Paris Principles, 1.5; Paris Commitments, art. 5.

⁶⁷ *Ibidem*, 3.11; Paris Commitments, art. 5.

⁶⁸ Vancouver principles, 12.

⁶⁹ Y. Arai-Takahashi, “War Crimes relating to child soldiers and other children that are otherwise associated with armed groups in situations of non-international armed conflict. An incremental step toward a coherent legal framework?.”, *Questions of International Law* 23, 2019, p. 32.

⁷⁰ Paris Principles, 4.0.

⁷¹ *Ibidem*, 4.1.

⁷² *Ibidem*, 7.50-7.53.

⁷³ *Ibidem*, 5.

⁷⁴ *Ibidem*, 7.30-7.32.

⁷⁵ *Ibidem*, 7.33-7.35.

⁷⁶ *Ibidem*, 7.36.

⁷⁷ *Ibidem*, 7.45.

⁷⁸ *Ibidem*, 7.37-7.44.

and to provide mediation and follow-up support throughout the process.⁷⁹ This aligns to the community-based reintegration model outlined in the Principles, acknowledging this stakeholder's potentially beneficial role in fostering CAAFAG's care and protection and, simultaneously, the risks of stigmatization and ostracization of returned CAAFAG.⁸⁰

Additionally, the Principles identify healthcare and education as essential components of reintegration. Health is understood in both physical and psychological terms,⁸¹ with emphasis on needs related to reproductive health, HIV and gender-based violence.⁸² Educational services, vocational training and livelihood opportunities should be provided, considering the beneficiaries' age and experiences⁸³ and ensuring that training does not inadvertently lead to child labour, but rather balances education and work in the child's best interests.⁸⁴ In this regard, experiences such as the Liberian one, where reintegration efforts focused predominantly on vocational skills training, yet the trained CAAFAG were not absorbed into the labour market,⁸⁵ should be carefully considered.

3.2.5. The UN Integrated DDR Standards

IDDRS devote a specific module, the 5.20, to children and DDR. This module recognizes CAAFAG as a distinct category, thus requiring child-specific DDR processes that are separate from adult ones and independent of any political negotiation or peace agreements. The standards promote a child-rights based approach, grounded into the CRC, and emphasise the centrality of children's rights in the design and implementation of DDR initiatives.⁸⁶ Among these rights, the right to participation is particularly underscored. The IDDRS acknowledge that children have been excluded from numerous DDR programs, as seen for instance in Colombia, where such exclusion was attributed either to the perception of children as a threat to program development or to a narrow interpretation of their political rights.⁸⁷

The module further elaborates on how DDR guiding principles,⁸⁸ such as context specificity and national and local ownership, apply to the reintegration of CAAFAG. On the one hand, the IDDRS stress that "no simple formula that can be applied in all circumstances"⁸⁹ exists, highlighting the need for conflict-

⁷⁹ *Ibidem*, 7.41.

⁸⁰ *Ibidem*, 7.39.

⁸¹ *Ibidem*, 7.68

⁸² *Ibidem*, 7.69, 7.70, 7.72.

⁸³ *Ibidem*, 7.77.

⁸⁴ *Ibidem*, 7.84.

⁸⁵ A. Delgado, "The role of children in disarmament demobilization and reintegration: an opportunity of inclusion as peacebuilders", ICIP working papers, 2016/02, p. 33.

⁸⁶ IDDRS, para 5.1.1, p. 10.

⁸⁷ A. Delgado (n 85), p. 44.

⁸⁸ DDR processes should be voluntary, people-centred, gender responsive and inclusive, conflict sensitive, context specific, flexible, accountable and transparent, nationally and locally owned, regionally supported, integrated and well planned.

⁸⁹ *Ibidem*, para 4.5, p. 7.

sensitive and context-specific programming. On the other hand, the long-term nature of reintegration and its dependence on local capacities are emphasised. As sustainable reintegration is closely linked to the involvement and empowerment of local stakeholders, the IDDRS encourage participatory and decentralized consultations, including with the support of experts on child participation.⁹⁰

Aligning with the Paris principles, the IDDRS advocate for temporal flexibility in DDR programming, recognizing the importance of sustained long-term support to provide viable alternatives to military life, which must be backed by adequate and reliable funding.⁹¹ Regarding reintegration, the IDDRS highlight the importance of a community-based and holistic approach, situating the reintegration of CAAFAG within the broader community development processes.⁹² They also stress a gender sensitive approach⁹³ and identify key components of reintegration, including healthcare, family tracing and reunification, support to families and communities, education, vocational training and livelihood development.⁹⁴

3.2.6. The African Charter on the Rights and Welfare of the Child

The ACRWC does not contain explicit references to DDR for CAAFAG. However, Art. 22 requires States to “take all feasible measures to ensure the protection and care of children who are affected by armed conflicts”,⁹⁵ while also respecting IHL norms,⁹⁶ mirroring the CRC in substance. As clarified by the ACERWC, the scope of protection extends to all children affected by armed conflict, including those “in the hands of armed forces” and/or “accused of association with armed or designated terrorist groups”.⁹⁷ Emphasizing the “psychosocial and psychological effects on children”, the ACERWC recognizes reintegration as a necessary component of care and protection, needing to be accompanied by community mobilization to be effective.⁹⁸ The importance of child participation in post-conflict reintegration efforts is also underlined. Such participation must be ensured in an “inclusive manner” and needs to protect children from “re-victimization”.⁹⁹

A broader interpretive approach may further support a reading of the ACRWC as implying an obligation to support the reintegration of CAAFAG. Art. 16(1) requires the establishment of “protective measures [...] to provide necessary support for the child and for those who have care of the child, as well as [...] treatment [...]” for children victims of torture, inhuman or degrading treatment. This category is indeed

⁹⁰ *Ibidem*, para 4.7, p. 8.

⁹¹ *Ibidem*, para 8.5, p. 30.

⁹² *Ibidem*, para 8, p. 26.

⁹³ *Ibidem*, para 4.3, p. 6.

⁹⁴ *Ibidem*, para 8.5, p. 30.

⁹⁵ ACRWC, Art. 22(3).

⁹⁶ *Ibidem*, Art. 22(1).

⁹⁷ ACERWC, GC on Article 22 of the ACRWC “Children in situations of conflict”, September 2020, para 44.

⁹⁸ *Ibidem*, para 28.

⁹⁹ *Ibidem*, para 37.

likely to include unlawfully recruited children.¹⁰⁰ Despite the Charter's general focus on the girl child's rights, no specific guidance on the protection of girl CAAFAG is provided, a gap shared with the CRC and the OPAC.¹⁰¹

3.2.7 The United Nations Agenda on Children and Armed Conflict

DDR is also part of the mandate and work of the United Nations Special Representative of Secretary General for Children and Armed Conflict (SRSG-CAAC), created in 1996 by General Assembly Resolution 51/77, following the publication of the Machel Report.¹⁰² A fundamental operational pillar of this mandate is the annual report of the Secretary-General to the Security Council on children and armed conflict, monitoring the six grave violations, including recruitment and use of children.¹⁰³ Findings and recommendations about DDR programs are regularly included in the report. In the latest one, referring to 2024, DDR was addressed in five out of the 25 situations examined.¹⁰⁴ Notably, the recommendation to prioritize children and ensure that their rights are considered in the implementation of programs recurred, particularly in the cases of the DRC,¹⁰⁵ the Lake Chad basin¹⁰⁶ and Niger.¹⁰⁷ In the latter two contexts, the same paragraphs discussing DDR also urged States to grant the UN access to detention centres, which is relevant for promoting child-friendly forms of accountability for CAAFAG in connection with their reintegration process.¹⁰⁸ The annexes to the report list parties to conflict who are credibly accused of violations, triggering engagement with the UN to develop Action Plans aimed at ending and preventing further abuses.¹⁰⁹ This process is supported by the Monitoring and Reporting Mechanism on Children and Armed Conflict (MRM), created in 2005 "to collect and provide timely, objective, accurate and reliable information on the [unlawful] recruitment and use of child soldiers" and on other violations

¹⁰⁰ L. Minasian, *Does the International Framework for Disarmament, Demobilization and Reintegration Programmes adequately provide for the rehabilitation of child soldiers? A case study of DDR Programmes for former female child soldiers in Uganda.*, Diss. School of Advanced Study, 2011, p. 21.

¹⁰¹ B. Mezmur (n 5), p. 208.

¹⁰² Office of the SRSG-CAAC, Study on the evolution of the Children and Armed Conflict mandate 1996-2021, 2022, p. 19.

¹⁰³ The other grave violations are killing or maiming of children, sexual violence against children, attacks against schools or hospitals, abduction of children and denial of humanitarian access. These were first condemned in the Security Council Resolution 1261(1999), para. 2. See also Office of the SRSG-CAAC, "The Six Grave Violations Against Children During Armed Conflict: The Legal Foundation", Working Paper No. 1, October 2009 (Updated November 2013).

¹⁰⁴ Particularly, the CAR, the DRC, Cameroon, the Lake Chad Basin and Niger. See UNSG, "Children and Armed Conflict: Report of the Secretary-General" A/79/878-S/2025/247, 17 June 2025, paras 42, 68, 262, 281, 302.

¹⁰⁵ *Ibidem*, para 68.

¹⁰⁶ *Ibidem*, para 281.

¹⁰⁷ *Ibidem*, para 302.

¹⁰⁸ See para 3.3. of this chapter.

¹⁰⁹ Office of the SRSG-CAAC (n 103), p. 24.

against children affected by armed conflict.¹¹⁰ The MRM reports to the Security Council Working Group on Children and Armed Conflict, which then makes recommendations on measures to end violations and promote children protection to all the relevant stakeholders in country-specific situations.¹¹¹

The integration of DDR into the CAAC mandate has grown significantly over time, so that DDR, and particularly reintegration, is now understood not merely as a post-conflict recovery tool, but as a strategic element of the SRSG-CAAC's preventive mandate.¹¹² This approach is echoed by the SRSG's latest initiatives, including the 2018 Global Coalition for Reintegration of Child Soldiers, aiming at finding innovative solutions to support child reintegration programmes,¹¹³ and the Nairobi Process, a stakeholder-led initiative launched in 2021 to "facilitate consultations among the CAAFAG, to provide them with a new platform for discussion, and to present their ideas and recommendations to decision-makers".¹¹⁴

3.3. Accountability of children associated with armed forces or groups

Debate surrounds the issue of judicial accountability for former CAAFAG who allegedly committed human rights violations. Two broad perspectives can be identified. On the one hand, scholars such as Wessels are critical of prosecuting CAAFAG, arguing that judicial proceedings, or even the threat thereof, can exacerbate stigmatization and hinder reintegration.¹¹⁵ More broadly, they warn that criminalizing forcibly recruited CAAFAG may fuel cycles of violence, generating anger and defiance among them.¹¹⁶ On the other hand, authors such as Drumbl emphasise the risks of not holding these CAAFAG accountable, both at the community and individual level. The failure to address the victims' calls for justice may lead to the stigmatization of CAAFAG as outlaws and prompt communities to pursue "vigilante justice",¹¹⁷ thus undermining both the rule of law and long-term peacebuilding.

This tension was prominently debated during the establishment of the Special Court of Sierra Leone. One faction, including the Office of the SRSG-CAAC, supported extending the Court's jurisdiction to include children, arguing that formal accountability mechanisms could guide "reinsertion into productive civilian life", provided that they were consistent with juvenile justice safeguards and promoted children's

¹¹⁰ UNSC, Resolution 1612(2005), 26 July 2005, para 2(a). See also Office of the SRSG-CAAC, Guidelines and Field Manual on Monitoring and Reporting Mechanism on Grave Violations Against Children, 2014.

¹¹¹ Office of the SRSG-CAAC Study on the evolution of the Children and Armed Conflict mandate 1996-2021, 2022, p. 27.

¹¹² *Ibidem*, p. 38.

¹¹³ <https://childrenandarmedconflict.un.org/global-coalition-for-reintegration-of-child-soldiers/> .

¹¹⁴ Office of the SRSG-CAAC, "2018-2025: Engagement by the Office of the SRSG CAAC on the reintegration of children associated with armed forces and armed groups: from the Global Coalition for Reintegration of Child Soldiers to the Nairobi Process and the Financing Innovation Forum", at <https://childrenandarmedconflict.un.org/wp-content/uploads/2025/05/OSRSG-CAAC-Publication-on-Child-Reintegration.pdf>, p. 29.

¹¹⁵ R. Duthie and I. Specht, "DDR, transitional justice, and the reintegration of former child combatants.", in A. Cutter Patel et al. (eds), *Disarming the past: Transitional justice and ex-combatants*, Social Science Research Council, 2009, p. 213.

¹¹⁶ *Ibidem*.

¹¹⁷ *Ibidem*, p. 212.

reintegration.¹¹⁸ In contrast, UNICEF and Save the Children opposed this approach, warning that it would undermine rehabilitation and reintegration efforts, increase the risk of re-recruitment and conflict with the local traditional healing and forgiveness mechanisms.¹¹⁹ Ultimately, the SCSL was granted jurisdiction over individuals aged 15 and older, but its prosecutor chose not to prosecute them, considering them not among the persons most responsible for the violations.

From an international law perspective, criminal prosecution of CAAFAG is permissible, but increasingly regarded as inappropriate. Instead, non-judicial accountability mechanisms, such as truth commissions, community-based restorative justice and traditional conflict resolution practices, are encouraged. Nonetheless, these mechanisms, and child-friendly justice systems more broadly, require robust safeguards to ensure due process, protect children's rights and avoid re-victimization, which can be challenging in fragile post-conflict environments. In this context, as highlighted by Mezmur, the key question should be "how the accountability of these children should be established while continuing to regard them as beneficiaries of special protections attributable to their vulnerable status".¹²⁰

3.3.1. International Children's rights law

The CRC does not specifically address CAAFAG accused of committing atrocities. However, its approach to criminal responsibility emerging in Articles 37 and 40 is generally applicable.¹²¹ According to Art. 37, "neither capital punishment nor life imprisonment without possibility of release" can be allowed for child offenders,¹²² the "arrest, detention or imprisonment of a child [...] shall be used only as a measure of last resort and for the shortest appropriate period of time",¹²³ and children deprived of liberty "shall be separated from adults".¹²⁴ According to Art. 40, States should establish a minimum age of criminal responsibility,¹²⁵ which the CRC Committee proposed to be 14 as the absolute minimum.¹²⁶ The treatment of children "alleged as, accused of, or recognised as" having infringed penal law should promote their "sense of dignity and worth", reinforce their "respect for the human rights and fundamental freedoms of others", consider their age and promote their reintegration and development of a constructive social role.¹²⁷ While the CRC does not prohibit

¹¹⁸ I. Cohn, *Progress and Hurdles on the Road to Preventing the Use of Children as Soldiers and Ensuring Their Rehabilitation and Reintegration*, 37 *Cornell Int'l L.J.* 531, 2004, p. 539.

¹¹⁹ *Ibidem*.

¹²⁰ B. Mezmur (n 5), p.211.

¹²¹ J. Tobin (ed.) (n 1), p. 1531.

¹²² CRC, Art. 37(a).

¹²³ CRC, Art. 37(b).

¹²⁴ CRC, Art. 37(c).

¹²⁵ CRC, Art. 40(3)(a).

¹²⁶ CRC Committee, *GC No. 24 (2019) on children's rights in the child justice system*, CRC/C/GC/24 (2019), para 22.

¹²⁷ CRC, Art. 40(1).

prosecution or detention outright, it emphasizes alternatives to judicial proceedings,¹²⁸ promoting rehabilitation over retribution.¹²⁹ This reflects an understanding that child perpetrators may themselves be victims of abuse, coercion or exploitation, thus falling under the protective scope of Article 39.¹³⁰

Despite the lack of specific provisions in the Convention, the CRC Committee has acknowledged CAAFAG's complex realities and vulnerabilities, cautioning against punitive responses that may have long-term developmental impacts and hinder social reintegration.¹³¹ The Committee firmly asserts that CAAFAG should be treated primarily as victims of violations of international law and reiterates the need, previously stressed by the Security Council resolution 2427(2018), to establish standard operating procedures for the prompt transfer of CAAFAG to civilian child protection authorities, emphasising the importance of due process and reintegration-focused alternatives to prosecution and detention.¹³² Notably, many of the non-judicial measures listed under Article 40(3)(b) CRC, including alternative or foster care, counselling and educational and vocational training, align with the core components of reintegration phase in DDR programs.

3.3.2. International Humanitarian Law

The CRC's prohibition of the harshest punishments for child offenders is reinforced by IHL, permitting criminal liability of children but expressly prohibiting the death penalty on persons who were younger than 18 at the time of the offence.¹³³ Although AP II does not address the criminal prosecution of CAAFAG, Art. 6(5) AP II states that "at the end of hostilities, the authorities in power shall endeavour to grant the broadest possible amnesty to persons who have participated in the armed conflict", which may also apply to them.¹³⁴ In accordance with AP II's application to NIACs, this provision promotes reconciliation within societies fragmented by conflict.¹³⁵ The promotion of peace through amnesty, must, however, be balanced with the legitimate demands for justice from affected communities, which is especially significant for reintegration of CAAFAG allegedly perpetrators of violations.

3.3.3. International Criminal Law

Art. 26 Rome Statute excludes "any person who was under the age of 18 at the time of the alleged commission of a crime" from the jurisdiction of the ICC. While this is a procedural provision, it was noted

¹²⁸ CRC, Art. 40 (3)(b).

¹²⁹ J. Tobin (ed.) (n 1), p. 1531.

¹³⁰ *Ibidem*, p. 1568.

¹³¹ CRC Committee (n 127), para 99.

¹³² *Ibidem*.

¹³³ GC IV, Art. 68; AP I, Art. 77(5); AP II art. 6(4).

¹³⁴ L. Minasian (n 100), p. 22.

¹³⁵ ICRC, *Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)*, 8 June 1977, *Commentary of 1987*, para 4618.

that it regulates “an aspect of substantive criminal law from its procedural side”,¹³⁶ which not only suggests a close connection between the two of them but also considers IHRL substantive provisions. Domestically, the SCSL offers a key example of practice relating to the criminal prosecution of children. Although no prosecutions of minors ultimately occurred, its Statute did not exclude the possibility of trying individuals under 18, thereby setting a precedent for national jurisdictions.¹³⁷ This potential, however, came with strict safeguards: child soldiers should be treated “with dignity and a sense of worth”, considering their young age and the desirability of promoting their rehabilitation and constructive social reintegration.¹³⁸ The SCSL Statute also provided sentencing guidance, including rehabilitative and reintegration measures,¹³⁹ and encouraged alternative truth and reconciliation mechanisms.¹⁴⁰ In sum, ICL does not prohibit the criminal prosecution of child offenders, but prevailing practice strongly discourages it, favouring non-judicial alternatives consistent with a juvenile justice approach. The norm against prosecuting children before international courts is gradually consolidating,¹⁴¹ though national systems, particularly in post-conflict settings, still face challenges in meeting the required standards.¹⁴² While the ICC has never prosecuted children, it has addressed the issue of crimes committed by former CAAFAG in the case of Dominic Ongwen, abducted and recruited as a child by the Lord’s Resistance Army in Uganda and tried for crimes committed as an adult. A key question was whether his victimization as a child could mitigate his criminal responsibility. The Trial Chamber found that such experiences could reduce his sentence, a position upheld by the Appeals Chamber in 2022. Looking at this landmark judgment, criticism generally acknowledged the legally and morally complicated evaluation the Court was called to make. Scholars such as Cubbon argued that the Court should have better articulated its rationale for mitigation, also to inform future cases,¹⁴³ while others such as Lloyd criticised the decision as overly protectionist, perpetuating a “bright line” approach to criminal liability which positions adults as perpetrators and children as victims, thus failing to grasp the complexity of CAAFAG perpetrators’ experience.¹⁴⁴

3.3.4. Soft law

¹³⁶ R. Clark and O. Triffterer, “Article 26: Exclusion of jurisdiction over persons under eighteen”, in O. Triffterer and K. Ambos (eds.), *The Rome Statute of the international Criminal Court: A Commentary*, Verlag C. H. Beck oHG, 3rd edition, 2016, p. 1034.

¹³⁷ B. Mezmur (n 5), p.211

¹³⁸ SCSL Statute, Art. 7(1).

¹³⁹ *Ibidem*, Art. 7(2).

¹⁴⁰ *Ibidem*, Art. 15(5).

¹⁴¹ J. Tobin (ed.) (n 1), p. 1533.

¹⁴² R. Duthie and I. Specht (n 115), p. 214.

¹⁴³ J. Cubbon, “Mitigation of Dominic Ongwen’s sentence: Gaps in the justification”, EJUL:Talk!, 5 January 2023, at <https://www.ejiltalk.org/mitigation-of-dominic-ongwens-sentence-gaps-in-the-justification/>.

¹⁴⁴ R. Lloyd, “Child Soldier to Warlord Overnight: Sentencing Ongwen in The International Criminal Court.”, *Asia Pac. J. Int’l Humanitarian L.* 4, 2023, pp. 20-21.

Soft law instruments generally align with children's rights law, as they prioritize rehabilitation and reintegration over justice and accountability. The Paris Principles adopt a "child rights-based approach" to the issue of CAAFAG.¹⁴⁵ Consistent with the CRC Committee's position, they urge States to consider CAAFAG having allegedly committed international crimes primary as victims,¹⁴⁶ and do not punish them for their association with armed groups or forces.¹⁴⁷ Aligning with ICL practice, the Principles oppose the prosecution of children before international courts¹⁴⁸ and instead recommend domestic non-judicial alternatives.¹⁴⁹ In this context, the participation of CAAFAG in TRCs is encouraged, provided that it is voluntary, informed and accompanied by procedures minimizing the child's distress.¹⁵⁰ Those accused of international crimes should be tackled in accordance with juvenile justice principles and within a rehabilitation and reintegration-oriented framework.¹⁵¹

These justice-related concerns are addressed in Section 8 of the Principles, titled "Justice". However, as noted by Drumbl, they are absent from Section 7, devoted to release and reintegration. This structural division suggests that justice and reintegration processes may run on parallel tracks rather than being integrated.¹⁵² One illustrative example is the understanding of the persistent issue of the stigmatization of CAAFAG. The Paris principles propose "intensive community sensitisation"¹⁵³ as a solution, preparing the receiving communities to accept the child.¹⁵⁴ Yet this approach could be critiqued for avoiding more dialogical methods, such as TJ ones, which encourage collective engagement with the past and promote forgiveness.¹⁵⁵ From a developmental perspective, this strategy does not appear fully consistent with the CRC's aim to promote the children's respect for the human rights of others or to foster their reintegration and assumption of a constructive societal role.

The IDDRS Module 5.20 provides a protective and reintegrative framework for addressing CAAFAG, including with regard to accountability and criminal responsibility.¹⁵⁶ Referring to the CRC, the Paris Principles and the Beijing Rules, the IDDRS emphasizes that CAAFAG must be viewed primarily as

¹⁴⁵ Paris Principles, 1.5.

¹⁴⁶ *Ibidem*, 3.6; Paris Commitments, Art. 11.

¹⁴⁷ *Ibidem*, 3.7.

¹⁴⁸ *Ibidem*, 8.6.

¹⁴⁹ *Ibidem*, 8.9.0; Paris Commitments, Art. 12.

¹⁵⁰ *Ibidem*, 3.8; Paris Commitments, Art. 12.

¹⁵¹ Paris Commitments, Art. 11.

¹⁵² M. Drumbl (n 9), p.113

¹⁵³ Paris Principles, 7.42.

¹⁵⁴ *Ibidem*, 7.39.

¹⁵⁵ M. Drumbl (n 9), p.113.

¹⁵⁶ IDDRS, p. 43.

victims, even when they may have committed atrocities.¹⁵⁷ Investigations should be child-sensitive, conducted in child-friendly settings and language, in the presence of parents or legal guardians.¹⁵⁸ Justice systems addressing the cases should prioritize the child's best interest and the sustainability of reintegration as part of a long-term process.¹⁵⁹ Courts are expected to uphold juvenile justice standards and adopt a restorative, rather than punitive, approach.¹⁶⁰ The IDDRS' framework thus closely aligns with IHRL.

3.3.5. African Charter on the Rights and Welfare of the Child

The ACRWC addresses the situation of children accused or found guilty of crimes in Article 17, titled "Administration of juvenile justice". Several similarities can be identified with Art. 37 CRC. However, even when the latter's provisions are only partially reflected in the regional instrument, as it is the case for the treatment of children deprived of liberty, "the higher standards on child justice contained in the CRC instrument apply in any event", since all ACRWC States Parties are also parties to the CRC.¹⁶¹ Although Art. 22 ACRWC does not explicitly mention CAAFAG accused of committing crimes, the ACERWC's General Comment on this article offers clarifications. In line with international instruments, CAAFAG are considered primarily as victims and as a special group.¹⁶² States should avoid detaining or prosecuting them and instead ensure their swift transfer "to civilian child protection authorities for rehabilitation and community reintegration", particularly through handover protocols.¹⁶³ Where prosecution and conviction occur, juvenile justice standards must apply and restorative justice and non-judicial alternatives are encouraged.¹⁶⁴

3.4. Conclusions

In conclusion, according to the relevant international legal instruments, a reintegration process for CAAFAG that is consistent with children's rights must be child-specific, community-based and tailored to the evolving needs of each child, including those linked to gender. Moreover, it must adopt a participatory approach concretely upholding the child's right to be heard. Crucially, reintegration should be understood as a long-term process, broadly addressing the psychosocial, educational and economic dimensions of a child's recovery.

¹⁵⁷ *Ibidem*, p. 43.

¹⁵⁸ *Ibidem*, p. 44.

¹⁵⁹ *Ibidem*, p. 45.

¹⁶⁰ *Ibidem*, p. 45.

¹⁶¹ ACERWC, GC No 5 on "State Party Obligations under the African Charter on the Rights and Welfare of the Child (Article 1) and Systems Strengthening for Child Protection", 1 October 2018, para 5.3.2. See also J. Mujuzi, "Article 17 Administration of juvenile justice" in J. Sloth-Nielsen et al (eds). *The African Charter on the Rights and Welfare of the Child: A Commentary.*, Pretoria University Law Press, 2025.

¹⁶² ACERWC (n 97), para 58.

¹⁶³ *Ibidem*.

¹⁶⁴ *Ibidem*, para 59.

Despite remaining a “morally, legally and politically very sensitive matter”,¹⁶⁵ accountability for CAAFAG having allegedly committed violations cannot be separated from reintegration efforts. However, accountability must be approached holistically, fully complying with international children’s rights and child-friendly justice standards.

Although such a comprehensive legal framework exists, implementation issues are frequent, particularly connected to the lack of political will, awareness and financial, human and/or technical capacity.¹⁶⁶ Looking at Africa, it emphasises how the African Committee of Experts on the Rights and Welfare of the Child, but also the Peace and Security Council of the AU, could play a major role in tackling the CAAFAG’s conditions, but their potential impact is limited by financial and technical constraints.¹⁶⁷

¹⁶⁵ Expression used in 2010 but still relevant. R. Coomaraswamy, “The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict— Towards Universal Ratification”, 2010, 18 *International Journal of Children’s Rights*, p.544.

¹⁶⁶ Paris Principles Steering Group, *Paris Principles Operational Handbook*, p. 67.

¹⁶⁷ B. Mezmur (n 5), p. 210.

4. Case studies

4.1 The selection of case studies

This chapter examines two DDR programs, the one implemented in Sierra Leone from 1998 to 2003, and the one implemented in the Democratic Republic of Congo (DRC), started in 2003 and still ongoing. Successes, shortcomings and lessons learned are emphasised from a children's rights perspective, in the attempt to identify recurring strengths and weaknesses of DDR programs for CAAFAG. Each case is briefly contextualized to highlight how contextual differences influenced program outcomes.

To ensure a reasonable basis for comparison, the cases are from the African continent, as a significant amount of insight has been gained by the existing literature from analysing effective DDR practices across this region,¹ and because it is an area where the issue of CAAFAG remains serious.² This country selection is based on the particular incidence of child recruitment and use during the relevant conflicts fought on their territory, considering both the number of children affected and the severity of the violations they suffered. Moreover, these cases are generally regarded as opposite extremes: on the one hand, the often-cited Sierra Leonean DDR program is considered an example of successful post-conflict recovery;³ on the other hand, the numerous attempts to stop recruitment and foster reintegration of CAAFAG in the DRC, where "as virtually every incarnation of the child soldier phenomenon has occurred",⁴ and which has continued to experience recurring conflicts to the present day.

In this context, it is preliminarily important to acknowledge the limitations of focusing on only two settings in terms of generalisability of the findings.

For comparison purposes, each case will be assessed based on criteria derived from the critical aspects of child-specific DDR processes, as outlined in the previous chapter. These criteria will include:

- Whether the DDR program was implemented after the end of the conflict or during ongoing hostilities;
- Whether a specific DDR program was established for CAAFAG, or if children were included within a general DDR framework;
- The conditions for accessing the DDR program;
- The level of attention, resources and priority given to the reintegration phase within the broader DDR process, and the specific measures implemented;
- Whether the specific situation of girl CAAFAG was addressed;
- Whether, and if so how, the communities to which CAAFAG returned were involved in the programs;
- How the victim–perpetrator dichotomy was addressed, particularly in terms of child-sensitive accountability mechanisms;

¹ L. Guercio and P. Massidda, "Creating an International Institution for the Rehabilitation and Reintegration of Children Involved in Armed Conflict.", *Globalisation, Cultural Diversity and Human Rights*. Springer Nature, 2024, p. 71.

² See the list of countries with parties listed and other situations in the SRSG-CAAC framework at <https://childrenandarmedconflict.un.org/where-we-work/>.

³ T. Veiga, "A New Conceptualisation of Child Reintegration in Conflict Contexts.", *E-International Relations*, 2019, at <https://www.e-ir.info/2019/06/21/a-new-conceptualisation-of-child-reintegration-in-conflict-contexts/>. See also S. Elkhaili and N. Sempijja, "The role of education in reintegrating ex-child soldiers: the case of Sierra Leone", *Cogent Education*, 12:1, 2025, p. 2.

⁴ G. Waschefort, *International law and child soldiers*. Hart Publishing, 2015, p. 177.

4.2. Disarmament, demobilization and reintegration of children associated with armed forces or groups in Sierra Leone (1998-2003)

4.2.1. The conflict in Sierra Leone

The civil war in Sierra Leone broke out in 1991, when the Revolutionary United Front (RUF), coming from Liberia, invaded Sierra Leone in the attempt to overthrow the government.⁵ The conflict involved not only this armed group and the Sierra Leone Army (SLA), but also other factions, including the Armed Forces Revolutionary Council (AFRC) and the Civil Defence Forces.⁶ Despite the role of mineral resources in sustaining the conflict, with their control quickly becoming the RUF's main objective, as argued by Schmidt,⁷ its root causes were more closely linked to socio-political issues, such as poor governance, corruption, polarisation, unemployment and marginalization of youth, as noted by the Truth and Reconciliation Commission (TRC).⁸ The 1999 Lome Agreement introduced power sharing arrangements and provided for new elections, amnesty, and the establishment of a TRC. This agreement ultimately brought the conflict to an end, officially declared in January 2002, and laid the foundation for post-conflict recovery.⁹

All factions committed atrocities, including child recruitment and use.¹⁰ Many of the CAAFAG involved in the conflict, estimated at 8,466 between 1991 and 2002,¹¹ were abducted and forcibly recruited. However, many others joined voluntarily, driven by socio-economic factors¹² and the exclusion of youth

⁵ E. Schmidt, *Foreign Intervention in Africa after the Cold War: Sovereignty, Responsibility, and the War on Terror*, Ohio University Press, 2018, p. 202.

⁶ M. Schotsmans, "No return home: the (non-) reintegration of youth ex-combatants in Sierra Leone as a challenge to the contextualisation of DDR and transitional justice." in I. Derluyn et al (eds.), *Re-Member: Rehabilitation, reintegration and reconciliation of war-affected children.*, Vol. 11, Intersentia, 2012, p. 217.

⁷ E. Schmidt (n 5), pp. 202-3.

⁸ Sierra Leone Truth and Reconciliation Commission (TRC) Report, "Chapter 2: Findings", Volume Two. According to Hayner, author of the first in depth analysis of these non-judicial mechanisms employed in TJ processes, a TRC is a temporary body, authorized or empowered by the state under review, and it investigates patterns of past events over a period of time, engaging broadly with the affected population in the aim of producing a final report. See P. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (2nd ed.), Routledge, 2011, pp. 10-13. The Sierra Leonean TRC was established in 2000 to "create an impartial historical record of violations [...] related to the armed conflict [...] from [...] 1991 to the signing of the Lome Peace Agreement; to address impunity, to respond to the needs of the victims, to promote healing and reconciliation [...]" (Truth and Reconciliation Commission Act 2000, Section 6(1)). It operated from 2002 to 2004.

⁹ S. Elkhaili and N. Sempijja, (n 3), p. 5.

¹⁰ Sierra Leone TRC Report, "Chapter 4: Children and the Armed Conflict in Sierra Leone", Volume Three B, para 126.

¹¹ J. Williamson, "The disarmament, demobilization and reintegration of child soldiers: social and psychological transformation in Sierra Leone." in *Intervention Journal of Mental Health and Psychosocial Support in Conflict Affected Areas*, 4.3, 2006, p. 186.

¹² Sierra Leone TRC Report (n 10), paras 42-43.

from political participation since the 1960s.¹³ CAAFAG participated in hostilities both directly and indirectly,¹⁴ and many girls were subjected to sexual abuse and forced into becoming “bush wives”.¹⁵ Children suffered various abuses, including having the armed group’s acronym carved into their skin as a permanent mark,¹⁶ being forced to take drugs¹⁷ and coerced into committing acts of violence against their own communities to convince them they could never return.¹⁸

4.2.2. The relevant legal framework

When the war broke out, Sierra Leone had ratified the CRC, on 18 June 1990,¹⁹ but not yet the ACRWC, which it did after the end of the war on 13 May 2002,²⁰ just two days before ratifying the OPAC.²¹ However, some principles enshrined in those instruments can be interestingly found in the Lomé Peace Agreement, the first²² to explicitly require the government to “accord particular attention to the issue of child soldiers” and “to address the special needs of these children in the existing disarmament, demobilization and reintegration processes”.²³

4.2.3. The disarmament, demobilization and reintegration process for children

The Sierra Leonean DDR process, conducted in three main phases from July 1998 to January 2002,²⁴ was implemented by the National Commission for Disarmament, Demobilisation, and Reintegration (NCDDR),²⁵ supported by the UN Mission in Sierra Leone (UNAMSIL), which played a vital role in

¹³ *Ibidem*, para 44. See C. Solomon and J. Ginifer. "Disarmament, demobilisation and reintegration in Sierra Leone." *Centre for International Cooperation and Security*, 2008, p. 27.

¹⁴ M. Schotsmans, (n 6), p. 219.

¹⁵ T. Veiga, (n 3).

¹⁶ Sierra Leone TRC Report (n 10), para 179.

¹⁷ *Ibidem*, paras 195-197.

¹⁸ T. Veiga, (n 3).

¹⁹ Status of ratification at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=en.

²⁰ Status of ratification at <https://www.acerwc.africa/en/member-state/ratifications/122/sierra-leone>.

²¹ Status of ratification at https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-11-b&chapter=4&clang=en.

²² M. Schotsmans (n 6), p. 221.

²³ The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), Lomé Peace Agreement, 7 July 1999, Art. XXX, “Child combatants”.

²⁴ CRC Committee, Consideration of reports submitted by States Parties under Article 44 of the Convention, Second Periodic report of States partes due in 1997, Sierra Leone, CRC/C/SLE/2, 8 September 2006, para 267.

²⁵ UNICEF, *The Disarmament and demobilization and reintegration of children associated with the fighting forces, Lessons Learned in Sierra Leone, 1998-2002*, at <https://au.int/sites/default/files/documents/39063-doc->

ensuring security and facilitating implementation.²⁶ According to government figures, the program included more than 70,000 combatants, including 6,845 children²⁷ affiliated to various factions.²⁸ The NCDDR developed and promoted guidelines for the DDR for children,²⁹ expecting the process to be conducted by NGOs. In practice, the release of children was negotiated by UNICEF directly with peacekeepers, as military actors often refused to release children according to the guidelines.³⁰ Furthermore, the guidelines set the eligibility criteria for DDR programs, specifying that CAAFAG³¹ should be included regardless of their possession of weapons or military training. Nonetheless, many children, especially those in support roles, were excluded.³²

Various key interventions for CAAFAG's successful reintegration, implemented as part of the DDR process, can be identified. These include community sensitisation, formal disarmament inclusive of girls and young women, transitional care, family mediation, education or skills training, and ongoing access to healthcare.³³ Once disarmament was completed, children were demobilized. Those older than fifteen were usually "placed in group homes or allowed to live independently",³⁴ while younger children began the reintegration process at the Interim Care Centres. There, they received education, training, counselling, medical treatment, particularly for victims of sex-related diseases,³⁵ and psychosocial support,³⁶ allowing time for reflection while communities were prepared for their return.³⁷ Once family

[53. disarmament demobilization and reintegration of children associated with fighting forces lessons learned in sierra leone.pdf](#)

²⁶ UNAMSIL, "Fact Sheet 1: Disarmament, Demobilization and Reintegration, December 2005", at https://peacekeeping.un.org/mission/past/unamsil/factsheet1_DDR.pdf

²⁷ Sierra Leone, Initial report to the CRC Committee under the OPAC, 5 April 2009, CRC/C/OPAC/SLE/1, submitted 31 March 2008, para 28. See also UNICEF (n 25), p. 45.

²⁸ Sierra Leone TRC Report (n 10), para 394. The total of CAAFAG put through the DDR process pointed out by the TRC is 6774, slightly smaller than the one declared by government sources for the same period of time.

²⁹ J. Williamson, (n 11), p. 187.

³⁰ T. Veiga, (n 3).

³¹ For the sake of the DDR program, a child was a person under 18 years old. Sierra Leone, Second periodic report to the CRC Committee, 8 September 2006, CRC/C/SLE/2, para 267.

³² T. Veiga, (n 3). See also S. Elkhaili and N. Sempijja, (n 3), p .9.

³³ J. Williamson, (n 11).

³⁴ Sierra Leone TRC Report (n 10), para 396.

³⁵ Sierra Leone (n 31), para. 268.

³⁶ *Ibidem*.

³⁷ S. Elkhaili and N. Sempijja, (n 3), p. 6.

tracing was completed, children could choose between enrolling in formal education or vocational training before reuniting with their families.³⁸

Family reintegration was achieved for most of the demobilised CAAFAG, and alternative care solutions were made available for orphans and children whose family could not be traced. However, a minority chose not to return home, exposing themselves to re-recruitment.³⁹ This was due to the lack of economic opportunities and more significantly to the fear of revenge or rejection by the community. Indeed, as revealed by Boersch-Supan, patterns of discrimination rooted in mutual fear and mistrust between ex-CAAFAG and community members existed. However, hostility was not indiscriminately directed toward the entire category but rather targeted specific individuals who had committed atrocities within that community.⁴⁰

Within the Sierra Leonean DDR program, the education component pursued the integration of CAAFAG into the formal education system, alongside peers not involved in the conflict, aiming to reduce stigma against former CAAFAG.⁴¹ Three main education programs were implemented. The Community Education Investment Program (CEIP) aimed to address schools' reluctance to accept CAAFAG by covering school expenses and offering incentives to participating institutions.⁴² The Rapid Response Education Program (RREP) and the Complementary Rapid Education for Primary Schools (CREPS) were accelerated learning initiatives for CAAFAG aged 10–14 and 10–16, respectively.⁴³ Despite many children's success in the National Primary School Examination, CREPS faced high dropout rates and teachers' reluctance to participate, as the program was perceived as competing with the regular system.⁴⁴

Technical and vocational training activities included apprenticeships, on-the-job training, toolkits and support for micro-business initiatives,⁴⁵ and aimed at both developing professional skills⁴⁶ and preventing re-recruitment.⁴⁷ However, many participants later reported a lack of support by the NCDDR

³⁸ C. Smith Ellison, "The role of education in peacebuilding: An analysis of five change theories in Sierra Leone". *Compare: A Journal of Comparative and International Education*, 44(2), 2014, p. 194.

³⁹ M. Schotsmans (n 6), p.224.

⁴⁰ J. Boersch-Supan, "What the Communities Say: the crossroads between integration and reconciliation – What can be learned from the Sierra Leonean experience?", FCDO CRISE Working Paper No. 63, 2009, p. 30.

⁴¹ S. Elkhaili and N. Sempijja, (n 3), p. 7.

⁴² *Ibidem*.

⁴³ *Ibidem*.

⁴⁴ C. Smith Ellison (n 38), p.199.

⁴⁵ UN Office of the Special Adviser on Africa, & Government of the Republic of Sierra Leone. Disarmament, demobilization, reintegration (DDR) and stability in Africa: Conference report, 2005, at https://au.int/sites/default/files/documents/39093-doc-67._disarmament_demobilization_reintegration_ddr_and_stability_in_africa.pdf, para 31.

⁴⁶ S. Elkhaili and N. Sempijja, (n 3), p. 8.

⁴⁷ *Ibidem*, p. 7.

in facilitating their entry into the labour market,⁴⁸ which was worsened by a mismatch between the skills acquired and the actual demands of the economy.⁴⁹ As noted by Human Rights Watch, this lack of opportunities contributed to the re-recruitment of former Sierra Leonean CAAFAG in Liberia.⁵⁰ These developments reflect Smith Ellison's evaluation of such programs, arguing that, "from a peacebuilding perspective", the transformative effect of reintegration initiatives is closely linked to their capacity to recreate livelihoods, and not merely to keep individuals away from war.⁵¹

A persistent issue across education and training was the failure to adequately address specific needs of girls, who were estimated to represent about 25% of CAAFAG in Sierra Leone.⁵² In addition to restrictive eligibility criteria, leading to a participation rate of only 8% among girls,⁵³ their exclusion was linked to the informal nature of their disengagement,⁵⁴ preventing access to formal DDR processes and education. In the case of vocational training, gender-stereotyped programming further limited girls' opportunities, as training options for female participants often reinforced traditional gender roles.⁵⁵

In Sierra Leone, the demobilization phase was largely successful, due to the cooperation between the parties and international community on awareness raising, security and preparation and involvement of communities.⁵⁶ By contrast, the reintegration phase faced significant resource shortages. According to the March 2002 Secretary General's report on UNAMSIL, only 368 ex-combatants had been included in child-specific reintegration initiatives.⁵⁷

However, these gaps were at least partly acknowledged by both the government and the international community, which tried to provide remedies, namely to address girls' situation. Between 2001 and 2004 the government undertook efforts to reintegrate war-affected girls, including girl CAAFAG, into the formal education system.⁵⁸ Meanwhile, UNICEF promoted the "Girls Left Behind" project, providing essential reintegration services to girls CAAFAG excluded from earlier DDR programs.⁵⁹ Since 2002, UNICEF also "continued to provide reunification support in the form of education packages, including school

⁴⁸ C. Solomon and J. Ginifer (n 13), p. 15.

⁴⁹ J. Williamson, (n 11), p. 198.

⁵⁰ T. Veiga, (n 3).

⁵¹ C. Smith Ellison (n 38), p. 194.

⁵² D. Mazurana and K Carlson, "From combat to community: Women and girls of Sierra Leone", Hunt Alternatives Fund, 2004, p. 3.

⁵³ Sierra Leone (n 31), para 267.

⁵⁴ S. Elkhaili and N. Sempijja, (n 3), p.9.

⁵⁵ *Ibidem*.

⁵⁶ M. Schotsmans, (n 6), p. 223.

⁵⁷ UNSC, Thirteenth report of the Secretary-General on the UNAMSIL, 14 March 2002, para 15.

⁵⁸ S. Elkhaili and N. Sempijja, (n 3), p. 12.

⁵⁹ M. MacKenzie, "Securitization and Desecuritization: Female Soldiers and the Reconstruction of Women in Post-Conflict Sierra Leone", *Security Studies*, 18:2, 2009, pp. 246-47.

items and fees”, reaching 3,086 CAAFAG affected by the DDR programme.⁶⁰

4.2.4. Accountability for children associated with armed forces or groups

During the conflict, some CAAFAG perpetrated human rights violations.⁶¹ This was explained by the TRC by referring to the fact that children, influenced to “accepting the violence as the norm”,⁶² often under the effects of “dependence-inducing substances”,⁶³ were forced to commit crimes to prove their loyalty to the group.⁶⁴ The Lomé agreement provided a blanket amnesty for combatants and collaborators from any armed faction,⁶⁵ also applying to children falling under the SCSL’s jurisdiction.⁶⁶ Combined with the aforementioned limitations to the SCSL’s jurisdiction, this led to the absence of any official accountability mechanisms for holding CAAFAG responsible for such crimes.⁶⁷ The only notable exception was the prosecution of certain members of the RUF and the West Side Boys.⁶⁸ Despite international support for this amnesty-based approach, the lack of accountability contributed to community rejection and feelings of revenge⁶⁹ towards these children.

In this context, although clearly not intended to establish accountability or administer punishment,⁷⁰ the TRC, along with traditional restorative justice and healing mechanisms, are worth mentioning.

The Sierra Leonean TRC was the first to explicitly include children in its mandate, thereby acknowledging the conflict’s peculiar impact on them.⁷¹ Children participated in hearings solely as victims and witnesses, and several safeguards were adopted, including voluntary participation, anonymity and confidentiality.⁷² Special attention to children also emerges from the 2004 TRC report, devoting a specific chapter to them, highlighting that more than 10,000 children were recruited during

⁶⁰ Sierra Leone (n 31), para 270.

⁶¹ Sierra Leone TRC Report (n 8), para 468.

⁶² *Ibidem*.

⁶³ Sierra Leone TRC Report (n 10), para 134.

⁶⁴ *Ibidem*, para 135.

⁶⁵ Lomé Agreement, Article IX (3).

⁶⁶ SCSL Statute, Art. 10.

⁶⁷ M. Schotsmans, (n 6), P .226.

⁶⁸ *Ibidem*, p. 228.

⁶⁹ *Ibidem*, pp. 221, 226.

⁷⁰ Sierra Leone TRC Report, “Chapter 1: The Mandate of the TRC”, Volume One.

⁷¹ C. Aptel, *Atrocity Crimes, Children and International Criminal Courts: Killing Childhood*, Routledge, 2023, p. 202.

⁷² M. Drumbl, *Reimagining Child Soldiers in International Law and Policy*, Oxford, 2012, p. 184.

the conflict.⁷³ Moreover, the report recommended free education for all children⁷⁴ and two child-friendly versions of it were produced.⁷⁵ Notably, the report acknowledged that some CAAFAG had committed serious human rights violations against civilians,⁷⁶ but it emphasised the coerced nature of their actions and the children's susceptibility to influence,⁷⁷ stressing how the conflict "forced children into assuming 'dual identities' of both victim and perpetrator."⁷⁸ Similarly, the TRC firmly rejected the idea of CAAFAG's voluntary enlistment.⁷⁹ Assessments of the TRC's work vary. Some authors, such as Salomé, claim that it "embodied the flexibility necessary to account for the child soldier's convoluted role along the victim-perpetrator continuum",⁸⁰ a position shared by Aptel, in particular when comparing this experience with the one of the Special Court for Sierra Leone.⁸¹ According to others, such as Drumbi, the TRC would have framed its discourse around the topic in a way that excessively emphasised children's incapacity and victimization.⁸²

Traditional cleansing rituals, with a restorative character, were also practiced in the post-conflict phase. These ceremonies varied across chiefdoms and villages.⁸³ For example, some involved conversations carried out by local chiefs with the child and the community separately, followed by the assessment of the child's remorse and the decision about the return in the community, where he or she was supposed to engage in community service as a form of reparation to the village. Research by Williamson⁸⁴ found that these ceremonies positively impacted community acceptance of former CAAFAG and socially constructive behaviours.⁸⁵ However, no reliable data are available regarding the number of children who underwent such rituals.⁸⁶ Given the costs involved, these ceremonies were mostly organized in

⁷³ Sierra Leone TRC Report (n 13), para 9.

⁷⁴ Sierra Leone TRC Report, "Chapter 3: Recommendations", Volume Two, paras 384-386.

⁷⁵ The child-friendly versions as well as the complete versions are available at <http://www.sierraleonetr.org/>.

⁷⁶ Sierra Leone TRC Report (n 13), paras 134-135.

⁷⁷ *Ibidem*.

⁷⁸ *Ibidem*, para 198.

⁷⁹ *Ibidem*, para 234.

⁸⁰ J. Salomé, "Children, accountability and justice: Advancing restorative justice for child soldiers and child pirates.", in *Allons-y: Journal of Children, Peace and Security* 1, 2016, p. 43.

⁸¹ C. Aptel (n 71), p.202.

⁸² M. Drumbi (n 72), p. 182.

⁸³ M. Schotsmans (n 6), p. 230.

⁸⁴ J. Williamson (n 11).

⁸⁵ M. Drumbi, (n 72), p. 190.

⁸⁶ M. Schotsmans, (n 6), p. 230.

communities participating in formal reintegration programs.⁸⁷ Nonetheless, as emphasised by Solomon and Ginifer, DDR efforts, led by external actors, should have engaged more strongly with traditional community reconciliation and dispute resolution mechanisms, leveraging their potential through bottom-up community involvement.⁸⁸

4.3. Disarmament, demobilization and reintegration of children associated with armed forces or groups in the Democratic Republic of Congo (2003-2019)

4.3.1. The conflict in the Democratic Republic of Congo

The DRC has experienced ongoing conflict and instability throughout the decades following the overthrow of the Mobutu regime in 1997 by Laurent-Désiré Kabila. The First Congo War, culminating in this regime change, lasted seven months. The Second Congo War (1998-2003), involving numerous African states and armed groups, ultimately led to Joseph Kabila's leadership.⁸⁹ Since then, multiple overlapping civil and international conflicts have continued, varying in intensity, but creating, as Waschefort noted, "a single perpetual conflict."⁹⁰ Violence has been largely driven by ethnic tensions and competition over natural resources, primarily in the Eastern regions of the country.⁹¹ Examples include the M23 rebellion, led by the M23 armed group against the central government between 2012 and 2013,⁹² and again in 2022.⁹³ Over the years, numerous armed factions have operated in the DRC. Among the most prominent were the *Forces démocratiques de libération du Rwanda* (FDLR), composed of former perpetrators of the 1994 Rwandan genocide, and their rivals, the National Congress for the Defence of the People (CNDP), integrated into the DRC's national army, the *Forces Armées de la République Démocratique du Congo* (FARDC), in 2009.⁹⁴

The conflict has severely impacted children, particularly in terms of forced displacement and food insecurity,⁹⁵ and most factions have recruited and used children.⁹⁶ The DRC was the first State from which a national has been prosecuted by the ICC, significantly for the crime of child recruitment and

⁸⁷ *Ibidem*.

⁸⁸ C. Solomon and J. Ginifer (n 13), p. 46.

⁸⁹ G. Waschefort (n 4), p. 182.

⁹⁰ *Ibidem*, p. 183.

⁹¹ *Ibidem*.

⁹² *Ibidem*, p. 184.

⁹³ K. Ahmed, Resurgence of fighting in DRC displaces 37,000 people in four days, 28 May 2022, at <https://www.theguardian.com/global-development/gallery/2022/may/28/resurgence-of-fighting-in-drc-displaces-37000-people-in-four-days-in-pictures>

⁹⁴ G. Waschefort, (n 4), p. 183.

⁹⁵ A. Mitra, "Child Soldiers in the Democratic Republic of Congo: Revisiting 'Reintegration' through a Psycho-Social Framework.", *Allons-y: Journal of Children, Peace and Security* 3, 2019, p. 57.

⁹⁶ G. Waschefort, (n 4), p. 183.

use,⁹⁷ in the landmark Lubanga case, decided in 2012.⁹⁸ The DRC is also one of the few countries to have remained in the SRSG-CAAC's agenda since the Office's establishment. The SRSG conducted its first visit there in 1999⁹⁹ and has remained consistently engaged since then, by fostering dialogue with armed actors, securing important commitments, employing naming and shaming of violators, and launching advocacy initiatives.¹⁰⁰ Significant attention to the CAAFAG's situation in the DRC has also been given through the MRM, which has documented grave violations and informed targeted sanctions and policy responses.

4.3.2. The relevant legal framework

When the war broke out, the DRC had ratified the CRC, on 27 September 1990,¹⁰¹ and, since 2001, the OPAC.¹⁰² The ACRWC was ratified much later, in 2017.¹⁰³ Relevant domestic legal measures, notably the 2009 Law on the Protection of the Child,¹⁰⁴ were also adopted. On the one hand, child recruitment and use by state and non-state armed forces is criminalized,¹⁰⁵ and classified among the worst forms of child labour,¹⁰⁶ aligning with international labour law. However, the potentially positive effects of this provision have been limited by the failure to implement comprehensive reforms of the armed forces.¹⁰⁷ On the other hand, the State is required to ensure the "reinsertion" and "readaptation" of CAAFAG,¹⁰⁸ conceptualized respectively as short-term transitional support and long-term integration assistance.¹⁰⁹ Nonetheless, in practice, these two concepts have often been used interchangeably, complicating the sequencing of DDR activities.¹¹⁰ Moreover, according to the latest CRC Committee's Concluding

⁹⁷ *Ibidem*, p. 186.

⁹⁸ Prosecutor v. Thomas Lubanga Dyilo, Judgment pursuant to Article 74 of the Statute, ICC01/04-01/06-2842, TC, 14 March 2012. The decision was confirmed by the Appeal Chamber in 2014.

⁹⁹ G. Waschefort, (n 4), p. 194.

¹⁰⁰ *Ibidem*.

¹⁰¹ https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=_en

¹⁰² https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-11-b&chapter=4&clang=_en#EndDec

¹⁰³ <https://www.acerwc.africa/en/member-state/ratifications/61/dr-congo>

¹⁰⁴ Law No. 09/001 Concerning Child Protection, January 10, 2009, DRC, Journal Officiel. In French at <https://ihl-databases.icrc.org/en/national-practice/law-protection-child-2009>

¹⁰⁵ *Ibidem*, Arts 71 and 187.

¹⁰⁶ *Ibidem*, Art. 53(b).

¹⁰⁷ <https://www.refworld.org/reference/countryrep/cscoal/2012/en/89022>

¹⁰⁸ *Ibidem*, Arts. 71 and 73.

¹⁰⁹ A. Mitra (n 95), p. 52.

¹¹⁰ *Ibidem*.

Observations on the DRC, adopted in 2017, this confusion is partly due to the failure to adopt implementing decrees for the 2009 law and the lack of effective accountability mechanisms for prosecuting violations.¹¹¹

4.3.3. The disarmament, demobilization and reintegration process for children

The DDR efforts in the DRC are among the longest-running globally.¹¹² They have occurred in cyclical and varied forms,¹¹³ often connected with national security reforms and stabilization initiatives.¹¹⁴ Given the persistence of violence, programs have frequently been implemented during ongoing hostilities.¹¹⁵ The inception of DDR efforts dates back to the 1999 Lusaka peace agreement, aiming at disarming and repatriating foreign combatants and fostering the creation of a new integrated national army.¹¹⁶ However, the first concrete implementation efforts began in 2001.¹¹⁷ Notably, due to cross-border child recruitment in the region, DDR processes in the DRC are often referred to as DDRRR, reflecting the additional components of resettlement or repatriation.¹¹⁸

Three main phases have been identified in the implementation of the nationally led DDR program,¹¹⁹ and a fourth one is underway but still under development at the time of writing.

The first phase (2003–2007) was coordinated by the *Commission Nationale de la Demobilization et Reinsertion* (CONADER)¹²⁰, within an operational framework for the DDR of children developed by a UNICEF-coordinated inter-agency group.¹²¹

The second phase (2007–2011) was overseen by its successor *Unité d'Exécution du Programme National de Désarmement, Démobilisation et Réinsertion* (UE-PNDDR),¹²² which recorded exceptionally

¹¹¹ CRC Committee, Concluding observations on the combined third to fifth periodic reports of the DRC, 28 February 2017, CRC/C/COD/CO/3-5, para 47(d).

¹¹² Already in 2007, the situation was described as a “never-ending story”. See M. Thill, “In Search of a Winning Formula: Lessons on DDR and Community Reintegration in the Democratic Republic of the Congo.”, *Social Science Research Council*, 2021, p. 3.

¹¹³ *Ibidem*, p. 6.

¹¹⁴ *Ibidem*.

¹¹⁵ G. Waschefort, (n 4), p. 189.

¹¹⁶ M. Thill (n 112), p. 6.

¹¹⁷ Inception of DDR program is indicated in 2001 by the DRC, Written replies by the Government of the DRC to the CRC Committee concerning the list of issues to be taken up in connection with the second periodic report of the DRC, 30 December 2008, CRC/C/COD/Q/2/Add.1, submitted 24 December 2008, pp. 11–12.

¹¹⁸ A. Mitra, (n 95), p. 52.

¹¹⁹ The dates referred to for the duration of each phase are not completely agreed upon by different scholars and international documents. This chapter will refer to those mentioned in M. Thill (n 114), p. 6.

¹²⁰ DRC (n 109), pp. 11–12.

¹²¹ G. Waschefort (n 4), p. 204.

¹²² M. Thill (n 112), p. 8.

high rates of child demobilization in 2009.¹²³ However, implementation slowed down due to renewed violence and political instability, particularly in occasion of the 2011 elections.¹²⁴

Regarding the results of the first two phases, as of 2012, over 209,605 ex-combatants had been demobilized, including either 30,594 (government figures¹²⁵) or 31,738 (independent sources¹²⁶) children. These children benefited from family tracing, reunification and reintegration support.¹²⁷ Reintegration was the most challenging phase, which, according to Perazzone, can be also attributed to the government's focus on demobilizing as many combatants as possible ahead of the 2006 elections, at the expense of social reintegration into civilian life.¹²⁸

The third phase, known as "*Plan Global de Désarmement, Démobilisation et Réinsertion*", was implemented by the government in collaboration with MONUSCO¹²⁹ and UNICEF,¹³⁰ between 2013 and 2018.¹³¹ One key innovation was the elimination of military reintegration as an option for disengaged combatants, a departure from the previous DDR cycles, in favour of reintegration into civilian life.¹³² Indeed, while earlier phases had secured the release of thousands of CAAFAG, hundreds were absorbed into the FARDC as part of broader armed groups integration process, often without proper age assessment.¹³³ Nonetheless, renewed government military operations against the FDLR and donor reluctance to provide additional funding significantly hampered DDR III.¹³⁴

The most recent DDR initiative, the *Désarmement, démobilisation et réinsertion communautaire* (DDRC), featuring a civil led, decentralized and community-based approach, was promoted in 2019 by the new President Tshisekedi, marking the beginning of the fourth DDR cycle.¹³⁵ Despite the lack of comprehensive data on the impacts of this new approach, the 2022 report of the SRSG-CAAC in DRC

¹²³ UNSC, Report of the SRSG-CAAC in the DRC, 9 July 2010, S/2010/369, para 52.

¹²⁴ *Ibidem*, para 56.

¹²⁵ DRC (n 117), pp. 11–12.

¹²⁶ M. Thill (n 112), p. 8.

¹²⁷ DRC (n 117), pp. 11–12.

¹²⁸ S. Perazzone, "Reintegrating Former Fighters in the Congo: Ambitious Objectives, Limited Results." *International Peacekeeping* 24, no. 2, 2017, p. 267.

¹²⁹ M. Thill (n 112), p. 9.

¹³⁰ G. Waschefort (n 4), p. 190.

¹³¹ M. Thill (n 112), p. 9.

¹³² *Ibidem*.

¹³³ Child Soldiers International, *Louder than words - Case Study: Democratic Republic of the Congo: Heading slowly backwards*, 12 September 2012, at <https://www.refworld.org/reference/countryrep/cscoal/2012/en/89022> .

¹³⁴ *Ibidem*.

¹³⁵ M. Thill (n 112), p. 1.

noted a general decrease of child recruitment¹³⁶ and welcomed the launch of the DDRC. However, the government was urged to “give special consideration to children and their needs in its implementation”, and concerns were raised about “the lack of predictable funding for long-term reintegration programmes” for CAAFAG,¹³⁷ thus underscoring the ongoing challenges in the reintegration phase.

Regarding eligibility criteria, the requirement to present a weapon was applied during the second and third phases, along with the requirements of DRC nationality and the “ability to prove membership in an armed group recognised by the government”.¹³⁸ This led to the exclusion of many children, both because weapons were often shared within some armed groups and to the narrow understanding of the “CAAFAG” category implied by these conditions, inconsistent with internationally endorsed definitions.¹³⁹ This exclusion particularly affected girls, who faced greater reintegration challenges, also due to community stigmatization.¹⁴⁰

As highlighted in the most recent reporting cycles on the DRC under the CRC and the OPAC, data on girl CAAFAG and their participation in DDR programs remain fragmented and controversial, revealing a phenomenon that fluctuates in numbers but is endemic in nature. Between January 2004 and May 2006, girls represented approximately 15,5% of children released through DDR programs,¹⁴¹ a figure that increased to about 26% between January 2014 and December 2017.¹⁴² However, a comprehensive gender strategy at the broader DDR program level was only included in 2008,¹⁴³ highlighting a significant gap in earlier phases.

The main interventions for CAAFAG included physical and psychological rehabilitation and social reintegration. The process begins at regroupment centres, where children are separated from adults and may stay for up to forty-eight hours.¹⁴⁴ They are then transferred to the *structures d'encadrement transitoire* (SET), functioning as interim centres. Children whose families are easily identified are quickly reunited with them. Others remain there for a longer period and receive “civilian life” kits, medical examination, counselling and psycho-social support, socio-cultural activities.¹⁴⁵ Those under 15 are enrolled in basic education for up to one year, while older children receive vocational training.¹⁴⁶ Simultaneously, family tracing is conducted, accompanied by family mediation to support reunification.

¹³⁶ UNSC, Report of the SRSR-CAAC in the DRC, 10 October 2022, S/2022/745, paras 25-31.

¹³⁷ *Ibidem*, paras 84-85.

¹³⁸ A. Mitra (n 95), p. 53.

¹³⁹ *Ibidem*, p. 54.

¹⁴⁰ *Ibidem*, p. 55.

¹⁴¹ UNSC, Report of the SRSR-CAAC in the DRC, 13 June 2006, S/2006/389, para 46.

¹⁴² UNSC, Report of the SRSR-CAAC in the DRC, 25 May 2018, S/2018/502, para 65.

¹⁴³ M. Thill (n 112), p. 9.

¹⁴⁴ G. Waschefort, (n 4), p. 204.

¹⁴⁵ DRC (n 117), pp. 11–12.

¹⁴⁶ G. Waschefort, (n 4), p. 204.

When reunion is not possible, alternative care solutions are provided.¹⁴⁷ Upon completion of the process, children are issued demobilisation certificates.¹⁴⁸ However, it remained unclear whether these interventions include long-term reintegration support, as the program duration appeared to be limited to one year, suggesting that longer-term follow-up may be lacking.

Child-specific projects were also implemented. As early as 2001, an under-researched child-focused program was conducted by the *Bureau national de démobilisation et de réinsertion* (BUNADER). Later, within the broader DDR framework,¹⁴⁹ various targeted initiatives were funded by the World Bank's Multi-Country Demobilization and Reintegration Program between 2002 and 2009, focusing on preventing child recruitment and use and on supporting demobilization and reintegration. They were implemented by UNICEF or NGOs and targeted specific regions.¹⁵⁰ According to available data, these initiatives collectively enabled the demobilization of approximately 22,000 CAAFAG, achieving commendable results in family reunification but alarmingly low reintegration completion rates.¹⁵¹ For example, while over 10,000 CAAFAG participated in reintegration, only around 600 completed the full process.¹⁵² Reintegration was significantly hindered by the broader implementation context, marked by poverty, lack of access to education and to viable alternatives to military engagement,¹⁵³ which amplified the risk of re-recruitment.¹⁵⁴

In terms of DDR follow-up for CAAFAG, "Community Protection Networks" were established. These were composed of volunteer officials elected by the community and local organizations selected by these networks. Their mandate included monitoring child welfare post-reintegration.¹⁵⁵ However, follow-up mechanisms were largely deemed inadequate, particularly due to the unclear and fragmented mandate and the lack of mental health assessments.¹⁵⁶ These shortcomings compromised the long-term redesign of responsive reintegration measures.¹⁵⁷

4.3.4. Accountability for children associated with armed forces or groups

¹⁴⁷ DRC (n 117), pp. 11–12.

¹⁴⁸ G. Waschefort (n 4), p. 204.

¹⁴⁹ A. Mitra (n 95), p. 59.

¹⁵⁰ A. Kolln, DDR in the Democratic Republic of Congo: an overview, 2011, at <https://au.int/sites/default/files/documents/39124-doc-88. ddr in the democratic republic of congo an overview.pdf> p. 15.

¹⁵¹ M. Thill (n 112), p. 6.

¹⁵² A. Mitra (n 95), p. 51.

¹⁵³ M. Thill (n 112), p. 12. See also A. Mitra (n 95), p. 59.

¹⁵⁴ G. Waschefort, (n 4), pp. 195-6.

¹⁵⁵ A. Mitra (n 95), p. 57.

¹⁵⁶ *Ibidem*, p. 58.

¹⁵⁷ *Ibidem*.

CAAFAG in the DRC have not rarely perpetuated significant violence and human rights violations.¹⁵⁸ While the DRC was the first country to domestically prosecute an individual for the crime of child recruitment and use in 2006,¹⁵⁹ child-friendly accountability mechanisms remained significantly unexplored. Between 2000 and 2004, national courts prosecuted a few child soldiers and executed one,¹⁶⁰ and other CAAFAG were “arrested, detained and tried in military courts for military offences and other crimes allegedly committed while they were in armed forces or groups”.¹⁶¹ As of 2012, during the first (and so far only) reporting cycle of the DRC on the implementation of the OPAC, the CRC Committee welcomed the Presidential Decree pardoning all children condemned for military offences before 2002. However, it expressed concerns about the treatment of CAAFAG captured by the FARDC “primarily as perpetrators rather than victims”, as well as about their unlawful detention and, in some cases, ill-treatment and sentences to death or life imprisonment.¹⁶² Concerns about “the large number of children detained for their alleged association with armed groups” were reiterated by the SRSG-CAAC in 2022.¹⁶³ Partly encouraging developments emerge from the latest SRSG annual report, referring to 2024. While 131 children were detained, mainly by the FARDC, for alleged association with armed groups, all were released following advocacy by the UN,¹⁶⁴ also continuing to cooperate with national authorities to address other grave violations. However, the Congolese government is still being urged to align its practices with “international juvenile justice standards”,¹⁶⁵ and the FARDC remains listed in the report annexes, alongside seventeen armed groups,¹⁶⁶ underscoring that progress toward peace remains limited.

TJ efforts in the DRC, potentially fostering reintegration, date to the establishment of a TRC in 2003, the *Commission Nationale de Vérité et de Réconciliation* (CNVR).¹⁶⁷ Despite the inclusion of “violence

¹⁵⁸ K. Hermenau, et al., “Growing up in armed groups: trauma and aggression among child soldiers in DR Congo”, in *European Journal of Psychotraumatology*, 4(1), 2013, p.2.

¹⁵⁹ G. Waschefort (n 4), p. 187.

¹⁶⁰ N. Quéniwet, “Does and should international law prohibit the prosecution of children for war crimes?.” in *European Journal of International Law* 28.2, 2017, p. 442.

¹⁶¹ CRC Committee, Consideration of Reports Submitted by States Parties under Article 44 of the Convention. Concluding Observations: DRC, 10 February 2009, CRC/C/COD/CO/2, p. 9.

¹⁶² CRC Committee, Consideration of reports submitted by States parties under article 8, paragraph 1, of the OPAC, 7 March 2012, CRC/C/OPAC/TKM/1, para 46.

¹⁶³ UNSC (n 136), para 79.

¹⁶⁴ UNSG, “Children and Armed Conflict: Report of the Secretary-General” A/79/878-S/2025/247, 17 June 2025, para 56.

¹⁶⁵ *Ibidem*, para 64.

¹⁶⁶ *Ibidem*, Annex I.

¹⁶⁷ It was grounded in the Global and Inclusive Agreement on Transition in the Democratic Republic of Congo (Pretoria Agreement), 16 December 2002, art. 4(a). Available at <https://peacemaker.un.org/sites/default/files/document/files/2024/05/cd021216global20and20inclusive20agreeme nt20on20transition20in20drc.pdf>.

against women and children” in the Commission’s mandate,¹⁶⁸ its work, terminated in 2007, was hampered by its politicised composition, overall mandate complexity, security issues and underfunding, as highlighted by Ugwu. This led to the failure to address not only the situation of CAAFAG, but also broader social needs of reconciliation and trust building.¹⁶⁹ In this regard, Lwanzo Kasongo emphasized that the Commission failed to create the conditions necessary for uncovering the truth, an essential step in fulfilling people’s need of justice and accountability of perpetrators of crimes. This failure, in turn, contributed to the recurrence of conflict. Kasongo instead proposed a bottom-up approach to the establishment of future TRCs, emphasizing the importance of establishing the before initiating reconciliation efforts.¹⁷⁰

4.4. Comparative analysis of key findings

The two cases considered featured both differences, primarily in the context and timeframe of implementation, and commonalities, mainly connected to issues of DDR for CAAFAG already highlighted by the relevant literature and legal guidelines. The key features these cases are compared based on the aforementioned criteria.

Firstly, looking at implementation, Sierra Leonean disarmament and demobilization began before full peace was secured, while reintegration was completed after the end of the war, with the entire program lasting around three and a half years. In the DRC, the DDR process was more fragmented, conceptualized in subsequent cycles and implemented during ongoing conflict and resurgent hostilities, having been protracted for more than two decades at the time of the writing. Regarding other contextual elements, both DDR processes were internationally supported, through the UNAMSIL and the MONUSCO/MONUC, respectively.

Secondly, in both cases, programs initially addressed CAAFAG’s situation within the broader DDR framework, while separating them from adults later, aligning then, at least in principle, with international standards. Age assessments underpinning these choices, however, sometimes failed to prevent children from declaring themselves adults to receive cash payments.¹⁷¹ In both cases, child-specific initiatives were organized.

Thirdly, in both cases accessibility barriers due to restrictive eligibility criteria existed. However, Sierra Leone adopted guidelines discouraging such discrimination, in line with the international standards, although they were not always implemented. In the DRC, this criterion was temporarily part of the official requirements to access the programs.

Fourthly, differences emerged in reintegration, although neither of the case studies perfectly aligned with the long-term transformative and participatory process promoted by international law. In Sierra Leone, reintegration received relatively high attention, although limited economic opportunities for

¹⁶⁸ G. Lwanzo Kasongo, “The right to the truth in the process of reconciliation in DR Congo: a look at a failed historical appointment”, 2021, p. 9.

¹⁶⁹ J. Ugwu, *Transitional Justice in Democratic Republic of Congo (DRC): context and prospects*, Africa Transitional Justice Legacy Fund (ATJLF), June 2024, at https://atjlf.org/wp-content/uploads/2024/06/Briefing-note_TJ-in-DRC-1.pdf, p. 4.

¹⁷⁰ G. Lwanzo Kasongo (n 168), pp.15-16.

¹⁷¹ G. Waschefort (n 4), p. 204.

former CAAFAG negatively affected the program's actual outcomes. In the DRC instead, reintegration was poorly prioritized, as programs were often short-term and under-resourced. Moreover, the absence of sustainable livelihoods, connected to the persisting instability, weakened reintegration efforts and favoured re-recruitment. Stigma against former CAAFAG remained a problem in both countries. However, greater attention to community preparation and inclusion favoured more encouraging outcomes in Sierra Leone.

Fifthly, gender-specificity in DDR interventions was an issue in both cases, as girls faced challenges, from the access to the programs to the reintegration into communities. In both cases this was slowly acknowledged, including in response to the recurring international concerns, and more gender-sensitive support was provided.

Sixthly, connected to the different reintegration capacities of the two DDR programs, communities' participation to CAAFAG's reintegration, recommended by international guidelines, differed significantly. In Sierra Leone, communities were engaged to a certain extent, through community sensitization and reintegration support, although some children not to return to original communities due to social hostility. In the DRC, community involvement was overall limited and sporadic. Some programs included community-based reintegration and awareness-raising, but trust and reconciliation between CAAFAG and communities were often insufficiently addressed. In this regard, the programmatic innovations introduced in the latest phase of DDR by President Tshisekedi, although still ongoing, are encouraging from a children's rights perspective.

Lastly, looking at the victim–perpetrator dichotomy, the comparative analysis revealed how this topic still appears neglected in practice. Nonetheless, in Sierra Leone, the TRC helped the acknowledgement of the dual status of children victims and perpetrators and the need of child-friendly participation in truth seeking mechanisms. However, accountability for them was clearly not an objective, either of the TRC or the SCSL. Indeed, assessments of the TRC's success in this regard are not unanimous. In the DRC, instead, legal accountability for crimes was primarily adult-focused, while children were either neglected or prosecuted in a not at all child-friendly justice system.

In conclusion, while the DDR program implemented in Sierra Leone appears generally more aligned with international children's rights law, the analysis of specific measures for CAAFAG seems to partly downsize the narrative of the Sierra Leonean process as an example of child-friendly approach to post-conflict recovery and reintegration.

5. Final assessment: challenges, gaps and lessons learnt

The analysis of DDR programs for CAAFAG highlights significant challenges and lessons learned that are relevant for broader DDR programming.

One general challenge is the lack of longitudinal data and comprehensive studies tracking long-term outcomes of demobilized and reintegrated former CAAFAG, hindering the assessment of the programs' effectiveness and the elaboration of comprehensive policy recommendations.¹ Indeed, most studies of DDR programs regarding children have been based mainly on case studies.²

Looking at specific substantive issues, a significant gap emerges: the inadequate attention to specific needs of different categories of CAAFAG, primarily girls, stands in stark contrast to the non-discrimination principle affirmed in Art. 2 CRC. Girls often face stigma and are not adequately supported by DDR programs, typically designed with male participants in mind, as also demonstrated from the emergence of gender as a crucial axis of analysis within the intersectional framework.³

Regarding relevant stakeholders, the involvement of communities, namely in the reintegration phase, is crucial, as demonstrated in Sierra Leone. However, this should be done carefully and while acknowledging the risks of lack of acceptance of returned children.

From the case studies' analysis, it emerges that reintegration and accountability for crimes committed by CAAFAG are framed as two different processes, as also reflected in the Paris Principles. The controversial topic of accountability is generally approached simplistically, rather than by embracing its complexity. This often results in either neglect of the issue or the application of adult-justice mechanisms to children, in violation of child-friendly justice principles enshrined in the CRC. However, failing to address the issue, as problematic community acceptance in the case studies showed, can negatively affect reintegration efforts. In this regard, child-friendly accountability solutions appear promising for exploration by future practice and research, with consideration to and the adaptation of transitional justice and child-friendly justice experiences. This is particularly complicated when guarantees of child-friendly procedures are lacking, such as in conflict-affected environments,⁴ thus highlighting the need to better consider capacity building and reconstruction of justice systems and provide them with adequate instruments aligned with international standards. This would allow them to tackle the complexity of children's accountability without risking additional violations of their rights.

Previous chapters also underscore the importance of the implementation context, showing that internationally agreed principles and guidelines must be coupled with a careful analysis of contextual factors, including cultural values, security conditions, political influences and economic conditions. Where conflict is still ongoing, such as in the DRC, the implementation of DDR initiatives faces substantial challenges.⁵ Where socio-economic scarcity is an issue, reintegration is complicated, as it

¹ S. Elkhaili and N. Sempijja, "The role of education in reintegrating ex-child soldiers: the case of Sierra Leone", *Cogent Education*, 12:1, 2005, p. 14.

² R. Haer, "The study of child soldiering: issues and consequences for DDR implementation.", *Third World Quarterly*, 38.2, 2017, p. 454.

³ S. Elkhaili and N. Sempijja (n 1), p. 3.

⁴ B. Nylund, "International Legal Protection for the Recovery and Reintegration of War-Affected Children", in I. Derluyn et al. (eds.), *Re-Member: Rehabilitation, Reintegration and Reconciliation of War-Affected Children*, Series on Transitional Justice, Intersentia, 2012, p.45.

⁵ M. Thill, "In Search of a Winning Formula: Lessons on DDR and Community Reintegration in the Democratic Republic of the Congo.", *Social Science Research Council*, 2021, p. 12.

raises the critical question of "reintegration into what?".⁶ In line with context-specific programming recommended by the Paris Principles, political will and stability are fundamental for long-term reintegration and stable support for programs.

By learning from these experiences, broader DDR programming in Africa and elsewhere could be better equipped to support the successful reintegration of former CAAFAG, as required under Art. 39 CRC and 6(3) OPAC, and to contribute to lasting peace and stability. This would comply with the obligation of States Parties under Articles 2 and 4(2) OPAC to prevent the (re)recruitment and use of children by armed forces and groups. Combining a foundation in international children's rights law with a context-sensitive approach could not only enhance the immediate effectiveness of reintegration efforts but also address the broader psychosocial, educational and economic dimensions of children's recovery. This, in turn, would fulfil States' broader obligations to protect and take care of children affected by armed conflicts, as enshrined in Art. 38 CRC, and to implement recovery and reintegration measures in an environment fostering the realization of children's rights, as required by Art. 39 CRC.

In conclusion, lessons learned from the case studies and the relevant literature highlight the importance of a holistic and multisectoral approach to DDR. Effective reintegration requires not only immediate support but also long-term strategies, as also recently highlighted the OSRSG-CAAC.⁷ In this regard, practical difficulties emerging from the previous chapter drew the attention on the importance of stakeholder's coordination. Indeed, the fragmentation among various DDR initiatives can lead to ineffective outcomes, as seen in the complex web of plans and projects implemented in the DRC throughout the decades.⁸ By contrast, strengthened reintegration efforts, coupled with increased awareness of children's rights-based approaches and more deliberate responsibility-sharing, could lead to a more effective use of resources (also encouraging donor engagement), while complying with the cooperation provision enshrined in Article 7 OPAC.

⁶ *Ibidem*.

⁷ Office of the SRSR-CAAC, "2018-2025: Engagement by the Office of the SRSR CAAC on the reintegration of children associated with armed forces and armed groups: from the Global Coalition for Reintegration of Child Soldiers to the Nairobi Process and the Financing Innovation Forum", at <https://childrenandarmedconflict.un.org/wp-content/uploads/2025/05/OSRSG-CAAC-Publication-on-Child-Reintegration.pdf>, p. 3.

⁸ M. Thill (n 5), p. 6.

6. Conclusions

This thesis shows that both in the Africa and elsewhere significant challenges persist in effectively addressing CAAFAG's complex realities. In this regard, various recurrent challenges are identified, especially during the reintegration phase, which frequently fails to adopt the inclusive, sustainable and transformative approach envisioned by international legal frameworks.

Girl CAAFAG face distinct challenges and are particularly vulnerable to exclusion from DDR programs and social stigmatization. As highlighted by scholars and international bodies, including the CRC Committee and the UNSC, and confirmed by the case studies, a major finding concerns how program design (e.g. selecting female focal points to engage girls) significantly shapes reintegration outcomes. Despite the increasing awareness of this issue, responses often remain reactive and fragmented, such as the "Girls Left Behind" project in Sierra Leone. Since root causes lie in societal discrimination and stigma, more proactive, comprehensive and preventive approaches appear promising.

Another critical issue raised by this work is the victim-perpetrators dichotomy in relation to CAAFAG and the inability of most DDR to adequately address accountability for children who committed atrocities. International law does not prohibit accountability for such acts but requires child-friendly justice safeguards and the primacy of reintegration. Nevertheless, oversimplified approaches have often prevailed, leading to community rejection of returned CAAFAG. Context-sensitive, balanced solutions, recognizing children's dual identity and the community's need for justice, are needed.

Turning to Africa's specific context, this study highlights the pervasiveness of child recruitment and the importance of understanding its root causes, including the lack of access to education and livelihood opportunities, to be instead prioritized in the reintegration phase.

Simultaneously, several context-specific opportunities remained partly unexplored. For example, traditional ceremonies and restorative justice practices offer promising alternatives, although further research would be helpful, especially regarding their use in relation to international crimes.¹ Against this backdrop, this work aligns with emerging calls for holistic accountability models for CAAFAG, "adapted to socio-cultural realities and framed within human rights principles".²

Furthermore, Africa is the only continent with a regional children's rights instrument, containing provisions specifically relevant to CAAFAG. The Congolese DDR program, during which the Child Protection Law was adopted and the ACRWC was ratified, provides a compelling case for further research into how the ACRWC's framework may influence prevention and response to child recruitment and use. The need to closely follow the evolution of child DDR in the DRC must also be seen in connection with emerging international tools, including the Vancouver principles, the updated IDDRS, and increasingly inclusive mechanisms promoted by the SRSG-CAAC.

The implementation of child DDR in the two countries also underscores the value of context-sensitive approaches, as advocated by soft law, which is also relevant for programs beyond Africa. The frequent involvement of international actors points to the importance of multilevel stakeholder coordination and the consideration of local dynamics.

Recommendations for future research on DDR for CAAFAG include conducting comprehensive, comparative and longitudinal studies across and within countries; exploring innovative child-friendly accountability mechanisms for CAAFAG perpetrators; and analysing the implementation methods of

¹ J. Kiyala, "Child Soldiers, Justice and Peacebuilding: A Dialectical Analysis of the Conventional Criminal Justice System and African Indigenous Jurisprudence." In J Kiyala and C. Norman C. (eds.) *Climate Change and Socio-political Violence in Sub-Saharan Africa in the Anthropocene: Perspectives from Peace Ecology and Sustainable Development*. Cham: Springer Nature Switzerland, 2024, p. 459.

² *Ibidem*, 460.

DDR considering international children's rights law and cultural sensitivity. Additionally, the evolving nature of armed conflict and recruitment drivers should inform DDR program design. A case warranting further investigation is the DDR of children associated with terrorist groups, building on early work such as Capone's research on foreign children in ISIL,³ and learning from long-standing cases like Somalia's efforts against violent extremism.⁴

³ F. Capone, "'Worse' than Child Soldiers? A critical Analysis of Foreign Children in the Ranks of isil." *International Criminal Law Review* 17.1 (2017): 161-185.

⁴ B. Welsh and K. Prabin. "The Reintegration of Women and Children Disengaging from Armed Groups During Conflict: Evidence from Somalia." *Governance and Local Development Institute Working Paper* 78 (2025).

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