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Use of Child Soldiers in CAR Underlines Urgent Need for Accountability

Despite progress at ICC, states need to do more to end recruitment and use of children in conflict

The Hague/New York—The use of thousands of children as soldiers in the deepening conflict in Central African Republic (CAR) is a stark reminder of the urgent need for greater action to end this brutal war crime, the Coalition for the ICC said today, the International Day against the Use of Child Soldiers.

“We are witnessing atrocities all over the country on a daily basis,” said **Sebastien Mboutou of the CAR Coalition for the ICC**. “Not only are armed groups recruiting and using child soldiers, they are using them to carry out terrible crimes, including against civilians. While we welcome the ICC prosecutor’s warning to perpetrators and announcement of a new preliminary examination, the international community needs to take urgent preventative measures to stop the bloodshed.”

The UN special envoy for children and armed conflict, Leila Zerrougui, recently reported that there are currently as many as 6,000 child soldiers in CAR.

International Criminal Court (ICC) Prosecutor Fatou Bensouda has made crimes against children a priority of her tenure and child soldier charges in several cases have given much needed visibility to the problem.

However, UNICEF estimates that 300,000 children—some as young as eight—are involved in around 30 armed conflicts worldwide. Many are coerced to fight or to act as sex slaves. Nearly all are forced to commit atrocities themselves.

“The brutal recruitment and use of child soldiers is one of the worst war crimes which, as we are seeing in the Central African Republic, continues to rob the innocence of the most vulnerable and destroy lives,” said **William Pace, convenor of the Coalition for the ICC**. “Governments around the world need to support the ICC in stamping out this shameful practice while doing more to bring perpetrators to justice themselves.”

Using children as soldiers prolongs conflict by increasing the pool of army recruits, and wreaks havoc on families and communities. Children find it difficult to reintegrate into post-conflict society. Many are shunned and suffer physical and psychological trauma.

According to a recent US State Department report, the countries where child soldiers are used increased from seven to 10 last year, including in CAR, Chad, the Democratic Republic of Congo (DRC), Myanmar, Rwanda, Somalia, South Sudan, Sudan, Syria and Yemen.

In Colombia, where the ICC prosecutor is conducting a preliminary examination to determine if full investigation is warranted, armed groups have also been reported to use child soldiers.

“We welcome the continuation of peace talks between the Colombian government and the FARC-EP, and hope that they will address the situation of girls and boys affected by armed conflict in order to recognize the existence of the recruitment and use of children, and the incidence of sexual violence, among other human rights violations,” said **Hilda Molano, secretary general of COALICO, a Colombian NGO working to end the use of child**

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soldiers. “We also hope that these talks will encourage the immediate cessation of crimes against children, as well as the creation of mechanisms to verify progress on that front.”

The ICC Rome Statute includes the conscription, enlistment and use of children under the age of 15 as soldiers as a war crime—a first in international law. Much of the ICC’s work to date has focused on prosecuting those responsible for using child soldiers, among other crimes, in the DRC and Uganda, which border CAR.

This week, a hearing began to determine whether DRC militia leader Bosco Ntaganda will face trial for charges that include the use of child soldiers. ICC judges will next month issue a judgment against Germain Katanga, the charges against whom include using child soldiers in the DRC in 2002-03. Meanwhile, Thomas Lubanga was sentenced to 14 years imprisonment for using child soldiers in the Court’s landmark first trial in 2012. All involve the conflict in the DRC’s troubled eastern provinces. Many former child soldiers have been recognized as victims by the Court and allowed to participate in the proceedings.

However, the continued use of child soldiers around the world demonstrates that much more needs to be done.

Universal ratification of the ICC Rome Statute and encouraging states to prevent the use of child soldiers at the local level can have a real impact. The Statute provides a useful complement to the Optional Protocol on the Involvement of Children in Armed Conflict—which requires ratifying parties to prevent children under the age of 18 from being conscripted into the military or participating in hostilities—by criminalizing such actions and providing for prosecution.

“On this International Day against the Use of Child Soldiers, states should stand with innocent children by rejecting the recruitment and use of child soldiers, increasing support for and cooperation with the ICC, prosecuting perpetrators at home and rehabilitating former combatants,” **Pace added.**

Background: The ICC is the world’s first permanent international court to prosecute war crimes, crimes against humanity, and genocide. Central to the Court’s mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes. There are currently eight investigations before the Court: the Central African Republic; Cote d’Ivoire; the Democratic Republic of the Congo; Darfur, the Sudan; Uganda; Kenya; Libya; and Mali. The ICC has publicly issued 30 arrest warrants and nine summonses to appear. The Court issued a judgment in its first trial on 14 March 2012. Three other trials are ongoing. The ICC Office of the Prosecutor has also made public that it is conducting eight preliminary examinations on four continents: Afghanistan, Colombia, Georgia, Guinea, Honduras, Republic of Korea, Nigeria and the Comoros.