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Community Intervention as a Means to Destigmatize Child Soldiers and Permit Reintegration

A Comparison Case Study of Uganda and Iraq

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FOREWORD

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This publication includes the thesis *Community Intervention as a Means to Destigmatize Child Soldiers and Permit Reintegration: A Comparison Case Study of Uganda and Iraq*, written by Julia Runte and supervised by Sara De Vido, Ca' Foscari University of Venice.

BIOGRAPHY

Julia Runte graduated with an EMA in Human Rights and Democratisation from EIUC in September 2018. Before her change to human rights, Julia worked as a primary school teacher in the US and China for 8 years. She currently is the Program and Research Assistant at VOICE, a new NGO that works with eradicating violence against women and girls in humanitarian settings, especially to amplify their work in the decisions that affect them.

ABSTRACT

The stigmatization of former child soldiers inhibits and prevents a child's reintegration by re-victimizing and re-traumatizing the child and also making the child an outcast in their community. Additionally, there is little research and few legal mechanisms in place to help prevent stigmatization. The following thesis shows that more research and assistance is needed in the reintegration process in order to prevent stigmatization. By working directly with the community, former child soldiers have a higher chance for a positive reintegration. The thesis will examine the legal instruments connected to child soldiers, compare two case studies, and show how one case study can be applied to the world at large in aiding the prevention of stigmatization.

Keywords: child soldiers, stigma, conflict, stigmatization, reintegration, re-victimizing, trauma, re-traumatizing

TABLE OF ABBREVIATIONS

AI	Amnesty International
CAAFG	Children Associated with Armed Forces or Groups
CPU	Children's Protection Unit
CRC	Convention on Rights of the Child
DCI	Defense for Children International
DDR	Disarmament, Demobilization, and Reintegration
HRW	Human Rights Watch
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal of Rwanda
ICTY	International Criminal Tribunal of the Former Yugoslavia
IDP	Internally Displaced Person
ILO	International Labor Organization
ISIL	Islamic State of Iraq and the Levant
KRG	Kurdistan Regional Government
LDU	Local Defense Unit
LRA	Lord's Resistance Army
MDD	Major Depressive Disorder
NGO	Non-Governmental Organization

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OIF	Operation Iron Fist
OPAC	Optional Protocol on the Involvement of Children in Armed Forces
PTSD	Post-Traumatic Stress Disorder
SCSR	Special Court for Sierra Leone
SRCAC	Special Representative for Children and Armed Conflict
STI	Sexually Transmitted Infection
UN	United Nations
UNSC	UN Security Council
UPDF	United Peoples' Defense Force

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1.

INTRODUCTION

In the words of Adama Dieng, Acting Special Representative of the Secretary-General on Sexual Violence and Conflict and Special Adviser on the Prevention of Genocide, “simply stated, stigma kills.”¹ The use of children during armed conflict is sadly not new and continues to occur by both State and non-State groups. The stigmas attached to children used in armed conflict remain with them when they return home. The purpose of this thesis is to examine the impact of stigmas connected to children who were and are used in conflict and the effects of the stigmatization on the children’s reintegration into the community.

The United Nations (UN) completed an extensive study regarding children in conflict in 2009. To help stop the use of children in conflict, the role of the Special Representative of the Secretary-General for Children in Armed Conflict (SRCAC) was established on 12 December 1996 by a UN mandate following the aforementioned study.² Though children are still being used in conflict, the office of the SRCAC has addressed and achieved some positive outcomes in conjunction with partners in either the UN system or non-governmental organizations (NGOs). These outcomes include the following: establishing a monitoring and reporting mechanism, reaching 166 ratifications of the Optional Protocol to the Convention on the Rights of the Child on the

¹ United Nations Security Council, ‘Shame, Stigma Integral to Logic of Sexual Violence as War Tactic, Special Adviser Tells Security Council, as Speakers Demand Recognition for Survivors’ (*United Nations*, 17 May 2017) <<https://www.un.org/press/en/2017/sc12819.doc.htm>> accessed 3 November 2018.

² United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict, ‘About Us: The Mandate of the Special Representative’ (*United Nations*) <<https://childrenandarmedconflict.un.org/about-us/>> accessed 3 November 2018; United Nations Children’s Fund, *Machel Study 10-Year Strategic Review: Children and Conflict in a Changing World* (UNICEF 2009).

Involvement of Children in Armed Conflict (OPAC),³ assisting in the creation and signing of 27 Action Plans of States party to conflict, delisting nine States who completed their Action Plans, adopting 11 Resolutions, seeing the Paris Principles endorsed by 105 States, rescuing or helping return 115,000 children in recent years, and also pushing to end sexual violence against children in conflict.⁴ Despite the positive outcomes of this office and the mandate over the last 20 years, children are still used in conflicts where many of their basic human and fundamental rights are violated. These rights will be elaborated on in Chapter 2 when legal documents are discussed.

Unfortunately, since it appears the use of children in armed conflict will not end any time soon, there needs to be a stronger focus on the reintegration of children. Throughout this thesis, the author will examine why the process of reintegration is critically important for the children. More specifically for this thesis is the research question of how the impact of stigmatization of child soldiers, which inhibits reintegration, can be prevented or reduced. A child used in armed conflict can be used in many different roles and not solely as a soldier, as will be elaborated on later in this thesis. Thus, herein the author will use the term CAAFG, children associated with any armed forces or group.

In the first instance, according to the UN, there should be an in-depth disarmament, demobilization, and reintegration (DDR) process when leaving a conflict.⁵ Official DDR processes should contain the following six aspects: 1) immediate medical and psychosocial care through interim centers; 2) sensitization of communities via open community discussions regarding the return of ex-CAAFG (to promote forgiveness and acceptance); 3) family training, reunification, and family integration assistance; 4) support to local communities to assist in supporting reintegration; 5) provision of initial support for school fees and/or

³ United Nations General Assembly, 'Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict' <<https://www.ohchr.org/Documents/ProfessionalInterest/crc-conflict.pdf>>.

⁴ United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict, '20 Years to Better Protect Children Affected by Conflict' (United Nations Secretariat 2016).

⁵ Theresa Betancourt and others, 'Psychological Adjustment and Social Reintegration of Children Associated with Armed Forces and Armed Groups: The State of the Field and Future Directions' (Psychology Beyond Borders 2008) <<http://psychologybeyondborders.org/wp-content/uploads/2013/08/RPCGA-CAAFAG-REPORT-FINAL-JULY-2008.pdf>>.

vocational skills training; and 6) individual follow-ups.⁶ These processes promote the well-being of the CAAFG and reintegration. The second process should include a method for the prevention of stigmas with a stipulation for sensitivity training, but this research found that no prevention mechanism seems to be used. To assist with reintegration, the office of the SRCAC is working to assist with the preventative factor by advocating for the endorsement of the Paris Principles of 2007, which focus on children as victims and not perpetrators of crimes during the conflict. Studying the importance of reintegration is extremely relevant today as the effects of trauma are more understood. Many programs for reintegration, both official and unofficial, focus on the process, psychological factors, and the need to re-enter the education or work system. When these programs are actually promoted, reintegration happens smoothly, or as smoothly as possible under the difficult circumstances. However, despite the wealth of research about what is needed for reintegration, it does not always happen. The simple fact could be that logistics post-conflict are not easy, and the critically important factor of cultural stigmas attached to the CAAFG, is an issue on which the author will expand.

1.1 PURPOSE OF THESIS

It is often mentioned that stigmas are attached to the CAAFG, and sometimes the effects of these stigmas are addressed, but what is not often discussed are ways to prevent stigmatization from occurring in this population. In this thesis the author will examine how stigmas affect children, inhibit their reintegration, and how stigmatization can be prevented. The purpose is to provide a concrete example to combat stigmas in order to assist and not deter the reintegration process of former CAAFG. The example cited addresses the current situation of returning Yazidi CAAFG in Iraq and the effects of a public statement and change in religious doctrine by the leader of the Yazidi religion. The author will show that this process led to a reduction (albeit not elimination) of stigma for the returning CAAFG allowing them an easier and smoother transition to the community and society at large.

⁶ Betancourt and others (n 5).

The experience of the returning Yazidi CAAFAG is compared to another case study in Uganda. By reducing the presence of stigmas, the CAAFAG more easily return to some sense of achievable normalcy while, at the same time, having their human rights respected.

1.2 INNOVATIVE RESEARCH

Stigma is a major factor that is not widely addressed in the processes of reintegration or the research in relation to CAAFAG. In researching the reintegration of CAAFAG, the author found this gap as a common thread. There is a plethora of research about the effects of conflict on children, the effects of child trauma, what stigmas exist, and effective and ineffective reintegration processes, but there is little written regarding how to prevent stigmas. For example, Betancourt et al.⁷ conducted extensive research regarding the psychosocial effects of former CAAFAG and their mental health. In reference to stigmas, the only literature she found with more than a mention of their existence are her own studies and those of Blattman and Annan.⁸ Betancourt et al.'s⁹ and Blattman and Annan's¹⁰ studies discussed how stigmas contribute to the effects of trauma and re-victimization but do not discuss ways to prevent stigmas. Re-victimization, in turn, violates the CAAFAG's human rights as it leads to discrimination, invasion of both privacy and family life, and the exclusion of the CAAFAG from economic, social, and cultural rights such as education and cultural opportunities and community involvement. With little research on stigma prevention, this current work is innovative as it is the first of its kind as the author has found. The connections to the case studies in this thesis and how they can be applicable to the world at large are state of the art and pertinent to the international community.

⁷ Theresa Betancourt and others, 'Research Review: Psychosocial Adjustment and Mental Health in Former Child Soldiers – a Systematic Review of the Literature and Recommendations for Future Research' (2013) 54 *The Journal of Child Psychology and Psychiatry* 17.

⁸ Christopher Blattman and Jeannie Annan, 'Child Combatants in Northern Uganda: Reintegration Myths and Reality' in Muggah Robert (ed), *Security and Post-Conflict Reconstruction* (Routledge 2009).

⁹ Betancourt and others (n 7).

¹⁰ Blattman and Annan (n 8).

1.3 STRUCTURE AND METHODOLOGY

Following this introductory chapter, the thesis is divided into four chapters. Chapter 2 will focus on the legal background regarding CAAFAG. It will give a brief overview of international legal documents for children's rights and then it will specifically address the prevention of the use of CAAFAG. Then, the chapter will elaborate on regional and national documents regarding the use of CAAFAG in Uganda and Iraq, and finally it will describe legal documents discussing the reintegration of CAAFAG. The legal documents of these countries are relevant as they are a prelude to two case studies in this thesis of Uganda and Iraq. Chapter 4 is a case study involving CAAFAG in Uganda, specifically with the children of the Acholi tribe in the Ugandan conflict between the State and the Lord's Resistance Army. A background of the conflict is presented including how CAAFAG entered, were used, and left the conflict. The reintegration of the CAAFAG is elaborated describing psychosocial issues and stigmas that are attached to the CAAFAG. How these stigmas affected the CAAFAG, prevented an easy reintegration, and led to re-victimization are also contextualized. Chapter 5 is a current case study about Yazidi CAAFAG who have been abducted by the Islamic State. Many of these CAAFAG are still under the control of and being used by the Islamic State at the time of this thesis. A brief summary of the current conflict in Iraq will be given, including how the children entered, were and are still used in the conflict, and how some have returned to the community. Reintegration processes are also discussed in the Iraqi study; however, the end of this chapter differs from the Ugandan chapter with an example of how stigmas have and can be prevented and also how the Iraqi situation of reintegration could have been different without this prevention of stigmatization. Finally, Chapter 5 concludes with two points: 1) how this change is human rights-based and promotes human rights even if indirectly, and 2) what implications the Yazidi example has for other situations.

These two case studies were selected for a comparative study because of the stark contrast between them regarding stigma. As it will be shown, the CAAFAG in Uganda clearly suffered from not only the impacts of the conflict but also the stigmas attached to them after they left the conflict. These stigmas attached to them prevented an easy reintegration back into society, or in some situations even a reintegration at all. The Ugandan study also, though not current, is not old. The time period

is only 20 years ago and the height of the conflict and use of CAAFG were centered in 2002. On the other hand, the CAAFG in Iraq, while not entirely shielded from stigmas, have been welcomed back into the Yazidi society more easily. It can be inferred that this success is the result of how the situation has been handled in order to prevent a negative situation such as the Ugandan experience from happening.

The comparative study was completed with a review of the literature, legal documents, and qualitative data. The author researched academic, peer-reviewed journals and also reports and website postings from different UN bodies and both internationally-recognized and local NGOs. Much of the qualitative data of personal experience and quotes come from these reports. Additionally, the author conducted three personal interviews via Skype with persons directly involved with the Yazidi. Unfortunately, in-person interviews were not conducted because former CAAFG of Uganda could not be located and travel to Uganda was not possible due to time and financial constraints. Travel to Iraq was also not possible due to security reasons. Some Yazidi CAAFG have been relocated to Europe, but the author was asked not to contact them directly due to the sensitivity of the subject and the high media publicity of the conflict in the recent past. All names connected to personal experiences and direct quotes have been changed for confidentiality, anonymity, and security reasons; some do not want their stories in the public domain for fear of re-abduction by the Lord's Resistance Army or Islamic State. Furthermore, when the gender-neutral word of "children" is not used, "they" will be used in its place to avoid gender bias. However, the author will specifically refer to the biological sex when it might be relevant in the latter case studies.

2.

LEGAL INSTRUMENTS

Legally binding documents surrounding children's rights are numerous at international, regional, and national levels. The main international instrument, the Convention on the Rights of the Child (CRC), is one of the most ratified documents in international law despite challenges of positive implementation. The CRC was adopted by the UN General Assembly in May 1989 and entered into force in September 1990 with 196 States party to it and 1 signatory.¹¹ This convention lays out the provisions for children's human and fundamental rights. Many of these rights are seriously violated when a child is pulled into conflict. Here the author will briefly discuss some of the specific rights that are outlined in the CRC. A major aspect of this document is Article 1 that reads a child is a person below the age of 18 unless majority is reached under applicable law, meaning that unless national laws provide for a different age, any State which is party to the CRC must adhere to the age of 18.¹² This age additionally connects to a child's age regarding their protection under international humanitarian law. What constitutes the legal age of a child can lead to some discrepancies, which the author will show throughout this thesis. Article 8 provides for the child's right to their identity that is often denied during conflict. A child may lose their cultural identity under occupation or abduction, requiring an adaptation to an unwanted situation. Furthermore, Article 9 prohibits separation from parents unless it occurs under applicable law. This right clearly

¹¹ United Nations Human Rights, 'Status of Ratification Dashboard: Convention on Rights of the Child' (OHCHR) <<http://indicators.ohchr.org/>> accessed 7 November 2018; United Nations General Assembly, 'Convention on the Rights of the Child' <<https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>>. The CRC was adopted 11 Nov. 1989, entered into force on 2 Sept. 1990 under UN Resolution 44/25.

¹² United Nations General Assembly, 'Convention on the Rights of the Child' (n 11).

has been violated in both of the later mentioned case studies. Finally, Articles 31, 32, and 33 give the right to rest and leisure, freedom from economic exploitation, and freedom from sexual exploitation respectively; all of which are often violated when a child is placed into armed conflict. With so many States being party to a convention specific to children's rights, it should demonstrate that many States are in favor of supporting the rights of the child and preventing violations against children; however, grave human rights violations continue to impact children, especially during times of conflict. This section will elaborate on the legal documents, both hard and soft law, that apply to the use of CAAFG in general internationally, and then specifically in Uganda and Iraq.

2.1 LEGAL DOCUMENTS PREVENTING USE OF CHILDREN IN CONFLICT

Though the purpose of this thesis is to examine the effects of stigma in relation to the reintegration of CAAFG, it is necessary to describe the plethora of legal instruments in place that should prevent the use of CAAFG from happening. Until these laws are implemented more fully, the use of CAAFG will continue, and the need for research and programs for reintegration will remain critically important. As there are numerous legal instruments on this topic, the author will divide their description into international and national positions. Moreover, in reference to international documents, it is more comprehensive to describe them in relation to the UN's "six grave violations" in order to give an overall, yet succinct, legal background. The position of the Special Representative for Children and Armed Conflict (SRCAC) was created in 1996,¹³ and following the creation of this appointment, the SRCAC outlined and condemned "six grave violations" in UN Security Council Resolution 1261,¹⁴ which was the first resolution specifically targeting children and armed conflict. These "six grave violations" are: 1) recruitment and use of children,

¹³ United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict Tremblay, 'The Six Grave Violations against Children in Conflict: The Legal Foundation' (United Nations Secretariat 2013).

¹⁴ United Nations Security Council, 'Resolution 1261' (1999) <<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20SRES%201261.pdf>>.

2) killing or maiming of children, 3) sexual violence against children, 4) attacks against schools or hospitals, 5) abduction of children, and 6) denial of humanitarian access for children.¹⁵ These violations have legal backing in international human rights law, international humanitarian law, international jurisprudence, and UN Security Council (UNSC) resolutions that are laid out in a set of working papers written by the office of the SRCAC. For the purpose of this thesis, the legal background will be explained in more detail in the following section for the first, third, and fifth violations as they are most applicable to the case studies that will be discussed in chapters 3 and 4.

2.1.1 *International Preventative Instruments*

With regard to the first serious violation, the recruitment and use of children, there is the question of age. In some instruments, recruitment and use are prohibited under the age of 15, while others mention 18. The CRC, the Additional Protocols to the Geneva Conventions, and international customary law all have prohibitions against the recruitment and use of children under the age of 15.¹⁶ This prohibition is further reinforced by the International Committee of the Red Cross (ICRC), stating that under international customary law it is unlawful for both State and non-State groups to recruit children¹⁷ or allow them

¹⁵ Tremblay (n 13).

¹⁶ 'Convention on the Rights of the Child' (n 11); United Nations, 'Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), June 8, 1977, 1125 U.S. Treaty Series 3.' (*United Nations*) <<https://treaties.un.org/doc/publication/unts/volume%201125/volume-1125-i-17513-english.pdf>>; International Committee of the Red Cross, 'Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), June 8, 1977, 1125 U.N. Treaty Series 609' (*ICRC*, 1977) <<http://www.refworld.org/docid/3a6b37f40.html>>; See: CRC Article 38 "1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child. 2. 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. 3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces...States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict."; Geneva Convention Protocol I, art. 77, para. 2: The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces; Geneva Convention Protocol II, art. 4, para. 3, subpara. c "children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities."

¹⁷ The ICRC references international law for age stating both the ages of 15 and 18 from different documents.

to take part in hostilities. Furthermore, recent jurisprudence at the International Criminal Court (ICC) and the Special Court for Sierra Leone (SCSR), held combatants accountable for the use of children under the age of 15.¹⁸

Several different instruments prohibit the use of children under the age of 18. These instruments set the age of a child higher, extending the prohibition to more persons. For example, States that are party to the CRC's Optional Protocol on the Involvement of Children in Armed Conflict (OPAC) are obliged to have 18 as the minimum age for compulsory recruitment and direct participation in combat, and those countries that allow voluntary conscription under 18 must ensure that extra safety components are established.¹⁹ Additionally, the International Labor Organization's (ILO) Convention No. 182 on the Worst Forms of Child Labor states the recruitment of children under the age of 18 is "one of the worst forms of child labor."²⁰ Though this does not legally prohibit the use of children, it is a strong condemnation statement to the numerous States who are party to it. Further, the ILO Convention No. 138, the Minimum Age Convention, states that "[t]he minimum age for admission to any type of employment of work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18."²¹ This prohibition could only apply to paid, legal work (i.e. not for illegal combatant groups), but it is still a prohibition that can be applied. In regional systems, the African Charter on the Rights and Welfare of the Child has the same prohibitions as the OPAC: it prohibits the recruitment and direct participation in combat of children under 18.²² Finally, the Paris Principles on Children Associated with Armed Forces or Armed Groups declare that States must do all they can to stop armed groups from recruiting children under the age of 18,

¹⁸ See ICC: *Prosecutor v. Lubanga*; SCSR: *Prosecutor v. Charles Taylor*.

¹⁹ International Labor Organization Convention, 'Convention C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)' (ILO, 17 June 1999) <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182> accessed 7 November 2018; This is stated in articles 1, 2, 3, 4 of the OPAC.

²⁰ *ibid.*

²¹ International Labor Organization, 'Convention C138 - Minimum Age Convention, 1973 (No. 138)' (ILO, 26 June 1973) <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138> accessed 7 November 2018.

²² 'African Charter on the Rights and Welfare of the Child/Legal Instruments' (African Commission on Human and Peoples' Rights 1990) CAB/LEG/24.9/49 <<http://www.achpr.org/instruments/child/>> accessed 7 November 2018.

and that States respect international law and standards regarding this; however, these are only soft laws and not legally binding.²³

The third grave violation is in reference to sexual violence against children. Sexual violence during conflict, no matter the sex of the person, is prohibited under international humanitarian law.²⁴ There are additional articles specifically prohibiting rape and sexual violence against children and women in these conventions. Though sexual violence also occurs against men and boys, these extra specifications for women and girls are needed because of the extensive and intentional use of rape and sexual violence against women and children during conflict. Moreover, rape and sexual violence fall under the category of torture, which also is prohibited by both international and regional human rights instruments.²⁵ There is the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, adopted in 1984, which forbids torture of any kind by State or non-State actors that fall under the jurisdiction of a State party.²⁶ Many UNSC Resolutions further condemn sexual violence, though specifically against women, as a tactic of war.²⁷ Jurisprudence over the last 20 years from ad hoc tribunals of the International Courts of Rwanda (ICTR)²⁸ and

²³ United Nations Children's Fund, 'Paris Principles and Paris Commitments' (*UNICEF*, 6 December 2013) <https://www.unicef.org/protection/57929_58012.html> accessed 4 November 2018.

²⁴ United Nations, 'Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), June 8, 1977, 1125 U.S. Treaty Series 3.' (n 16); International Committee of the Red Cross, 'Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), June 8, 1977, 1125 U.N. Treaty Series 609' (n 16) 1.

²⁵ This is evidenced in the Universal Declaration of Human Rights: Article 5, the International Convention for Civil and Political Rights: Article 7, The European Convention for Human Rights: Article 3, the Inter-American Convention for Human Rights: Article 5.

²⁶ 'Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment' <<https://treaties.un.org/doc/Publication/MTDSG/Volume%20I/Chapter%20IV/IV-9.en.pdf>> accessed 8 November 2018.

²⁷ United Nations Security Council, 'Resolution 1888' (2009) S/RES/1888 <[http://undocs.org/en/S/RES/1888\(2009\)](http://undocs.org/en/S/RES/1888(2009))>; United Nations Security Council, 'Resolution 1960' (2010) S/RES/1960 <<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES%201960.pdf>>; United Nations Security Council, 'Resolution 2106' (2013) S/RES/2106 <<http://unscr.com/en/resolutions/doc/2106>>.

²⁸ See ICTR, *Prosecutor v. Akayesu*, Case No. 94-4-T, 2 Sept, 1996; ICTR, *Prosecutor v. Pauline Nyiramasubuko, Arène Shlom, Ntábobali, Sylvain Nsabimana, Alphonse Nteziryayo, Joseph Kanyobashi, Elie Nalayumbaye*, Case No. ICTY-98-42-T, 24 June 2011.

the Former Yugoslavia (ICTY),²⁹ the SCSR,³⁰ and the ICC³¹ prosecuted perpetrators of rape and sexual violence and found them guilty.

The fifth grave violation addresses the abduction of children. As child abduction is tantamount to kidnapping, it is prohibited under international law. Common Article 3 of the Geneva Conventions strictly prohibits it³² as it falls under the category of international customary law. This means that, no matter what conventions a State is party to, the arbitrary deprivation of liberty is prohibited, which is applicable to non-State actors. More specifically, the International Convention for the Protection of All Persons from Enforced Disappearances,³³ the Inter-American Convention of the Forced Disappearance of Persons,³⁴ and the International Convention Against Taking of Hostages³⁵ all prohibit the abduction of any person. However, these different laws need to work together and be cohesive as the legal definition of child abduction relates to a child's age, which can vary from 15 to 18. Even if a child "voluntarily" joins an armed group, since the volunteer is deemed a child, they cannot be held accountable for joining on their own accord as they cannot give true informed consent, but rather it should be considered a violation of the child's liberty and an abduction.³⁶ Furthermore, the abduction of children is specifically prohibited when it involves the trafficking of children and/or illicit transportation across borders. The Protocol

²⁹ See ICTY, *Prosecutor v. Tadić*, Case No. IT-94-1-T, 7 May 1997; ICTY, *Prosecutor v. Zejnil Delaić, Zdravko Mucić, Hazim Delić, Esab Landžo*, Case No. IT-96-21-T, 16 Nov. 1998; ICTY, *Prosecutor v. Furundžija*, Case No. IT-95-17/1-T, 10 Dec. 1998; ICTR, *Prosecutor v. Kunarac et al.*, Case No. IT-96-23 & 23/1, 22 Feb. 2001.

³⁰ SCSL, *Prosecutor v. Alex Tamba Brima, Brima Bazzy Kamara, Santgje Barbor Kanu*, Case No. SCLS-04-16-T, 20 June 2007; SCSL, *Prosecutor v. Issa Hassan Sessay, Morris Kallon, Augustine Gbao*, Case No. SCLS-04-15-A, 2 March 2009; SCSL, *Prosecutor v. Charles Gbankay Taylor*, Case No. SCLS-03-01-A, 26 April 2012.

³¹ ICC, *Prosecutor v. Jean-Pierre Bemba Gombo*, Case No. ICC_01/05-01/08, 21 March 2016.

³² International Committee of the Red Cross, 'Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)' (ICRC, 1949) <<https://ihl-databases.icrc.org/ihl/385ec082b509e76c41256739003e636d/6756482d86146898c125641e004aa3e5>> accessed 4 November 2018.

³³ 'International Convention for the Protection of All Persons from Enforced Disappearance' (OHCHR, 12 January 2007) <<https://www.ohchr.org/en/hrbodies/ced/pages/conventionced.aspx>> accessed 7 November 2018.

³⁴ Organization of American States, 'Inter-American Convention on Forced Disappearance of Persons, 9 June 1994' (9 June 1994) <<http://www.refworld.org/docid/3ae6b38ef.html>>.

³⁵ United Nations General Assembly, 'International Convention against the Taking of Hostages' (17 November 1979) <http://treaties.un.org/Pages/DB.aspx?path=DB/studies/page2_en.xml&menu=MTDSG>.

³⁶ This was referenced in the ICC case of *Prosecutor v. Lubanga*.

of the Convention Against Transnational Organised Crime's Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children³⁷ works to combat this by prohibiting all types of trafficking of children for forced recruitment, prostitution, or sexual slavery. As will be shown in the case studies, CAAFG are taken across borders. The content will now transition to more local, legal documents that pertain to the case studies.

2.1.2 Regional and National Preventative Documents for Uganda and Iraq

Here the legal instruments regarding CAAFG specific to the case studies, first regionally and then nationally, will be discussed.

2.1.2a Ugandan Regional and National Documents

Uganda has provisions for the prevention of the use of CAAFG in both regional and national documents. Regionally, it is party to the African Charter of the African Union³⁸ (herein known as the "African Charter"). The African Charter does not have specific provisions for CAAFG, though it has articles relating to the general protections of the rights to life (Article 4), prohibition of slavery and torture or inhuman or degrading treatment (Article 5), liberty (Article 6), and a duty from the State to especially protect children in Article 8(4). Furthermore, in regional documents, Uganda is party to the African Charter on the Rights and Welfare of the Child, adopted in 1990³⁹ (herein known as the "African Children's Charter" in the text). The Lord's Resistance Army (LRA) already was active and using CAAFG at this time, but it was before the height of its abductions of children. In the African Children's Charter, the age of a child is specified as any person under

³⁷ 'Protocol to Prevent, Suppress and Punish Trafficking in Persons' (*OHCHR*, 15 November 2000) <<https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx>> accessed 7 November 2018.

³⁸ Organization of African Unity, 'African Charter on Human and Peoples Rights' (*African Union*, 1986) <<http://webcache.googleusercontent.com/search?q=cache:pVVPcDCnEFMJ:www.humanrights.sc/wp-content/uploads/2012/01/African-Charter-on-Human-and-Peoples-Rights.pdf+&cd=13&hl=en&ct=clnk&gl=ke>> accessed 3 November 2018.

³⁹ 'African Charter on the Rights and Welfare of the Child/Legal Instruments' (African Commission on Human and Peoples' Rights 1990) CAB/LEG/24.9/49 (African Children's Charter) <<http://www.achpr.org/instruments/child/>> accessed 7 November 2018.

the age of 18 (Article 2), which is important because, as shown above, there is some discrepancy in the age of a child to be in conflict, and the charter gives additional protection to older children between the ages of 15 to 18. This charter furthers the idea of the right to life (that is often taken away if in conflict) saying “State Parties to the present charter shall ensure, to the maximum extent possible, the survival, protection and development of the child.”⁴⁰ Continuing with articles specific to the welfare of a child that would be detrimental in conflict is Article 19(1) referring to parental care, that no child shall be taken from their parents without their will, aside from judicial or arrest proceedings. Additionally, the African Children’s Charter has articles 21 and 27 that deal with social and cultural practices that are harmful to the child and sexual exploitation respectively, all of which are violated when children are used as CAAFG. Finally, this charter contains a specific article relating to armed conflict. Article 22 states:

1. State Parties to this Charter shall undertake to respect and ensure respect for the rules of international humanitarian law applicable in armed conflicts which affect the child. 2. State Parties to the present Charter shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain, in particular from recruiting any child. 3. State Parties to the present Charter shall, in accordance with their obligations under international humanitarian law, protect the civilian population in armed conflicts and shall take all feasible measures to ensure the protection and care of children who are affected by armed conflicts. Such rules shall also apply to children in situations of internal armed conflicts, tension and strife.⁴¹

Paragraph 2 of this article specifically refers to State forces recruiting children rather than any armed group (State or non-State); however, paragraph 1 refers to international humanitarian law that prohibits the use of children in any aspect of armed conflict. Additionally, paragraph 3 is a catch-all section that covers all children affected by conflict. This gives the State a duty to protect children: to prevent, intervene if needed, and assist afterwards in the care of children.

Uganda also has provisions for child rights and protection in some of its national documents, and the Ugandan Constitution has stipulations for general fundamental rights. It lays out the duties of a citizen, in

⁴⁰ African Children’s Charter, art 5

⁴¹ *ibid*, art 22

Article 17(1)(c), stating that one duty of a citizen is the protection of children against any form of abuse or ill-treatment.⁴² This is an interesting provision, as it does not solely assign the protection of children to the State but to all citizens. Similar to the African Children's Charter, it has an article on the rights of the family, Article 31, stating in paragraph 5 that "children may not be separated from their families or the persons entitled to bring them up against the will of the families or of those persons, except in accordance with the law."⁴³ Article 31 does not apply to cases where Ugandan children chose to join the local defence units (LDU) or the United Peoples' Defense Front (UPDF, the official State military); however, it does apply to all children who were abducted by the LRA. The Ugandan Constitution only gives a determined age of a child as any person under the age of 16 for the purpose of Article 34(4): the right of the child to be protected from social or economic exploitation that can interfere with or be harmful to the education or physical or mental health of the child. Article 34 is a slight contradiction to the African Children's Charter as it only specifies an age for one specific provision. However, in 1997, the Ugandan parliament adopted the Children's Act possibly in response to the growing abductions by the LRA at the time. The new document defines a child as any person under the age of 18 without any specific attachments like those in the Constitution.⁴⁴ The Children's Act also adds an article that gives "every local government council from the village to the district level [the duty] to safeguard and promote the welfare of children within its area."⁴⁵ Similar to the Constitution placing the duty on all citizens, this wording gives duties to more than "the State," as defined in most legal documents, and finally, the United People's Defense Force Act of 2005 has official guidelines for children in the State military. Under Part IV Terms and Condition of Service, "no person shall be enrolled into the Defense Force unless he or she is at least 18 years of age and has attained such level of education as may be prescribed."⁴⁶ This was

⁴² The Republic of Uganda, 'Constitution of the Republic of Uganda, 1995' <[http://www.track.unodc.org/LegalLibrary/LegalResources/Uganda/Laws/Uganda%20Constitution%20\(1995\).pdf](http://www.track.unodc.org/LegalLibrary/LegalResources/Uganda/Laws/Uganda%20Constitution%20(1995).pdf)>.

⁴³ *ibid.*

⁴⁴ Children's Act, 1997 (Cap. 59). [UGA-1997-L-75311] pt II.

⁴⁵ *ibid* III.

⁴⁶ 'Uganda Peoples' Defense Forces Act, 2005.' (*Laws of Uganda*, 2005) pt IV <<http://ugandalaws.com/statutes/principal-legislation/405-uganda-peoples-defence-forces-act-2005.html>> accessed 8 November 2018.

a new guideline when the UPDF Act was rewritten in 2005 from its predecessor, the UPDF Act of 1995, which had no age guideline for the use of children. The article does not apply to the use of child soldiers by the LRA, but it does show that the use of children under the age of 18 in the LDUs and the UPDF currently is and was illegal, as will be explained in section 3.2.

2.1.2b Iraqi Regional and National Documents

Iraq has different provisions than Uganda regarding CAAFG. Regionally, Iraq is only party to the Arab Charter on Human Rights (herein known as the “Arab Charter”). The Arab Charter contains articles on fundamental rights that can be violated during conflict: Article 5 gives the rights of life, liberty, and security of person; Article 8 provides for liberty and not being detained unless lawfully; and Article 13 is the prohibition of torture or inhuman and degrading treatment.⁴⁷ Articles 38 and 39 give provisions for children. Article 38(b) provides for the duty of States to give special protection for the family, mothers, children, and the aged, while Article 39 states that young persons have the right to be afforded the widest opportunities for physical and mental development.⁴⁸

The latest constitution of Iraq entered into force in 2005. As the case study to be elaborated on in Chapter 4 occurs 2014 to the present, it is applicable. The Iraqi Constitution provides for the right to life, security, and liberty in Article 15.⁴⁹ Article 37 provides for many fundamental freedoms but with slightly different wording than the Ugandan Constitution, providing for the rights of liberty of persons and to not be detained illegally; protection from psychological and physical torture or inhuman and degrading treatment; the protection from intellectual, political, and religious coercion; and the protection from forced labor, slave trade, or trafficking or sex trade of women and children.⁵⁰ None of the provisions listed above deal with armed conflict, but these specific freedoms are related to what can occur when children become CAAFG

⁴⁷ League of Arab State, ‘Arab Charter on Human Rights’ <<http://www.humanrights.se/wp-content/uploads/2012/01/Arab-Charter-on-Human-Rights.pdf>> accessed 8 November 2018.

⁴⁸ *ibid.*

⁴⁹ The Republic of Iraq, ‘Iraq’s Constitution of 2005’ <https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en>.

⁵⁰ *ibid.*, art 37

and the Yazidi children abducted by the Islamic State to be discussed in the case study. Furthermore, Article 29 of the Iraqi Constitution provides for children's rights. It states:

First: A. The family is the foundation of society; the State shall preserve it and its religious, moral, and national values. B. The State shall guarantee the protection of motherhood, childhood..., shall care for children and youths, and shall provide them with the appropriate conditions to develop their talents and abilities. Second: Children have the right to upbringing, care and education from their parents... Third: Economic exploitation of children in all of its forms shall be prohibited, and the State shall take the necessary measures for their protection.⁵¹

Similar to what was stated in the Ugandan documents, Iraq places a high importance on the family and for the family to remain a unit. The State has the duty to protect children and keep them with the family, especially the mother. Iraq does not give a definition of a child; however, it is party to the CRC making a child any person under the age of 18 as it is not specified elsewhere. This ruling can then be applied to the use of children in military action. Iraq does have two national Orders that connect to the use of children in conflict: Coalition Provisional Authority Order No. 22, which states that recruitment to the New Iraqi Army is voluntary and the age of recruitment is 18; and Coalition Provisional Authority Order No. 89, which gives very specific laws about child labor.⁵² As was previously mentioned, being used in conflict is considered one of the worst forms of child labor according to the ILO. Article 91 directs that the government shall prevent and implement programs to eliminate the worst forms of child labor; the government shall provide the necessary and appropriate assistance for the removal of children from such situations; and that whoever promotes, aides, or benefits from the worst forms of child labor shall be guilty of an offence and prosecuted under the Penal Code of Iraq.⁵³ This policy further states that the government will provide for the rehabilitation and social integration of children once removed from these situations

⁵¹ Iraq Constitution, art 29

⁵² 'Coalition Provisional Authority Order No. 22' <https://govinfo.library.unt.edu/cpa-iraq/regulations/20030818_CPAORD_22_Creation_of_a_New_Iraqi_Army.pdf>; 'Coalition Provisional Authority Order No. 89' (2004) CPA/ORD/05 <<http://www.ilo.org/dyn/travail/docs/739/Coalition%20Provisional%20Authority%20Order%20No.89.pdf>>.

⁵³ 'Coalition Provisional Authority Order No. 89' (n 52).

and additionally ensures access to free basic education.⁵⁴ Iraq also has a law that can prevent the assistance of CAAFG under Sharia⁵⁵ law, which is currently enforced in the country in areas under Islamic State control. Under this rule, if a Muslim family takes a child into its care whether by force or voluntarily, and claims adoption of the child, the child is considered under this family's care (H. Salim, personal communication, March 15, 2018). There is no legal, governmental adoption under Sharia law, meaning that the child will not take the new name, cannot inherit property, and can marry its new siblings; however, this is where the law becomes a grey area. The adoption is not legal by the State, but in some areas Sharia law carries more weight, and if the "adoptive" parents claim guardianship then it becomes difficult to take the child; the adoption is both legal and not legal at the same time.

2.2 LEGAL DOCUMENTS REGARDING REINTEGRATION

Though there are numerous legal documents prohibiting the use of children in conflicts, there are few provisions to aid the reintegration of children after they escape or are rescued or released. This may be due to the mentality that such provisions are not needed as children should not be used at all. However, due to the overwhelming use of CAAFG in the past and that which continues today, there should be more legal instruments to give States the duty to aid the reintegration process. The CRC⁵⁶ and its OPAC⁵⁷ are the only binding, legal instruments that specifically state anything about reintegration with the CRC citing it in one article and the OPAC in two. Under Article 39, the CRC states that

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*

⁵⁴ 'Coalition Provisional Authority Order No. 89' (n 52).

⁵⁵ The author has seen this word spelled in numerous ways due to the translation (Sharia, Shariah, Shari'a, Shari'ah, Shareeah). For consistency, the author will use the spelling of Sharia. Sharia law is law according to the Islam religion and used with national law. If an area is more religious, Sharia has primacy.

⁵⁶ United Nations General Assembly, 'Convention on the Rights of the Child' (n 11).

⁵⁷ United Nations General Assembly, 'Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict' (n 3).

[emphasis added]. Such recovery and *reintegration* [emphasis added] shall take place in an environment which fosters the health, self-respect and dignity of the child.⁵⁸

The OPAC states that parties to the conflict must give attention to children during the DDR process and provide programs for the “psychological recovery and social reintegration” of the children to the community.⁵⁹ It could be interpreted that all legal documents providing for children’s rights include reintegration as they provide for the well-being and development of the child in general; however, the OPAC is the only international document specifying reintegration procedures. The Paris Principles,⁶⁰ though soft law, promote the reintegration of CAAFG after their release or the ending of the conflict, as well as the idea that the CAAFG are victims, not perpetrators, and should not be tried as criminals. However, the Paris Principles are not legally binding and are solely recommendations. As stated in the previous section, Iraq has a specific provision for the government’s duty to assist in the reintegration of children rescued and removed from the worst forms of child labor.⁶¹ Though the Coalition Provisional Order No. 89 does not cite child soldiers, the use of CAAFG is determined as child labor and thus falls under the law. This national instrument is not common around the world. It can be interpreted that, because Iraq has a strong history of child labor, a policy for the reintegration of child soldiers needed to be made into law. Uganda does not have such a policy.

⁵⁸ ‘Convention on the Rights of the Child’ (n 11) art. 39.

⁵⁹ United Nations General Assembly, ‘Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict’ (n 3) p art. 6-7.

⁶⁰ United Nations Children’s Fund, ‘Paris Principles and Paris Commitments’ (n 23).

⁶¹ ‘Coalition Provisional Authority Order No. 89’ (n 52).

3.

CASE STUDY: UGANDA

The subject will now transition to the two case studies as mentioned in the introduction chapter, first with the example of CAAFG in Uganda. The author will provide a brief background of the conflict in Uganda, and then examine how the children placed, were used, and returned from the conflict. Next, reintegration processes will be discussed followed by the psychosocial issues the children experienced. Finally, the author will explain the many stigmas attached to the children, and how these stigmas contributed to making the reintegration process more difficult or prevented it completely. Note that the phrase “the bush” is a commonly used expression by Ugandan people to reference time with the Lord’s Resistance Army (LRA), as the children (and soldiers in general) were living in the wild.

3.1 SUMMARY OF THE UGANDAN CONFLICT DURING TIME OF CASE STUDY

Joseph Kony and his LRA wreaked havoc in Uganda, Sudan, and the surrounding areas for over 15 years starting in 1986.⁶² In 1986, he formed the LRA in opposition to a new government and to make Uganda a theocracy with him as the omnipresent god. Much of the fighting was centered in northern Uganda and southern Sudan. Kony himself is from northern Uganda and a member of the Acholi tribe. To evade government forces, many of the LRA’s bases were in southern Sudan at the beginning of the conflict, and, during this time, the

⁶² The LRA is still active as of today though not a constant conflict.

LRA engaged in conflict with Ugandan governmental forces across the border in Uganda. Children from northern Uganda, especially from the Acholi tribe that is the majority there, were affected and lived in fear throughout the conflict. During her many years in captivity, Beatrice, a former CAAFG, was told that Kony was trying to rescue the Acholi, “his people,” from the domination of the South.⁶³ Beatrice also mentioned that Kony was quite vindictive, and that if “his people” sided with the United Peoples’ Defense Force (UPDF), he would intentionally kill, maim, or abduct them.⁶⁴ The UPDF was in a constant battle against the LRA for many years. Fighting intensified between 1994-2002 when, at its peak in 2002, the UPDF launched Operation Iron Fist (OIF) trying to disable the LRA bases in southern Sudan and also rescue children held there, and the LRA brutally retaliated in northern Uganda. A truce was signed between the government and the LRA in 2006; however, the LRA activity still continues. The International Criminal Court (ICC) issued an arrest warrant against Kony in 2005, but he has evaded arrest and is still at large.⁶⁵

The numbers are astounding for CAAFG in Uganda where Human Rights Watch (HRW) estimated that more than 20,000 children were abducted or “recruited”⁶⁶ (including those by government forces) between 1986 and the time of writing its report.⁶⁷ HRW also estimated that this was a conservative number. The conflict intensified in 2002 as the UPDF forced the LRA back into Uganda. This rise in fighting between the State and the LRA, and a vicious retaliation by the LRA, resulted in roughly 5,000 children being abducted in the following year.⁶⁸ Because they were affected the most, this case study will focus mainly on the Acholi community.

⁶³ Katy Glassborow, ‘Uganda: Female Ex-Rebels Shunned by Their Tribes’ (*Institute for War and Peace Reporting*, 26 May 2007) <<https://iwpr.net/global-voices/uganda-female-ex-rebels-shunned-their-tribes>> accessed 7 November 2018.

⁶⁴ *ibid.*

⁶⁵ International Criminal Court, ‘Kony et Al. Case’ (ICC) <<https://www.icc-cpi.int/uganda/kony>> accessed 7 November 2018.

⁶⁶ Quotation marks are used here to show that some children entered the conflict voluntarily, but there is considerable debate about how voluntary these recruitments were and how a child would be able to make a decision like this.

⁶⁷ Jo Becker and Tony Tate, ‘Stolen Children: Abduction and Recruitment in Northern Uganda’ (2003) 15 Human Rights Watch 1.

⁶⁸ *ibid.*

3.2 HOW THE CHILDREN ENTERED CONFLICT

In Uganda, children entered the conflict either as abductees for the LRA or recruits of the Ugandan government forces. First to be discussed is the use of children by the Ugandan government, and the remaining sections of this case study will focus on the Acholi children taken by the LRA.

3.2.1 Government Forces

In addition to the UPDF, the Ugandan government had functional local military units called Local Defence Units (LDU). Similar to a local militia, the LDUs also worked in conjunction with UPDF when needed.⁶⁹ These LDUs promised a uniform and a steady, though small, salary. For children, the majority of whom were boys from extremely impoverished families, this was an opportunity to bring money to the family. The incentive was to train with the LDU for a while, earn some money, and then return home. However, after training with the LDU, often the children did not return home but moved to the UPDF, voluntarily or via conscription.⁷⁰ Money was a big incentive for the children to voluntarily enlist with the UPDF after the LDU because the children might actually be paid. In Uganda, the LDU was paid through the Ministry of the Interior, but this payment was often late or non-existent; meanwhile, the money for the UPDF came from the Ministry of Defence and was more reliable.⁷¹ It was this situation where the problems arose. As mentioned above in section 2.1.2, the Ugandan government is only legally allowed to recruit and conscript adults of age 18 and above, and, additionally, secondary school must have been completed to join the military. These rules are in place to uphold international standards for the use of children with an additional incentive to finish one's schooling being the anticipation that there is a steady, paying job if a person does complete school. During the conflict in Uganda, it can be seen that these rules were not enforced. The Church of Uganda provided data to HRW during its investigations showing that 22 boys, aged 15 to 18, were

⁶⁹ Becker and Tate (n 67).

⁷⁰ *ibid.*

⁷¹ *ibid.*

recruited into LDUs.⁷² These boys then left the LDUs in 2002 to join the UPDF as they were promised scholarships for secondary boarding schools. However, the UPDF took these boys to a base and burned all of their documents and identification. While under the command of the UPDF, the boys suffered hardships such as punishment and a lack of food and also no salary, contracts, or uniforms. Eighteen of these boys returned, and four escaped during Operation Iron Fist (OIF). Burning documents and withholding salary and uniforms suggest that the UPDF knew they had underage soldiers and were hiding this fact.

3.2.2. *LRA Forces*

The LRA, on the other hand, has a history of simply abducting children who were taken from all facets of daily life: home, school, the street, etc. Christopher, aged 15, was out to buy cigarette papers for his father when he was taken. He was carrying his school uniform and told to drop it (as he would not need it anymore), and then a rope was tied around his waist.⁷³ Agnes was taken one night, along with 138 other girls, from St. Mary's College directly from their beds.⁷⁴ Additionally, until OIF, many of these children were transported across the border to Sudan and held there. With the UPDF it appears that, even though children were knowingly used, they were close to legal age. Regarding CAAFG in the LRA, it is clear the LRA intentionally looked for children. Data from the Becker and Tate HRW report mentioned above⁷⁵ show that children as young as 9 or 10 were abducted. The mentality is that the young children were easier to control and manipulate, and the girls had fewer chances of having a sexually transmitted infection (STI), which would be better in the eyes of LRA commanders as there was rampant sexual abuse.

These children were taken under dire circumstances where there was little chance of stopping it. During the abductions, a gun or machete was pointed at their heads if they hesitated or the children were forced to watch family killed or injured. In an interview with Martin in 2003 by

⁷² Becker and Tate (n 67)

⁷³ *ibid.*

⁷⁴ Arthur Okot, Gillian Lamunu and Bill Oketch, 'Female Abductees Suffer Reintegration Pain' (*Institute for War and Peace Reporting*, 2011) <<https://iwpr.net/global-voices/female-abductees-suffer-reintegration-pain>> accessed 3 November 2018.

⁷⁵ Becker and Tate (n 67).

HRW, aged 12 at the time of abduction, he said:

That night, the LRA came abducting people in our village, some neighbours led them to our house. They abducted all five of us boys at the same time. I was the fifth one... We were told by the LRA not to think about home, about our mother or father. If we did, then they would kill us. Better to think now that I am a soldier fighting to liberate the country. There were twenty-eight abducted from our village that night... We were all tied up and attached to one another in a row. After we were tied up, they started to beat us randomly; they beat us with sticks.⁷⁶

Often these abductions happened at night when there was more cover or an element of surprise for the LRA. Beatrice, aged 11 at the time, recalls men coming to her hut at roughly 1:00 AM, kicking down the door, drowning one of her two sisters in the bathtub while shooting the other, and then taking her; no choice was given to these children.⁷⁷ The LRA instilled so much fear in abducting children, that children in rural villages began to commute to larger towns at night, gaining the name of “night commuters,” and slept on church premises, bus parks, hospital verandas, and other places where there was more lighting, a feeling of safety in groups, and hopefully protection from local police. In 2003, more than 1,000 children were commuting to Gulu town (one of the main towns in Gulu province in the north) every night.⁷⁸ However, it was difficult to escape from the LRA.

3.3 HOW CHILDREN WERE USED IN THE CONFLICT

Children in the conflict in Uganda were used in a myriad of ways. For those recruited by the LDUs and UPDF, children were trained as fighters, whether they saw direct conflict or not. These children mainly held low level military positions in the infantry or were used as lookouts. They also went on scouting missions and fought against the LRA. Children were even sent across state borders as part of OIF.⁷⁹ This is ironic because part of the purpose of the OIF mission was to rescue children held by the LRA in southern Sudan . However, with

⁷⁶ Becker and Tate (n 67) 5.

⁷⁷ Glassborow (n 63).

⁷⁸ Becker and Tate (n 67).

⁷⁹ *ibid.*

State forces, the use of CAAFG appears to have been straightforward. Though illegally used, the CAAFG did not undergo as much of the horrors as the children experienced with the LRA.

Life under the LRA was much more brutal and varied. In a study by Derluyn, Broekaert, Schuyten, and De Temmerman,⁸⁰ an interview with a former CAAFG (name withheld) sums up actions forced by/ under the direction of the LRA:

I was abducted at night from my home on December, 26 1996 by the [LRA soldiers]. On the way to Sudan, an abducted boy tried to escape. He was recaptured and I had to kill him, by beating him to death with sticks. One day, I was beaten seriously because I dropped a water container during gun fire. In Sudan, I received military training for 1 month. I learned how to assemble and dismantle a gun. After that, I had to fight both UPDF...and Sudan People's Liberation Army in Sudan. Several times, I went to villages to loot food and abduct other children. One day, I was given to a commander as his wife. I got pregnant and delivered a boy. In a fight with UPDF, I managed to escape, but I had to leave my child in the bush. I don't know what happened to him.⁸¹

Returned children spoke of having been “initiated” by being beaten with a cane or machete to “harden them.”⁸² Michael, aged 17, described this initiation in Becker and Tate's HRW report:

They gave us 150 strokes of the cane, and eight slaps with the machete on the back. It was the soldiers who did the beating. For the cane we were made to lie on our stomach and then the soldiers would beat us on the buttocks. There were twenty-three of us. For the machete, we were made to bend over at the waist, and then the soldiers would use the blunt end of it to beat us on the back.

Different from the UPDF and LDUs, the children taken by the LRA completed all tasks possible. First and foremost, they were meant to be fighters. Matthew and James recall their military training:

During our military training, we were divided into groups of fifty children, the youngest in the group was age eight or nine, and they included boys and girls. We learned to march in formation and parade. We were taught

⁸⁰ Ilse Derluyn and others, 'Post-Traumatic Stress in Former Ugandan Child Soldiers' (2004) 363 *The Lancet* 861.

⁸¹ *ibid* 863.

⁸² Becker and Tate (n 67) 8.

to shoot, clean, and assemble and disassemble sub machine guns. These weapons held a magazine that could shoot thirty rounds. They were large, heavy to carry and not easy to use at first. The training lasted for several weeks. During that time, if you made a mistake, you were severely beaten. When we moved back into Uganda in 2002, we fought in many places in the Pader district near Pajule. Later, we set an ambush near Aliwa in Lira district. As the vehicles passed, we opened fire and soldiers escorting the trucks shot back at us. I was wounded in the leg and could not get up... I [James] was taught to march, to shoot, and to assemble the guns. All the abductees were trained, but not at the same time. We moved around a lot, there wasn't much time for training. Only a few of the older recruits received arms. During the training, the soldiers were harsh, slapping us for not doing what was demanded. I was never given a gun of my own but had to carry the gun of the commander. During the fighting, he would take the gun and leave me with no protection.⁸³

As it can be seen from their description, the children were often left unprotected in battle when there was not enough weaponry. It can be interpreted that the LRA felt the lives of the children were worthless.

Additionally, children were cooks and messengers, and they participated in looting raids. Beatrice remembers having to loot villages especially during times of famine in Uganda.⁸⁴ As scouts, they were used as lookouts or conducted initial scouting for raids. They were forced to abduct or assist abducting other children.⁸⁵ The LRA constantly put the children to work.

When we weren't fighting, we were digging and planting in the fields outside the camps. This was hot work we performed in the morning. In the afternoon hours, we would cut trees to make charcoal. Some would be used in the camps, but much would be loaded onto trucks and sold in Juba. . . . At the commanders' houses, it was the new recruits who would do the cooking, fetching of water, and caring for children. Often it was girls who performed these duties. Boys and soldiers in the LRA would do the heavy, manual work.⁸⁶

Even when the children did not want to complete such tasks or did not perform them up to the standards of the LRA, they were driven by

⁸³ Becker and Tate (n 67) 13.

⁸⁴ Glassborow (n 63).

⁸⁵ Enough Team, 'Robert, Former LRA Child Soldier: "We Need to Rebuild Together."' (*The Enough Project*, 21 September 2012) <<https://enoughproject.org/blog/robert-former-lra-child-soldier-we-need-rebuild-together>> accessed 3 November 2018.

⁸⁶ Becker and Tate (n 67) 11.

an instilled fear. LRA members killed or brutally injured other children as examples if one child did not do the LRA's bidding. The children were beaten often to keep them submissive or to punish them.

Though not always followed, there seemed to be an unwritten rule in the LRA that sexual use of girls did not happen until after puberty.⁸⁷ Before this time, a girl often was a domestic servant, *ting ting* in Acholi, in the home of a commander if she was not sent for military training. The *ting tings* often were used as domestic slaves from morning until night. Some girls even reported that the "wives" (CAAFGs themselves) abused the *ting tings*.⁸⁸

The girls were also used as "wives" (primary, secondary, or farther down the line) for LRA soldiers or simply as sexual slaves. If a girl did not submit, she was threatened with her life, injury, or injury to loved ones or other CAAF. Beatrice was one of five "wives" to an LRA official. They stayed in the same hut, and he chose a different girl each night. She remembers her first night with him when she tried to refuse, and the LRA official aimed a gun at her with the implied mindset of "obey or die."⁸⁹ Often the girls became pregnant from the sexual abuse. Angela was forced to become a wife at 15 and gave birth to two boys. The names she gave them show her feelings about their birth: *Komakech* (I am unfortunate) and *Can-Oroma* (I have suffered a lot).⁹⁰

Sometimes these "wives" had better treatment than the girls used solely as *ting tings*. However, while the "wives" had better treatment, they were still treated as property, forced to do unwanted actions, and lived in fear and poor conditions. Christine reported that after she was given as a "wife," she gave birth to a boy. Her commander was very happy and treated her well. However, after he died in battle, her life reverted back to constant work and beatings.⁹¹ Some believe the *ting tings* were treated better because they were not sexually abused but beaten more; while others feel the opposite as they experienced fewer beatings but more sexual abuse.⁹² What is true is that all experienced trauma from whatever ways the LRA used the children.

⁸⁷ Becker and Tate (n 67).

⁸⁸ *ibid.*

⁸⁹ Glassborow (n 63).

⁹⁰ Becker and Tate (n 67).

⁹¹ *ibid.*

⁹² Glassborow (n 63).

3.4 MEANS OF ESCAPE, RESCUE, RETURN

If a child was involved in the conflict in Uganda, they did not have an easy time leaving it. Some escaped and fled, while others were rescued. Some were released officially; many others died. There is little documentation about the outcomes for the children who were only recruited by official Ugandan forces; some managed to escape after they learned that the situation was not as it was hoped to be. It can be inferred that it was not easy to leave LDU or UPDF forces for two reasons: 1) it is rare that people can just voluntarily leave conscription in any military, and 2) the burning of the children's documents show that the military was trying to maintain a hold over the children. However, it appears that those who did escape were not hunted down by the military for being absent without leave, as the country was in turmoil and transition when the conflict ended.

From the LRA, some children escaped, while others were rescued and officially demobilized, and some were indirectly released. The word indirectly is used here because children were never simply allowed to go home or released on good behavior. As in the midst of combat when with the LRA fleeing, a child may have been too sick, pregnant, or injured to continue. The LRA left the child, in essence to die, but also did not always go back to check that the child had in fact died or went to look for them. James, aged 17, was left behind:

Following the attack, we moved on, and I felt the pain increasing in my legs. I was urged to move on and told that if I did not, I would be killed. When we reached a certain position, we settled there for two days. I was not given any medical treatment. After two days, my legs were swollen and there was a yellow puss coming out of the wounds, but I had to keep moving... During this time, I was very afraid. I didn't know what to do and if I was going to live because my legs were hurting me so badly. When I was limping, the soldiers would come once in a while and beat me with a stick and say "move faster." They kept threatening to kill me. Finally, my wounds got so bad that they abandoned me in the bush. I was left there to die, but I decided to crawl on my knees until I came to a dirt road. Finally, a cyclist passed and agreed to give me a lift.⁹³

⁹³ Becker and Tate (n 67) 16.

Or, a child was able to escape in the midst of confusion in the battle. That is how Charles escaped:

(...) the LRA fled in all directions. I fled then and fell into a swamp. I lay among the papyrus reeds. I could hear the fighting still going on, but I kept calm and didn't move at all. After some time, there were shots that landed quite near to me, so I crept along the reeds and found a place to sleep in the bush. I spent the night there by myself. The next day, I went to the UPDF forces.⁹⁴

This was the only manner in which a child was "released" from the LRA.

The majority of Acholi CAAFG returned from the bush either by being rescued by government forces during combat or a mission or escaping themselves. After direct combat between the government and LRA forces, if the LRA surrendered (by force or voluntarily), the children were taken by the UPDF. These children were put through official demobilization processes by the government, though some escaped during this time as well. This process will be discussed further in the following section. Additionally, there were some specific missions to rescue children (either as part of or as the full mandate of the mission), OIF in particular. During OIF, at least 2,000 children were rescued; however, during this time period considerably more children (greater than 5,000) also were abducted by the LRA contra to OIF.⁹⁵

Despite fear of death or the death of a loved one, many children escaped from the LRA camps on their own. Ruth, aged 12, discusses her escape:

One night I was beaten terribly and then sent to sleep outside in the cold and rain. The next morning, at 5 a.m., I was beaten again and then sent to fetch water. My hands were swollen so I wasn't able to lift the jerry can onto my head. No one came to help, so I decided to pour out the water and throw the can away. I went into the bush. It was raining heavily so I stayed under a tree. When it stopped, I stayed in the wilderness, eating leaves. I spent three weeks there. One day I saw a road. I had no strength left and collapsed by the road. A hunter came and found me and carried me on his bicycle.⁹⁶

⁹⁴ Becker and Tate (n 67) 16.

⁹⁵ *ibid.*

⁹⁶ *ibid* 15.

It was widely known in the camps that if an escapee failed, they would be killed or brutally injured, and children were often punished as well for others who escaped or tried to escape. In order to escape, a child had to find the right moment, combat the thoughts of their friends being punished for it, work through the fear of being discovered, and then travel alone. This shows the plight of these children and their hope to survive. Beatrice managed to escape when the UPDF began a bombing raid on the base. She hid in the deeper forest, and then walked to the Child Protection Unit in Gulu town.⁹⁷ Robert also managed this, and he walked for 3 weeks to get back home after escaping.⁹⁸ Some of the children were able to return to their home while others went elsewhere.

3.5 REINTEGRATION

Children in northern Uganda had either an “official”⁹⁹ reintegration process or unofficial reintegration process. The Acholi communities of northern Uganda also have specific ceremonies to welcome, forgive, and cleanse. These different types of measures are important for a person to reintegrate socially. Both types of programs will be discussed in this section.

3.5.1 Reintegration Processes

The official methods of reintegration will be discussed first. To be officially reintegrated in Uganda meant that children went through government channels and their determined process of disarmament, demobilization, and reintegration (DDR). There is a common process across different countries post-conflict of giving up weapons, leaving the conflict, and re-entering society. For the process of DDR in Uganda, the children were first interviewed at a UPDF base or camp, whether after surrendering, escaping, or being rescued, and were held

⁹⁷ Glassborow (n 63).

⁹⁸ Enough Team, ‘Robert, Former LRA Child Soldier: “We Need to Rebuild Together.”’ (n 85).

⁹⁹ The use of quotes to show that the official process did not always happen with correct means or order.

or stayed in the Children Protection Unit (CPU) for up to 48 hours.¹⁰⁰ Post CPU, the children were sent to a reception center (often run by NGOs) for registration, health checks, and training. In the year 2002 alone, 1,700 children passed through the World Vision and GUSCO rehabilitation centers.¹⁰¹

Next, children were examined for health issues at the centers. Many exhibited past or current signs of physical trauma; for example, many had currently healing or healed gunshot wounds. Others manifested different problems from being forced to walk very long distances, often carrying extremely heavy loads, and many were malnourished. Additionally, STI testing was needed as many of the girls experienced sexual abuse, often by multiple men. At the World Vision reception center, around 50 percent of the girls who came through the center tested positive for an STI.¹⁰² The children also received some psychosocial therapy to help move them from an armed conflict and LRA mentality; granted this aspect had the least amount of resources and could be argued to be the most needed and will be discussed below. Some of the rehabilitation centers were better equipped with resources, funding, and manpower than others.

Per the DDR process in Uganda, the children were supposed to receive financial assistance to help with the initial fees to re-enter school or a vocational skills center as many had missed extensive schooling.¹⁰³ As noted in the 10-year review of the Machel study by the United Nations Children's Fund,¹⁰⁴ officially demobilized children received "reinsertion" packages comprised of cash benefits, security clearance, and new documents; although, not all received these benefits. However, some researchers viewed the cash benefits as inappropriate or rewarding the children.¹⁰⁵ Additionally, these packages also caused animosity in the community as it was viewed as rewarding the children for committing crimes and atrocities against the community. The beliefs also connect with the concept of stigmas that will be studied in section 3.5.3. Finally,

¹⁰⁰ Mareike Schomerus and Tim Allen, *A Hard Homecoming: Lessons Learned from the Reception Center Process in Northern Uganda: An Independent Study* (United States Agency for International Development / United Nations Children's Fund 2006).

¹⁰¹ Becker and Tate (n 67).

¹⁰² *ibid.*

¹⁰³ Betancourt and others (n 5).

¹⁰⁴ United Nations Children's Fund, *Machel Study 10-Year Strategic Review: Children and Conflict in a Changing World* (n 2).

¹⁰⁵ *ibid.*

the children were sent for reunification with their families either at home or in internally displaced people's (IDP) camps.¹⁰⁶

The Acholi have their own method of "reintegration" into their culture. These are official rituals of cleansing and atonement, but during and after the conflict the rituals were also used as a reintegration method to cleanse the person's soul from the atrocities, they both saw and committed. In the Acholi community, there is an atonement ritual for boys and men called *Mato Oput* and one for girls and women called *Opobo*.¹⁰⁷ *Mato Oput* means to drink a bitter potion from the leaves of the Oput tree. The female ritual, the *Opobo*, literally means "with a bamboo stick." In the words of the former child soldier Beatrice, "the elders got a stick and an egg and placed them at the entrance to my village, and I had to jump over the stick and then step on the egg in order to be allowed back into my community."¹⁰⁸ Both rituals are directed toward people who committed a crime and must take responsibility for it. Additionally, the person has to pay compensation for the crime, usually in the form of a goat or cow, to the person or family of the person wronged. A consultation then occurs among the village elders followed by a very elaborate reconciliation ceremony, where the victim and the perpetrator (sometimes only the alleged perpetrator) drink a special drink. After this, the alleged perpetrator can be welcomed back into the community fully and, supposedly, has been culturally reintegrated. Although it appears that these rituals were often performed with surface value, the person had to move through them in order to return to the community. However, the completion of the rituals was not actually accepted by many of the people. Beatrice was made to go through many *Opobo* ceremonies because she did not know how many people she killed, yet she did not feel welcomed by the community after completing the ceremonies.¹⁰⁹ These ceremonies also seem to work better with males, who after the rituals were reintegrated to the community easier.¹¹⁰ However, it is not known whether this is because of the type of ceremony, a more male-dominated society making

¹⁰⁶ Schomerus and Allen (n 100).

¹⁰⁷ Glassborow (n 63).

¹⁰⁸ *ibid.*

¹⁰⁹ *ibid.*

¹¹⁰ Grace Maina, 'The Complexity of Applying UN Resolution 1325 in Post-Conflict Reintegration Processes: The Case of Northern Uganda' (African Centre for the Constructive Resolution of Disputes 2011).

violence by males more acceptable and forgivable, a more chaste society causing more prejudice and stigmas towards females, or all of the above.

Cleansing ceremonies were also performed for actions such as rape. Though the Acholi community is regarded as highly chaste, it appears they understand that rape is not the fault of the victim as females were able to experience the ceremony. However, there is a caveat that females who endured rape did not always receive a ritual. In order to receive a cleansing ceremony, the ceremony has to take place at the location of the rape. As the females were not with the LRA anymore and many also endured multiple rapes, the location for the ceremony was not feasible. Furthermore, children born from their abductors were not likely to even receive a cleansing ceremony as the child was not considered part of the community.¹¹¹

The official, governmental reintegration approach focused mainly on the individual, without community involvement. The unofficial cultural approach involved the community but to a questionable level. The rituals to bring the CAAFV back into society do not seem to have been effective, so it can be inferred that a full community approach could have been helpful in the reintegration process. As will be shown in the next section, the children had many issues to deal with after leaving the LRA.

3.5.2 *Psychosocial Issues*

Christine describes her feelings, and this quote incorporates most of the psychosocial feelings of the CAAFV:

I'm not happy at all because they ruined me. I had to cut short my studies. I have no hope that I will one day be somebody. I gave birth to two children and was not prepared. I have two children and no means of survival. I worry about what will happen next.¹¹²

First and most importantly, most children said they had fears of recapture that added to a constant feeling of worry and anxiety.¹¹³

¹¹¹ Jeannie Annan and others, 'The State of Female Youth in Northern Uganda: Findings From the Survey of War-Affected Youth (SWAY) Phase II' (2008) <<https://chrisblattman.com/documents/policy/sway/SWAY.Phase2.FinalReport.pdf>> accessed 3 November 2018.

¹¹² Becker and Tate (n 67) 17.

¹¹³ Annan and others (n 111); Schomerus and Allen (n 100).

Until personal security can be felt, a person's, especially a child's, psychosocial well-being will not be calm or stabilized.

At this stage, the children are physically and mentally weak. They are exhausted from the journey, the rehabilitation process, and the entire ordeal. Many have lingering (temporary or long term) psychosocial issues from their time as child soldiers as they experienced multiple trauma-causing incidents. Klasen, Oettingen, Daniels, and Adam completed a study¹¹⁴ of 330 students who were former CAAFG focusing on the psychological effects.

Children experience several potentially traumatizing events during abduction...The most common experiences [overall] were exposure to shootings, beatings, starvation, and the witnessing of killings. More than one half of the children had personally killed someone. A quarter of all children were raped during abduction.¹¹⁵

Klasen et al.¹¹⁶ also showed that most former CAAFG exhibited more than one symptom of posttraumatic stress disorder (PTSD) and/or major depressive disorder (MDD). They also identified the five most prevalent behaviors and emotional problems: feeling the need to be perfect, headaches, nightmares, worrying a lot, and stomach aches.¹¹⁷ MacMullin and Loughry¹¹⁸ conducted a study of four groups of children affected by the conflict in Uganda; three of these groups were CAAFG. Most of the members of the three groups of CAAFG were more anxious and depressed, more hostile, less socially proactive, and less confident than the fourth group.¹¹⁹ Many experienced nightmares, flashbacks, and were withdrawn according to interviews completed by HRW officers, while others showed overt aggression.¹²⁰ In all three studies, age, period of abduction, sex, or the period between return and the study/interview did not affect the occurrence of issues, especially PTSD or MDD. These psychological issues show the need for mental health resources for CAAFG in the aftermath of conflict, and, as stated in section 3.5.1, rehabilitation centers in Uganda often lacked or had minimal resources to assist the children.

¹¹⁴ Fiona Klasen and others, 'Multiple Trauma and Mental Health in Former Ugandan Child Soldiers' (2010) 23 *Journal of Traumatic Stress* 573.

¹¹⁵ *ibid* 516.

¹¹⁶ *ibid*.

¹¹⁷ *ibid*.

¹¹⁸ Colin MacMullin and Maryanne Loughry, 'Investing Psychosocial Adjustment of Former Child Soldiers in Sierra Leone and Uganda' (2004) 17 *Journal of Refugee Studies* 460.

¹¹⁹ *ibid*.

¹²⁰ Becker and Tate (n 67).

3.5.3 *Stigmatization Inhibiting Reintegration*

There is already a stigma attached to children because of the Acholi language. The word for “abductee” in Acholi is *mako*, and this word is not neutral in the language; it suggests a passive stance.¹²¹ Already, any child taken by the LRA is referred to with a word making the child a passive victim instead of fully blameless. Though it is clear that females had more stigmas surrounding them after the conflict, both sexes experienced issues. Because they were unable to return to the community or family easily, children had a more difficult time reintegrating back into society. They also experienced direct and indirect prejudice by their community. Here the author will focus on the stigmas related to children who were used by the LRA and their effects.

Stigmas were associated with the physical and medical features of returning from their time with the LRA. Some had visible scars and wounds or walked differently due to injury. These stigmas made it easy for the community to identify children who were in the conflict. The potential for having an STI (and many did) as a female was extremely high, and this fact was known in the community. Furthermore, many girls returned pregnant or with a child that had been born in the bush. CAAFV who returned from the LRA pregnant or with a child or children were especially targeted. Beatrice stated that “[her] neighbors...do not like [her] children playing with theirs, because [hers] are from the bush and might be dirty.”¹²² The children born of LRA commanders and their mothers had a triple stigma: rape and/or promiscuity, the father not being part of the tribe or unknown, and the father being part of the enemy. The Acholi society is generally chaste, so children born outside traditional marriage carry a heavy weight.

Unfortunately, it was quite common for ex-child soldiers to be abused verbally once they returned to their community. From interviews at reception and rehabilitation centers in northern Uganda, verbal abuse seemed especially evident from: drunk community members, families or people with children who did not return from the conflict, comments on physical scars, and/or discrimination from odd behavior or outward anger.¹²³ Both ex-child soldiers and their children were often referred

¹²¹ Schomerus and Allen (n 100).

¹²² Glassborow (n 63) 3.

¹²³ Blattman and Annan (n 8).

to as “bush babies” or “Kony’s children.”¹²⁴ Kony ran such a reign of terror over northern Uganda that anything associated with him or the LRA, even children, was considered horrible. When interviewed, Agnes described that “people fear us because we were in the bush. They say those who were in the bush are arrogant. They say those of us who were in the bush are weird and yet we didn’t have any weird character.”¹²⁵ Additionally, the children were treated as outsiders because they had been away while the community endured war. Some members in the community stigmatized the children as traitors for having been with the LRA.¹²⁶ Others mistreated the returnees because members of their own family did not return, and they were taking their pain and anger out on the children. State forces also stigmatized the children but in a different manner. Many male children who went through official DDR processes were told that they were not real men, and that “real men would go fight again with them.”¹²⁷ All of these problems inhibit a CAAFG’s reintegration into the community and result in the ostracism and further stigmatization of the children.

This leads to the concept of *cen*, which in the Acholi culture and language is vengeance by a spirit that has been mistreated.¹²⁸ The essence of *cen* is that the bad spirit attaches itself to a person who has committed crimes, is harmful to the individual, and can pollute that individual’s family and neighbors, as well as the community. The community blamed the *cen* of the CAAFG when the crops failed because the CAAFG had been in the fields.¹²⁹ Because of *cen*, the children had to go through the atonement and cleansing rituals mentioned in section 3.5.1. Beatrice’s father felt the *cen* was too strong for the rituals to cleanse and said that he did not want her back home because she “had a demonic mind [and] it caused problems with [her] mother.”¹³⁰ *Cen* was (and still is) a way to explain mental illness or the effects of trauma. It seems that the Acholi community would either stigmatize the person for acting differently or attribute the differences to a maleficent spirit, which in turn assigns stigma.

¹²⁴ Maina (n 110).

¹²⁵ Okot, Lamunu and Oketch (n 74) 2.

¹²⁶ Okot, Lamunu and Oketch (n 74).

¹²⁷ Becker and Tate (n 67) 21.

¹²⁸ Annan and others (n 111).

¹²⁹ Kathleen Kostelny, ‘What about the Girls’ (1999) 32 Cornell International Law Journal 505.

¹³⁰ Glassborow (n 63) 2.

The findings of one study completed by Akello, Reis, and Richters¹³¹ were significantly surprising and connect to the idea of *cen*. In an ethnography completed in 2004-2005 in northern Uganda about children and coping mechanisms after conflict, the researchers described different vignettes to groups of children who had experienced trauma from the conflict, either by directly participating in the conflict or simply being exposed to it. The fictional story of Otika was presented to seven groups of children aged 7 to 14. Otika is a boy who is frequently alone, cries alone (and often denies crying), does not always want to eat, does not sleep well, sometimes spending the night sitting outside, and tells his sisters he does not want to live. Many of the children spoke about Otika having *cen*, and that he needed to think about people in worse situations, to stop crying all the time, that even girls do not cry that much, (showing the gendering prevalence in the community: girls cry and boys do not), and that he was being a burden to other people. Even this group of children, many of whom may have experienced stigmatization themselves, stigmatized fictional Otika by speaking about how he coped showing that outward signs of emotions, especially for boys, were not accepted in the Acholi community. If a boy were to show signs of emotions, depression, or *cen*, he was stigmatized as different.

Furthermore, the question of how to work with the community remains. Blattman and Annan purport the idea from their anecdotal evidence that “targeting of former child combatants as a group is counter-productive, primarily because it can be stigmatizing within the community.”¹³² They believe that if government or NGO programs reach out to former child soldiers (for DDR, financial help, health, psychological assistance, etc.), it creates additional stigmas and does not help the situation. In their opinion, it is better and more effective to “target youth according to well-identified needs rather than combatant status.”¹³³ This is where the reintegration process draws a fine line between stigmatization and advocacy. The author agrees with Blattman and Annan that reaching out to CAAFG specifically can potentially

¹³¹ Grace Akello, Ria Reis and Annemiek Richters, ‘Silencing Distressed Children in the Context of War in Northern Uganda: An Analysis of Its Dynamics and Its Health Consequences’ (2010) 71 *Social Science & Medicine* 213. Ria Reis and Annemiek Richters, ‘Silencing Distressed Children in the Context of War in Northern Uganda: An Analysis of Its Dynamics and Its Health Consequences’ (2010)

¹³² Blattman and Annan (n 8) 119.

¹³³ *ibid.*

add to stigmatization; however, the CAAFG needed help. Community awareness or sensitization programs may have helped to welcome the CAAFG back so that they could focus on only the adjustment and trauma elements rather than the added stigmatization.

The children became part of “the other” in the sense that they were not integral parts of the community anymore.¹³⁴ By being outsiders and not returning to normalcy, their psychosocial rehabilitation was put on hold. This delay prevented them from more easily re-entering society, continuing the wait and potentially leading to re-traumatization. There needs to be a way to prevent stigmatization for CAAFG who have already suffered being removed from their families and community while being exposed to murder, rape, and injury so that re-traumatization and re-victimization do not happen.

¹³⁴ Kostelny (n 129).

4.

CASE STUDY: IRAQ

The effects of stigmatization on CAAFG in the Ugandan case study were just shown. The following case study analyzes the very recent and current use of Yazidi children who were and are used by the Islamic State of the Levant (ISIL) in Iraq. Similar to the Ugandan study, the author will give a brief overview of the conflict followed by how children entered, were/are used in the conflict, and how they returned. Also, the current reintegration processes will be elaborated on, as well as the psychosocial issues affecting the children. The author will discuss the major difference between the Ugandan and Iraqi case studies at the end of the chapter. The Iraqi experience includes a public statement and change in the religious doctrine, both factors that have greatly reduced the impact of stigmas that/and led to better reintegration of the CAAFG. Note that throughout the chapter, there will be various spellings of Yazidi in quotes and citations due to different dialects and translations. For consistency, “Yazidi” will be used unless a different spelling is in a direct quote, citation, or reference.

4.1 SUMMARY OF IRAQI CONFLICT DURING THE TIME OF CASE STUDY

The following case study will focus on the Yazidi children in northern Iraq who have been used by ISIL. In order to give some background to the situation, a history of the conflict in Iraq in the years prior to the dates in the case study will be briefly described. Al-Qaida has been active in Iraq since 2003 with the purpose of creating an Islamic caliphate state

and ridding Iraq of occupation by foreign powers.¹³⁵ The Islamic State in Iraq is a division of Al-Qaida and has been active since 2006.¹³⁶ ISIL's mentality is similar to Al-Qaida but has stronger ties with more extreme Islamic beliefs and is more brutal. After Abu Bakr al-Baghdadi became leader of the Islamic State in 2010, the group expanded into Syria and became ISIL. For the purpose of consistency, the acronym of ISIL will be used solely to refer to the Islamic State group; note that some quotes will reference the group as IS (Islamic State) and others as ISIS (Islamic State of Iraq and Syria) as the group's name has changed over the years. The conflict heightened in June of 2014 when al-Baghdadi "purported to establish a caliphate extending from Iraq to the Syrian Arab Republic, with Mosul as its capital, and claimed religious, social and military authority over the Muslim community."¹³⁷

The situation drastically changed on August 4, 2014 when ISIL specifically targeted the Yazidi community in northern Iraq that is centralized around Mount Sinjar and in the Ninewa province. Before this date, there were roughly 550,000 Yazidi living in the area in small villages and Sinjar town.¹³⁸ Throughout that day and until August 15, ISIL systematically killed men and the elderly and abducted women and children, forcing many to flee. For those who were able to flee, some took refuge on Mount Sinjar where they were under siege, while others managed to escape to different places or IDP camps. The abducted were taken to ISIL camps to be used in war. The Iraqi Kurdistan Forces were guarding the area, and with the news of ISIL's advance, most fled according to reports by witnesses and NGOs.¹³⁹ ISIL has been waging a war in the Middle East for many years, but their current goal is to have complete control using their version of Islam. They do not believe that the Yazidi are people as, according to ISIL, they believe in the wrong

¹³⁵ United Nations Security Council, 'Report of the Secretary-General on Children and Armed Conflict in Iraq' (2015) S/2015/852 <http://www.un.org/ga/search/view_doc.asp?symbol=S/2015/852&Lang=E&Area=UNDOC> accessed 7 November 2018; Zachary Laub, 'The Islamic State' (*Council on Foreign Relations*) <<https://www.cfr.org/backgrounder/islamic-state>> accessed 3 November 2018.

¹³⁶ *ibid*; Zachary Laub, 'The Islamic State' (*Council on Foreign Relations*) <<https://www.cfr.org/backgrounder/islamic-state>> accessed 3 November 2018.*id.*

¹³⁷ United Nations Security Council (n 135) para 16.

¹³⁸ *ي.م.رو.ه. وس.ح*, *Childhood Lost: Calling for the Genocide of the Yezidis* (Eyzidi Organization for Documentation 2016).

¹³⁹ *ibid*; Human Rights Watch, 'Iraq: ISIS Escapees Describe Systematic Rape' (HRW, 2015) <www.hrw.org/print/269592> accessed 7 November 2018.

god and are devil worshippers.¹⁴⁰ However, instead of murdering all the Yazidi, ISIL forced people, especially children, into the conflict. It is difficult to determine the actual numbers of CAAFG at the writing of this thesis and the time of abduction because of a “lack of access to affected areas, traditional militarization of Iraqi society, fear of families to report incidents, and security concerns for victims and families.”¹⁴¹

4.2 HOW CHILDREN ENTERED CONFLICT

In Iraq CAAFG have been used by pro-State militias and also non-State armed groups, primarily Al-Qaida and ISIL.¹⁴² The use of CAAFG by the pro-State militias will be briefly discussed, as it happened at the same time the Yazidi were being used by ISIL. Children may not be recruited into the State army or national police force until the age of 18 as stated in section 2.1.2 of this thesis. According to research and reporting by the Secretary General for Children in Armed Conflict and NGOs such as HRW and Defence for Children International (DCI), it appears that this rule has been upheld (at least) since 2014 and is currently in force.¹⁴³ However, children voluntarily enlist in pro-State militia groups, which is a violation supported by communities and the State. Grand Ayatollah al-Sistani has even called for students to use their summer holidays from school for military training. The Ministry of Youth and Sports sent a letter on 7 June 2015 to directorates in all governments in the south to use youth clubs for military training.¹⁴⁴ Though these children are entering of their own accord, it can be inferred that there

¹⁴⁰ Human Rights Council, “‘They Came to Destroy’: ISIS Crimes Against the Yazidis’ (2016) A/HRC/32/CR.2; *يجهروه وسح* (n 139).

¹⁴¹ United Nations Security Council (n 135) para 28.

¹⁴² United Nations Security Council, ‘Report of the Secretary-General on Children and Armed Conflict in Iraq’ (2011) S/2011/366 <<https://undocs.org/S/2011/366>> accessed 7 November 2018; United Nations Security Council (n 135).

¹⁴³ United Nations Security Council, ‘Report of the Secretary-General on Children and Armed Conflict in Iraq’ (n 142); United Nations Security Council, ‘Report of the Secretary-General on Children and Armed Conflict in Iraq’ (n 135); Human Rights Watch, ‘Iraq: ISIS Escapees Describe Systematic Rape’ (n 140); Defense for Children International, ‘Overview of Child Rights Situation in Arab Countries’ (*Defense for Children Palestine*, 17 September 2015) <https://www.dci-palestine.org/overview_of_child_rights_situation_in_arab_countries> accessed 3 November 2018; Possibly children have been used by State forces, but this has not been verified by either of the two reports by the Secretary General for Children in Armed Conflict on Iraq covering the time periods of 1 January through June 2015.

¹⁴⁴ United Nations Security Council (n 135).

is community and family pressure to “help the cause.” Similar to the Ugandan case study, the question is raised whether children can give informed consent to enter the military.

Most children in Iraq become part of ISIL through extreme forced recruitment and abduction. For example, on 3 August 2014, ISIL showed a video on social media of two brothers, aged 10 and 16, forcibly recruited under much duress in Ninewa province.¹⁴⁵ On 5 September 2014, 40 boys were taken forcibly from Friday prayers, and the mothers were told that the boys would “join them in battle against Iraqi forces.”¹⁴⁶ In February 2015, ISIL imposed the mandatory recruitment of children in the Rutba district.¹⁴⁷ Additionally, as many men of legal age joined ISIL’s fight, their children (more often sons) were “volunteered” into ISIL.¹⁴⁸ There is one other method for children entering the conflict in Iraq for ISIL which is through the highly secretive and rumored youth wing of ISIL known as *Fityan Al Islam* (Birds of Paradise).¹⁴⁹ This group is said to have been active since 2008 and composed solely of youth. However, due to the clandestine nature (both purposefully and legally), it is not known how children become part of this group.

In the instance of ISIL and the Yazidi, children were taken solely by abduction: there was no recruitment. In the early days of August, children were taken from homes, streets, everywhere. When ISIL arrived, some children managed to escape, while others were abducted. Some were able to flee; they were the fortunate ones.

4.3 HOW CHILDREN WERE/ARE USED IN THE CONFLICT

Similar to children in the State forces in Uganda, there are fewer children in the pro-State militias in Iraq. First, the author will show how they are used in these militias before discussing their use in ISIL forces, with specific reference to Yazidi.¹⁵⁰ Children have been seen patrolling

¹⁴⁵ United Nations Security Council (n 135).

¹⁴⁶ *ibid* 33.

¹⁴⁷ *ibid*.

¹⁴⁸ *ibid*.

¹⁴⁹ *ibid*; ‘Overview of Child Rights Situation in Arab Countries’ (*Defense for Children Palestine*) <https://www.dci-palestine.org/overview_of_child_rights_situation_in_arab_countries> accessed 3 November 2018. (n 143).

¹⁵⁰ Specific examples of use of children in pro-State militias have been verified by the Secretary General for children in armed conflict.

and parading with militia groups in uniform and carrying weapons, and leaders praised youth and their families for joining military forces. Though the use of children in the military is prohibited as elaborated on previously in section 2.1.2, the government is not forcibly acting to stop the use of children in groups acting on its behalf. Detailed reports were unavailable regarding what duties and actions the children perform in addition to patrolling within the pro-State groups, but it can be inferred they are actively engaged in the conflict. Children are clearly recruited, trained, and used by ISIL either directly or indirectly in its war. CAAFG are used as spies, patrols, scouts, and also manned checkpoints. They also transport supplies and equipment; plant explosive devices; video attacks for propaganda use and are also used for forced labor, sexual use, and to actively engage in fighting.¹⁵¹

For the purpose of describing how Yazidi children were/are still used by ISIL, the author has divided the information into the biological sexes of boys and girls because ISIL places them in separate roles with different duties in contrast to their use in the Ugandan case study. After abduction, older boys were separated from girls. Boys aged roughly 7 years of age and younger were allowed to stay with their mothers for a time before being taken away to training camps.¹⁵² The older boys (roughly aged 12 and older) have been forced to do two or possibly three tasks: forced labor tantamount to supporting the work of the conflict, forced conversion from their religion to Islam, and possibly forced conscription into the ISIL ranks to partake directly in hostilities.¹⁵³ Forced labor could include a variety of tasks, *inter alia*, to work on construction, dig trenches, clean streets (sometimes of bodies left in situ), and look after cattle. All of this work was/is in support of ISIL's continued fighting. Forced conversion, on the other hand, was/is a matter of life or death. If a child did not convert to Islam in the eyes of ISIL, that child often was/is killed and frequently in the presence of others as an example. In order to convert, a boy was forced to grow his beard and hair and to pray, which involved going to the mosque and learning Arabic. Though these forced conversions do not seem like an active part of the conflict, they are necessary for ISIL; as anyone working with ISIL needs to be part of

¹⁵¹ United Nations Security Council (n 135); *يَمْرُوهَ وَسْ ح* (n 139); Human Rights Council (n 140).

¹⁵² *يَمْرُوهَ وَسْ ح* (n 138); Human Rights Council (n 140).

¹⁵³ Human Rights Council (n 140).

the religion. Though “converted” (fully or nominally), the boys were/are not treated as equals in the eyes of ISIL. They were able to hold ranks as fighters as they were now Muslim, but they were still considered a lower form of person and still captives according to ISIL. The forced conversion was problematic when returning to the Yazidi community and will be elaborated on later. Boys between the ages of 7 to 12 were targeted for a manipulative conscription. In the words of an escaped CAAFG, “The ISIS fighters told us, ‘Children are young; they are like animals. We can change them. But you are adults. We will not be able to change your mind’. They said this to us at the hall in Mosul.”¹⁵⁴ These boys were taken to training camps to fight for ISIL. If they were of age during the initial abductions, they went directly to the camps; however, if a boy became of age during captivity, he was taken directly from his mother. The boy or his mother received beatings if either persisted in staying together. ISIL did not hide the purpose for taking the boys as ISIL soldiers told the mothers or showed them videos explaining the fact that the boys will be fighters against their own people.

Women interviewed recounted ISIS fighters telling them that they were taking their sons to teach them to be Muslims and to train them to fight. A Saudi ISIS fighter showed some Yazidi women a video of young boys being trained in an ISIS camp, saying ‘we are training them to kill *kuffar* like you’. Another woman recounted an Iraqi fighter taking one of the boys from her cell in Badoush prison and telling his distraught mother, “We are taking him so he can go and kill your people in Kobane.”¹⁵⁵

The boys were then taken to military camps or training centers in Mosul, Tel Afar, and Baaj in Iraq, or across the border to Raqqah city, Tabqa, Tel Abyad, and Suluk in Syria.¹⁵⁶ Here the boys were/are still trained as new recruits where they are given new Islamic names and there is no more mention of their past, especially their religion. They have daily indoctrination sessions where they learn about ISIL and the Qu’ran (and the Arabic language through it) and are made to watch ISIL propaganda videos about recruitment, beheadings, armed conflict, and suicide missions. As ISIL banned all non-ISIL education in any territory under its control, the boys learn only ISIL-approved

¹⁵⁴ *ibid* 18.

¹⁵⁵ *ibid* 93.

¹⁵⁶ *يەزیدو و سەح* (n 138); Human Rights Council (n 140).

curriculum that does not include subjects such as social studies, music, history, arts, sports, philosophy, or psychology.¹⁵⁷ The boys are also trained in military exercises and learn the use of weapons such as rocket propelled grenades and AK47s. All of this training is for the purpose of sending the boys to fight or to be suicide bombers, and DCI¹⁵⁸ reported that older boys are used as human shields. The actions of ISIL do not only target and use children as CAAFG but also indoctrinate them as a distinct sect of children to change who they are culturally and to make them soldiers.

Girls continue to be used in a very different manner. Unlike Uganda where girls were used in all types of roles of CAAFG (combatants, support, domestic, sexual, etc.), ISIL uses girls in two ways: sexually and slavery. Similar to boys, girls under the age of 7 were allowed to stay with their mother because they are considered too young for sexual use by ISIL, as stipulated by a question and answer section of ISIL's Research and Fatwa Department's website.¹⁵⁹ Older girls continue to be sexual slaves and/or wives to the combatants, and some are only assigned a lesser role of domestic slave to the ISIL fighters and their families. After abduction, the girls were taken to one site for roughly one day before being transferred either as a group or individually (if already purchased) to a site for buying and selling. These sites are primarily in Iraq, but some are across the border in Syria. The girls were then registered with their names, single or married status, and if they had children; there were many CAAFG who were married at the time of abduction. As Iraqi law stipulates that a child is any person under the older age of 18 instead of 15 years of age, it is possible for children in this instance to be married or have children within the Yazidi society. There are accounts of returned girls who were married, and some with children, before the age of 18.¹⁶⁰ Here is an account of the buying and selling of girls and women:

Captured Yazidi women and girls are deemed property of ISIS and are openly termed *sabaya* or slaves. ISIS made eighty percent of the women

¹⁵⁷ 'Overview of Child Rights Situation in Arab Countries' (*Defense for Children Palestine*) <https://www.dci-palestine.org/overview_of_child_rights_situation_in_arab_countries> accessed 3 November 2018. (n 143).

¹⁵⁸ *ibid.*

¹⁵⁹ 'Islamic State (ISIS) Releases Pamphlet On Female Slaves' (*MEMRI*, 3 December 2014) <<https://www.memri.org/>> accessed 3 November 2018.

¹⁶⁰ Human Rights Watch (n 139).

and girls available to its fighters for individual purchase, the apportioning being decided directly on the basis of religious interpretation. ISIS sells Yazidi women and girls in slave markets, or *souk sabaya*, or as individual purchases to fighters who come to the holding centres. In some instances, an ISIS fighter might buy a group of Yazidi females in order to take them into rural areas without slave markets where he could sell them individually at a higher price. The remaining twenty percent were held as collective property of ISIS and were distributed in groups to military bases throughout Iraq and Syria. In Syria, Yazidi females have been held at bases in Al-Shaddadi and Tel Hamis in Hasakah; Al-Bab and Minbej in Aleppo; Raqqah and Tabqa cities in Raqqah; Tadmur in Homs; and in various locations including Al-Mayadin and Konica gas fields in Dayr Az-Zawr.¹⁶¹

Dilara was 20 years old at the time of her abduction, and although she has not been a CAAFG, her account acknowledges the use of CAAFG. She waited in a large hall with 60 others aged 8 to 30 to be bought. During that period, she and the others were told by ISIL soldiers to “forget about your relatives, from now on you will marry us, bear our children, God will convert you to Islam, and you will pray.”¹⁶² Nine girls interviewed by HRW, who escaped between September 2014 and January 2015, said that most were forced into marriage. Two 12 years olds of this group said that they were repeatedly raped after being given as “gifts” from their “husbands” to other fighters.¹⁶³ Rama, aged 15, and Sara, aged 14, had a sister aged 16 who was bought soon after their abduction. Their sister was able to visit them on average once a month, and she told them of a brutal sexual enslavement by the fighter who purchased her. He raped, beat, handcuffed her, used electric shocks, denied her food, and he passed her on as a gift to other fighters.¹⁶⁴

This sexual enslavement, abuse, and treatment of Yazidi girls (and women in general) is “justified” by ISIL under their interpretation of Sharia law¹⁶⁵. ISIL published this justification in an article in their English language magazine *Dabiq*.

After capture, the Yazidi women and children were then divided according to the Shar’ah amongst the fighters of the Islamic State, who

¹⁶¹ Human Rights Council (n 140) para 55.

¹⁶² Human Rights Watch (n 139).

¹⁶³ *ibid.*

¹⁶⁴ *ibid.*

¹⁶⁵ Sharia law is law that comes from the text of the Qu’ran. It often has primacy in heavily religious areas.

participated in the Sinjar operation, after one fifth of the slaves were transferred to the Islamic State's authority to be divided as "khums" [a tax on war spoils].¹⁶⁶

ISIL provides a question and answer section about children (and women) and sexual use in a publication by its Research and Fatwa Department in the form of a set of FAQs¹⁶⁷ as previously mentioned. For example, one question asks "[i]s it permissible to have intercourse with a female captive immediately after taking possession of her?" with the answer of "[i]f she is a virgin, he [her master] can have intercourse with her immediately after taking possession of her. However, if she is not, her uterus must be purified [first]".¹⁶⁸ Another question asks about having intercourse with a girl before the age of puberty. The pamphlet says that it is allowed "if she is fit for intercourse; however, if she is not fit for intercourse then it is enough to enjoy her without intercourse".¹⁶⁹ Aside from promoting the sexual use of women in general by the soldiers, ISIL acknowledges in writing the permission for sexual use of CAAFG by the soldiers.

4.4 MEANS OF ESCAPE, RESCUE, AND RETURN

Similar to the Ugandan case study, children abducted by ISIL have returned to their communities in different ways. However, unlike the Ugandan case study, the ISIL conflict in Iraq is ongoing and many Yazidi CAAFG have not returned. According to the Kurdistan Regional Government (KRG)'s Directorate of Yazidi Affairs, as of 18 March 2015, 304 children (out of a community of 971) had returned to their communities.¹⁷⁰ The Eyzidi Center for Documentation state that as of 21

¹⁶⁶ 'Reflections of the Final Crusade: The Revival of Slavery Before the Hour' (2014) 1435 *Dabiq* 17 <<https://azelin.files.wordpress.com/2015/02/the-islamic-state-e2809cdc481biq-magazine-422.pdf>> accessed 3 November 2018.

¹⁶⁷ The MEMRI Jihad and Terrorism Threat Monitor website (<https://www.memri.org/jttm/islamic-state-isis-releases-pamphlet-female-slaves>) is a translation of the ISIL department's website. This translation has been referenced by Reuters (<https://www.reuters.com/article/us-usa-islamic-state-sexslaves-exclusive-idUSKBN0UC0AO20151230>), Leiden University (<http://leidenlawblog.nl/articles/yazidi-women-and-girls-a-story-of-violence-and-neglect>).

¹⁶⁸ Islamic State (n 159)

¹⁶⁹ *ibid.*

¹⁷⁰ Human Rights Watch (n 139).

February 2018, there are still roughly 900 to 1000 children remaining with ISIL, and there are also CAAFG currently across the border in Syria.¹⁷¹ Some children have managed to escape on their own or with an adult. One girl, aged 13, described her escape.

On the night of the escape, the men returned home exhausted from a battle. Some of them were wounded. They were so preoccupied with the wounded that they slept without doing anything to us and there was no one to guard us. They were tired and after we were sure they were asleep we decided to escape through the window. We did not hear a sound and we passed the barbed fence and we walked until we got to some houses. The five girls who were with me and I were hiding in one of the doors and when they asked me who I was I told them I was an Iraqi girl who is an outsider and I entered me their home and they heard my story and asked me to call the rest of the girls. We stayed with this Syrian family, which contacted some individuals and the we were returned for a deal of \$5,000 per girl.¹⁷²

Her account illustrated the two main issues affecting children who have returned to the Yazidi community: escape and payment. Because ISIL considers the boys part of its ranks and the girls as their property, it will only release CAAFG for a heavy ransom. The amount seems to range from the equivalent of \$1,000 to \$100,000 from personal interviews and also reports from NGOs and the UN.¹⁷³ These payments do not occur officially; rather, they happen directly from the family, if contacted, or through intermediaries. The Office of Yazidi Abductees, under the KRG, states that it does not deal with the direct process itself but works with a “secret network of intermediaries” to help secure the releases.¹⁷⁴ In personal interviews, various individuals stated that they work with NGOs and families networking to help rescue people.¹⁷⁵ These negotiations are easier if a girl still has her phone or obtains access to one, as she can make the

¹⁷¹ Eyzidi Center for Documentation, ‘Latest Statistics about Shankel Disaster until February 21, 2018’ (2018).

¹⁷² يهروه وئسج (n 138) 55.

¹⁷³ The ransom amounts seem to have this range.

¹⁷⁴ يهروه وئسج (n 138) 41.

¹⁷⁵ Amana Saeed, personal communication, March 16, 2018; Husam Salim, personal communication, March 15, 2018. A. Saeed is a formal parliamentarian in Iraq and currently volunteers with and is an activist for the Yazidi in the IDP camps; H. Salim a Yazidi activist with the Yazidi Fraternity and Solidarity League, currently pursuing a Masters degree in International Affairs in Germany. Both are Yazidi

first contact with family, another relative, or a friend without having to be tracked down.¹⁷⁶ Furthermore, it appears boys in military training are the most difficult to return as there is almost no access to them. First, the intermediaries need to learn if the boy is alive and where he is being held, and then begin negotiations.¹⁷⁷ These processes of negotiation are still going on today as many children (and Yazidi in general) remain with ISIL.

As mentioned in section 2.1.2, there is one factor that makes the return of children more difficult in the situation of the Yazidi and ISIL: the stipulation in Sharia law regarding adoption. If a Muslim family has taken in a child (who has converted to Islam, whether forced or voluntarily), claimed that child as their own, and has filled out the paperwork with the local Sharia office, it is considered a legal adoption under Sharia law as explained in chapter 2. According to personal interviews, this appears to be the case for some ISIL families in Mosul.¹⁷⁸ What is not known is if these families willingly adopted the children or were forced to adopt by ISIL, but this is an added difficulty. Though ISIL is not being prosecuted currently for crimes such as the use of CAAFG or the abduction of children, the group can be. The Sharia law would not hold these families liable which creates an added difficulty as it can be inferred that they do not want to give the children up or are asking for a much higher ransom. All these diverse factors work to inhibit the full return of Yazidi children.

4.5 REINTEGRATION

There is no standardized DDR process for the Yazidi as there was for Acholi children in Uganda. The conflict is ongoing, and ISIL does not appear to be open to any type of peace talks at this time. Additionally, there are no specific cultural rituals that the returning CAAFG must go through as part of a societal reintegration process. It is yet to be determined what reintegration processes are in place for CAAFG who have returned or will return in the future.

¹⁷⁶ Saeed (n 175).

¹⁷⁷ Salim (n 175).

¹⁷⁸ *ibid.*

4.5.1 Reintegration Processes

Children who have returned to the Yazidi community have gone through or are going through reintegration in different way, especially as the experience with ISIL was very different for boys and girls. One similarity to official DDR processes is that boys who were used in the military by ISIL are detained by the police for up to one month upon their return for debriefing and to check whether there is a security threat from the children.¹⁷⁹ This is handled by the police but directed at only one specific group of the children: boys used in the military that have been indoctrinated and not all CAAFG. Another of the few “official” factors of reintegration for the returned children is handled by Office of Yazidi Abductees, which is the same office that unofficially helps with the return of persons. Once a child (or any Yazidi abductee for that matter) returns, this office refers them to the appropriate committee for registration, accommodation, health checks, and the issuing/re-issuing of documents (identification cards, passports, etc.).¹⁸⁰ Beyond these procedures, there are few official processes in Iraq, they vary by area, and they are not standardized.

According to UN and NGO reports, health checks should happen when the children return, especially for the girls, which is one factor that seems to be standard.¹⁸¹ However, according to a Yazidi activist and volunteer at the Dohuk IDP camps, this rarely happens or there is little access to healthcare.¹⁸² On the other hand, the KRG authorities in Dohuk claimed that they created a health committee to coordinate identification procedures and referral to services for returnees.¹⁸³ This identification process should be helpful as it specifies who needs services; while, at the same time, adds to the public knowledge. Although this process should not matter when children have gone through such a traumatic time, making information that people do not want known public can also lead to stigmatization in the community. The Director General of this program run by the KRG, Dr. Nezhar Ismet Taih, claimed that due

¹⁷⁹ United Nations Office on Drugs and Crime, *Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: The Role of the Judicial System* (UNODC 2017); Saeed (n 175).

¹⁸⁰ *يەزیدی وەسەح* (n 138).

¹⁸¹ Human Rights Watch (n 139); Human Rights Council (n 140).

¹⁸² Saeed (n 175).

¹⁸³ Human Rights Watch (n 139).

to cultural factors, some families do not want to reveal that their female relatives were abducted. Returnees could be stigmatized and/or they simply want to move forward and not think about the past.¹⁸⁴ If his reasoning is correct, stigmatization in this situation makes it difficult to support or treat the returned children (or adults as well) when needed. Following this phenomenon, there have been cases where girls have not been informed prior to gynaecological examinations or the results of any testing. Narin, aged 20 and a CAAFG at the time of abduction, reported that she went for a health check when she returned; however, Narin said that the doctor did not explain what she (the doctor) was doing prior to examining her.¹⁸⁵ Such internal examinations are worrisome as consent is always required. Could doctors be conducting pelvic examinations suspecting they would not have received consent, similar to victims not coming forward for health checks? Similar to Uganda, STIs, pregnancy, and obstetric fistulas from sexual abuse need treatment.¹⁸⁶ Many of the girls were forced to take birth control by their ISIL captors, but “[n] one of the birth control methods forced upon the Yazidi women and girls protected them from [STIs], but interviewees generally refused to acknowledge this possibility.”¹⁸⁷ Furthermore, many girls who received STI testing did not receive the results, according to HRW. Could this omission also be used to prevent cultural backlash or stigmatization? As the patients are children, are the doctors withholding the information or are the parents? Whatever the reasons, the medical part of the reintegration process needs to be streamlined and completed according to the highest medical and ethical standards.

Regarding mental health services during reintegration, it is unclear how much assistance and access to resources exists. Hylton¹⁸⁸ reported that Yazda, a major humanitarian organization that works in the IDP camps providing psychosocial support to help the Yazidi, was shut down twice by the Kurdistan government. After its first shut down, Yazda temporarily re-opened after heavy lobbying, stopped again,

¹⁸⁴ Human Rights Watch (n 139).

¹⁸⁵ *ibid.*

¹⁸⁶ United Nations Office on Drugs and Crime (n 179).

¹⁸⁷ Human Rights Council (n 140) para 71.

¹⁸⁸ Annie Hylton, ‘Unimaginable Trauma of Yazidi Women Is Heightened by Fragile Psychosocial Support - Women’s Media Center’ (*Women’s Media Center*, 20 January 2017) <<http://www.womensmediacenter.com/women-under-siege/unimaginable-trauma-of-yazidi-women-is-heightened-by-fragile-psychosocial-s>> accessed 7 November 2018.

and then restarted. The Kurdistan government claimed that Yazda was performing political activity and also had an expired license.¹⁸⁹ In an area where so much help is needed, it is unclear why the local government would go to such lengths against an organization trying to assist. The NGO SOS Children's Villages has demonstrated some beneficial mental health practices for the Yazidi CAAFG working with individuals and families using trauma reintegration therapy for coping techniques and ways to look toward the future; however, this program is relatively small and not officially sanctioned.¹⁹⁰ Larger NGOs, such as HRW and Amnesty International (AI), claim that there is ample mental health assistance available, but personal interviews tell a different story. The author was told that there is very little mental health assistance and that access to counselling is difficult because of living in IDP camps.¹⁹¹

Currently, there are some efforts to ensure a return to normal educational or vocational opportunities; however, these opportunities are small in number mainly because Iraq is still in conflict. Furthermore, many from the Yazidi community currently live in IDP camps, and these efforts are reactive programs and not preventative. Primary schools are open in most areas, whether temporary or brick and mortar schools, and the Yazidi are opening their own educational and cultural schools to help reintegrate returnees to Yazidi culture and with the community¹⁹², which will be further described in a later section of this chapter. Additionally, groups, such as the Women's Center Dohuk, run vocational programs to help returning women and girls with their psychosocial reintegration.¹⁹³ Community programs, such as those run by the Women's Center Dohuk, where the children are active and have things to do, are beneficial. One major request, as stated by many returned Yazidi CAAFG, is to return to school or vocational training. During their time as CAAFG, the children lost time in training, and as

¹⁸⁹ Hylton (n 188).

¹⁹⁰ Luciana D'Abramo, 'A Long-Term Approach to Helping Traumatized Children in Northern Iraq' (SOS Children's Villages International 2017) <<https://reliefweb.int/report/iraq/long-term-approach-helping-traumatized-children-northern-iraq>>.

¹⁹¹ Saeed (n 175); Salim (n 175); Saad Babir, personal communication, March 29, 2018. S. Babir is an independent journalist working in Iraq.

¹⁹² Salim (n 175).

¹⁹³ Hylton (n 188); 'After Escape, Former ISIL Slaves Face New Challenges' (UNFPA, 30 November 2016) <<https://www.unfpa.org/news/after-escape-former-isil-slaves-face-new-challenges>> accessed 3 November 2018.

children, and this small sense of normalcy can help.¹⁹⁴ Similar to mental health assistance, most of this part of reintegration comes from NGOs and the community itself, rather than the State.

4.5.2 Psychosocial Issues

Similar to Uganda, traumatized Yazidi children return to IDP camps where the situation is not stable as they attempt to achieve a sense of normalcy. In the IDP camps, there appears to be a little psychological support, but personal interviews indicate there is none at all.¹⁹⁵

Many psychosocial symptoms displayed by Yazidi CAAFG are the same as those experienced by the CAAFG in the Ugandan case study. Firstly, younger boys who were taken for military training received rigorous training and exposure to propaganda often came back “changed”.¹⁹⁶ These cases are primarily CAAFG who were with ISIL for a long period of time. Many have forgotten the Kurdish language and now only speak Arabic or Turkish, and one CAAFG interviewed by a volunteer in the IDP camps spoke Arabic and English due to his primary trainer’s spoken languages.¹⁹⁷ The boys need to re-learn their language because not being able to communicate can complicate their psychosocial well-being and add stress to common situations such as being with family or friends. Others only seem to know ISIL mannerisms now; for example, some boys will not shake hands with women, even members of their own family.¹⁹⁸ Thus, the CAAFG need to remember and re-learn their own cultural mannerisms. This can lead to a delayed psychological issue as the boys were forced to give up their past, learn a new identity, and now forgo the new one.

Being taken again “I cannot sleep without eating the soothing pills and I still get easily irritated when someone mentions a name calling or hearing Allah’s word or I see a man with a beard talking in Arabic, a television scene can bring me back to all the rape, injustice, humiliation.”¹⁹⁹

¹⁹⁴ MacMullin and Loughry (n 118).

¹⁹⁵ Saeed (n 175); Salim (n 175); Babir (n 191).

¹⁹⁶ Salim (n 175).

¹⁹⁷ Saeed (n 175).

¹⁹⁸ *ibid.*

¹⁹⁹ يمزروه وسح (n 138).

The girls endured some of the worst traumas, and many will have life-long effects from the sexual abuse. Seveh, aged 17 and abducted with her infant, tried to commit suicide three times during and after her captivity because of the sexual abuse trauma.²⁰⁰ Seveh said that she:

(...) continues to suffer severe physical and psychological consequences from her ordeal and remains distressed about her sister who committed suicide after her escape, and about the fate of her missing relatives. Her sister Nermeen was so distraught as a result of her experience in captivity that she locked herself in a cabin and set herself on fire at the camp for internally displaced people where they were living in Zakhō, Dohuk Governorate. She was rushed to hospital but died three days later. “In the hospital, I asked her why she did it and she said she could not take it anymore. She was in pain all the time, she cried all the time”; Nermeen’s mother Shirin told Amnesty International, adding that the family had repeatedly requested for her to receive specialized therapy abroad.²⁰¹

Twelve-year-old Jalila said:

I can’t sleep at night because I remember how they were raping me. I want to do something to forget about my psychological problems. I want to leave Iraq until things get better, I don’t want to be captured again.”²⁰²

Noor, aged 16, said that she spent the first 2 months of her return traumatized and cried most of the time.²⁰³ HRW has been told by representatives of different international agencies, NGOs, and individuals that there is a lack of psychological support both in the community and in the IDP camps, but the organization questioned whether this is due to a lack of resources or a reluctance to accept such help by the community.²⁰⁴ AI documents that there is support by the KRG and different NGOs; however, it is often located far from the IDP camps or shelters.²⁰⁵

Psychological trauma not only affects the victim, but people connected to the children are also impacted. This happens especially

²⁰⁰ Amnesty International, ‘Iraq: Yezidi Survivors of Horrific Abuse in IS Captivity Neglected by International Community’ (*Amnesty International*, 10 July 2016) <<https://www.amnestyusa.org/press-releases/iraq-yezidi-survivors-of-horrific-abuse-in-is-captivity-neglected-by-international-community/>> accessed 3 November 2018.

²⁰¹ *ibid.*

²⁰² Human Rights Watch (n 139).

²⁰³ *ibid.*

²⁰⁴ *ibid.*

²⁰⁵ Amnesty International (n 200)

when families and communities are tight-knit such as the Yazidi.²⁰⁶

The relatives of some of the women and girls who escaped the IS fear that the trauma suffered in captivity could still drive them to suicide. “My wife has panic attacks and can’t sleep. I can’t leave her alone because I’m afraid for her safety. If I cannot be with her even for a short while, I find someone else who can be with her,” said the husband of a 19-year-old woman who had escaped. The grandfather of a 16-year-old who escaped IS captivity after having been raped said: “She is very sad and quiet all the time. She does not smile anymore and seems not to care about anything. I worry that she may try to kill herself, I don’t let her out of my sight.”²⁰⁷

At the same time that they are dealing with their own trauma, the victims are also grieving the loss of family and other members of the community.

The other major difference between the Yazidi and the Ugandan study is in relation to the girls enduring sexual slavery and older boys forced to do labor (hence a lower position) rather than fight. This dual concept means being used in the conflict for military purposes and also being part of the planned destruction of the Yazidi. Knowing and understanding this dual purpose is an added layer of trauma contributing to other psychological factors and preventing the reintegration of the CAAFG into their communities and families.

4.5.3 Religious Intervention

Converting to another religion, even under duress, was long considered an unpardonable sin in the Yazidi religion.²⁰⁸ But in the wake of the mass abductions, forced conversions, and rape of Yazidi women and girls by militants starting in August 2014, that view has softened. Religious and social Yazidi leaders have issued new teachings since then, calling on the community to welcome back the abducted women in spite of stigmatization.

²⁰⁶ Hylton (n 188).

²⁰⁷ Amnesty International, *Escape from Hell: Torture and Sexual Slavery in Islamic State Captivity in Iraq* (Amnesty International 2014) 8.

²⁰⁸ Susannah George, ‘Yazidi Women Welcomed Back to the Faith’ (*United Nations High Commissioner for Refugees*, 15 June 2015) <<http://tracks.unhcr.org/2015/06/yazidi-women-welcomed-back-to-the-faith/>> accessed 7 November 2018.

Sitting in her tent in a camp on the outskirts of Dohuk, Leila (a pseudonym used to protect her privacy) spoke with little emotion. Requesting that no men be present, a testament to the deep social stigma the subject matter still holds, she recounted how fighters abducted her from her home in Sinjar, Iraq, in August – and how, while in captivity, she was forced to convert to Islam and marry a fighter and then was raped.²⁰⁹

Conversion to another religion is the only reason why both CAAFG boys and girls may not have been welcomed back. The girls additionally would have been highly stigmatized and not welcomed back into the Yazidi society because the Yazidi place importance on tradition and chastity before marriage: “For us, tradition is the most important thing,” according to Leila.²¹⁰ Even though the sexual activity the girls experienced in ISIL captivity was not their fault, that does not matter as the girls were no longer virgins or clean in the eyes of the Yazidi. However, after reports of sexual abuse were made public by the returnees soon after the August 2014 abductions and massacres, it was determined that victims should be welcomed back without being deemed outcasts. Roughly one month after the initial abductions, the leader of the religion, Khurto Hajji Ismail, known as “Baba Sheikh,” issued a public statement on 6 June 2014 about the returning victims, specifically regarding the girls.²¹¹

These survivors remain pure Yazidis and no-one may injure their Yazidi faith because they were subjected to a matter outside their control... We therefore call on everyone to cooperate with and support their normal lives and integration into society.²¹²

This statement (which was re-issued on 6 February 2015) is considered unprecedented according to Donatella Rovera, Senior Crisis Response Adviser for AI.²¹³ The gravity of the Yazidi situation “could not be explained away as shameful individual cases.”²¹⁴ The issuing of the statements by Baba Sheikh was in part due to the work of Khidher Domle, a Yazidi activist and professor who knew something had to be done when more persons were returning, and he saw that many girls

²⁰⁹ George (n 208).

²¹⁰ *ibid.*

²¹¹ Human Rights Watch (n 139); George (n 208).

²¹² George (n 208).

²¹³ *ibid.*

²¹⁴ *ibid.*

and women were afraid to contact their families. After speaking with returned girls, he arranged a meeting with Baba Sheikh and the other religious elders as they “need[ed] the religious councils to help these women badly.”²¹⁵ At first, Baba Sheikh only gave pardons enabling re-entry into the religion to individuals in a private setting, and, as head of the religion, he was able to do this. However, in order to change any type of doctrine for the group as a whole, for example allowing those who had converted or who had had extra- or pre-marital sex back into the faith, required the approval of all the religious advisors. After he had this approval, Domle gave Baba Sheikh a draft statement composed of the main idea of the above quote by George.²¹⁶

This statement and the doctrine change permits those who have changed faiths (even forcibly) or have had sexual relations back into the faith. Leila, before her re-baptismal ceremony, stated how happy she was that this could happen. “I don’t know how else to say it. I was just so happy because I had been hurt. I wanted to be clean again.”²¹⁷ As it will be discussed at the end of this chapter, the changing of doctrine and the public statement by the head of the religion transformed how the returning CAAFG were welcomed. According to personal interviews by the author and Ismail Ali, KRG Director General for Combatting Violence Against Women in Dohuk, it appears the girls and women have been welcomed back, can continue in marriage with their husbands or be married, and have not experienced backlash or the impacts of stigmas.²¹⁸ There was a case where a man paid smugglers to help retrieve his wife, who was known to be sexually abused,²¹⁹ this would not have happened previously. It seems that stigmatization still occurs and the impact creates some issues, but the situation could have been much worse. This discussion will be continued in the next section.

4.5.4 How The Yazidi Situation Could Have Been Different

After the abduction of Yazidi, especially children, the community has been working to move forward from the tragedy. However, this

²¹⁵ George (n 208).

²¹⁶ *ibid.*

²¹⁷ *ibid.*

²¹⁸ Human Rights Watch (n 139); Saeed (n 175); Salim (n 175).

²¹⁹ Saeed (n 175).

specific situation could have been worse without the public statement and doctrine change to allow those who were forcibly converted or sexually abused back into the faith. As shown by the psychological issues in section 4.5.2, it has not been an easy return. In this section, the author will discuss what stigmas connected to the Yazidi CAAFG still exist despite the change and then will show how the situation may have been without the change in comparison to the Ugandan study.

Although they were generally welcomed back, the CAAFG are still stigmatized partly due to the general stigma surrounding the need for psychological assistance. Though the community seems to understand that the CAAFG need assistance, it appears that the actual action of seeking help is still looked down upon. SOS Children's Villages is currently working at IDP camps in Dohuk and talked about how the Yazidi society is still culturally conservative and that "psychological problems are taboo and they are not seen as a health issue."²²⁰ Just the action of seeking help or of psychologists trying to reach out to CAAFG in need can be controversial and add a layer of stigma that does not help reintegration or the process of moving forward. Though many have reported that the victims are being welcomed back to the Yazidi community and their families, SOS Children's Villages sees some rejection by families.²²¹ Therefore, even though the CAAFG have been able to return to the family and to the faith, there are still residual stigmas despite the statements by Baba Sheikh. There seems to be a high level of worry among the CAAFG being open about their trauma, especially in relation to sexual trauma and possible STIs.

Many survivors of sexual violence, therefore, find themselves in a catch-22 situation. Their relatives are their only source of support, but because of stigma and shame, they do not feel able to share with them what happened, or to seek their help in accessing the services they urgently need.²²²

This quote illustrates the combination of stigmas, seeking mental health, and the sexual abuse endured by the girl CAAFG. Additionally, there are the remaining stigmas of feeling shame and being an outcast. As a result, this can become a vicious cycle of fear of blame, self-blame,

²²⁰ D'Abramo (n 190) 1.

²²¹ D'Abramo (n 190).

²²² Amnesty International (n 200) 15.

the need for mental health intervention for trauma, and worrying about asking for help. The cycle goes around and around re-traumatizing and re-victimizing the CAAFG in a new situation making it more difficult to move their lives forward.

Other stigmas remain, such as the fear that some CAAFG are or will present a danger. Personal interviews by the author have shown that there is a fear among the community regarding those who fought, especially boys who went through a long period of indoctrination.²²³ Some schools (established or temporary in the IDP camps) do not want to permit the CAAFG to study there for security reasons because the indoctrinated boys are believed to be dangerous, different, and changed, which could be as a result of indoctrination, mental health issues, or both. Furthermore, a social modification is needed to help the CAAFG who need to “undergo a process of change or adjustment, in order to return to productive and fulfilling lives in their community.”²²⁴ Though families may not reject the boys outright, there is an adjustment period that the author identified through conflicting views in her personal interviews. Some areas and displaced communities are establishing Yazidi religious schools that promote the Yazidi culture, religion, and Kurdish language,²²⁵ while in other areas, schools (or parents in those schools) are trying to prevent the boys from entering.²²⁶

Despite the remaining stigmas, the returned and returning CAAFG are generally being welcomed, accepted, and reintegrated to Yazidi society, a common theme the author has observed in reports, press releases, and personal interviews. The situation for the CAAFG could have been much worse without the statement from Baba Sheikh and the change in the religious doctrine, especially for the girls. In reference to a women’s shelter and support center in Dohuk, one CAAFG mentioned that at first she was afraid to go to the center to seek help and was even more afraid to be reunited with her family.²²⁷ Even though the CAAFG are being welcomed back, there is still the fear they will not be accepted, and it weighs heavily upon the CAAFG. Though not in high numbers, girls have committed suicide while in or after ISIL captivity.

²²³ Saeed (n 175).

²²⁴ MacMullin and Loughry (n 118) 568.

²²⁵ Salim (n 175).

²²⁶ Saeed (n 175).

²²⁷ ‘After Escape, Former ISIL Slaves Face New Challenges’ (n 193).

Some of the abductees resort to suicide for fear of the consequences of prevailing social customs after being abducted by terrorists and also not to tamper with their bodies. Think about the negative social outlook of the society and some of them because of despair, frustration, successive crisis, loss of compass, and the failure to reach a positive decision.²²⁸

This is the impact of the Yazidi religion before the doctrine change in September 2014. Yazidi, even children, were not allowed back into the religion if they had converted or had sexual relations before or outside marriage. This influence has been evidenced by honor killings, which in 2009 in Iraq alone, 84 were reported; this number included the Yazidi community.²²⁹ As the situation with the Yazidi was/is highly publicized by the media and there are those of them who still have phones and are able to call “home” and describe the situation, it is questioned what could have happened to the CAAFG if the circumstances were different. The Yazidi community knew the CAAFG were forcibly converted and the girls were sexually abused. If they escaped, where would they go? Would they even be rescued? Family bonds within the Yazidi culture are extremely strong, but it appears tradition is stronger as was shown with honour killings and the former CAAFG speaking about the fear to disclose their situation.

What had happened with the former CAAFG in Uganda could have happened with the Yazidi, but it did not. The former Yazidi CAAFG are moving forward to the best of their ability in their current situation. The Ugandan CAAFG, who had been through horrible experiences while with the LRA, returned to another horrible situation, where the community was not welcoming, and neither were many families; the Ugandan CAAFG were prevented from being part of the community again. Had the doctrinal change not happened, the Yazidi CAAFG would have been outcast or turned away which would in turn, inhibit reintegration.

²²⁸ يمزوه وسح (n 138) 29.

²²⁹ Amnesty International (n 200).

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IMPLICATIONS AND CONCLUSIONS

Aside from helping people in need in his community, when Baba Sheikh changed the Yazidi religious doctrine, he might not have realized the profound impact of his ideas, and that his action was based on human rights. His doctrinal revision resulted in the welcoming back of victims to their communities and families, which, in turn, reduced the stigmas surrounding them. Prior to this change, the denial of re-entry into Yazidi society and the impact thereafter are considered human rights violations as stated above, such as honor killings, ostracism, discrimination, and denial of basic human needs. By being able to return, many of the CAAFG's rights (civil, political and economic, social, cultural) are acknowledged and fulfilled. Instead of being left to survive or escape on their own, families are trying to rescue them, thus promoting the CAAFG's right to life, self-determination, and freedom from torture and slavery. The victims regain a sense of dignity, and the children are protected. As the CAAFG are now allowed to be baptized back into the religion, their right to freedom of religion is returned. Prior to the adjustment in religious doctrine, this right would have been denied because of their conversion to Islam. Furthermore, the doctrine change promotes women's and girls' rights, specifically in reference to the rights of freedom from discrimination and for privacy and family life, and they can be considered humans again. The girls have not been excluded only because they are female because it would be assumed they had sexual relations while in captivity, a violation only happening to females. Since the girls were sexually abused, the majority of returned and returning CAAFG did not have such a powerful stigma attached as a result of sexual activity pre- and outside marriage. This recognition is twofold: they are affirmed as people and not as slaves or chattel, and they are also acknowledged as Yazidi again, both integral characteristics for

Yazidi girls. The Yazidi girls also have the right not to disclose publicly what happened to them sexually, whereas Acholi girls were required to during the cleansing and atonement rituals. Yazidi girls can now be allowed to be married or remain married.

Moreover, advocacy for welcoming back the CAAFG endorses their economic, social, and cultural rights, such as being permitted to speak their native language and practice the customs of the Yazidi. The CAAFG can attend school again that is not as restrictive as the ISIL education (aside from those prevented as mentioned in section 4.5) and find work when they are of age. Without stigmas or a reduction in stigmas attached to the CAAFG, the doors to reintegration are opened; with stigmas attached to the CAAFG, reintegration is limited or closed. As seen in the Ugandan case study where many stigmas were present for the CAAFG, reintegration doors were shut, they could not find jobs or re-enter schooling easily, marriages often failed, and many lived in poverty.

As stated in the introduction, stigma kills, directly and quickly as in honor killings or slowly, through discrimination and exclusion. The results of research from conflict studies indicate that the reintegration process and psychosocial issues are significantly improved when family acceptance was high, leading to lower levels of distress, both in the short- and long-term.²³⁰ These results show that when there is a stigma or lack of acceptance, such as insults or blame from family and/or community, the children are three times more likely to have negative social behaviors and high emotional stress even after the insults or blame cease.²³¹ Since the use of children in conflict has slowed but not stopped throughout the world, additional changes that promote stigma reduction and reintegration, such as the efforts of Baba Sheikh are needed; governmental and non-governmental groups alike need to develop more programs for stigma prevention at the community level. Programs such as these will, in turn, promote a smoother reintegration socially, economically, and psychologically.

The Office of the SRCAC has been running the “Children, Not Soldiers” campaign directed at countries where the recruitment and

²³⁰ Betancourt and others (n 5).

²³¹ *ibid.*

use of children in conflict still occurs.²³² In this campaign, countries collaborate with the office to create action plans that help stop the use of child soldiers. Seven countries currently work with this campaign, meaning seven countries where there is still documented use of CAAFG in conflict in State and/or non-State groups. These are the Democratic Republic of the Congo, Afghanistan, Myanmar, Somalia, South Sudan, Sudan, and Yemen. Of course, there are other countries where the use of CAAFG still occurs, such as Iraq mentioned in this thesis. However, Iraq has not signed up to an action plan with the Office of the SRCAC, possibly because the use of CAAFG is mainly by a non-State group that has not developed cooperative actions with the UN and other international bodies. Reintegration plans are required for when the CAAFG leave the conflict(s). It is in countries such as these listed by the SRCAC where the actions of the Yazidi community can be utilized, especially as some of these countries (such as Afghanistan) have a strong sense of religion and tradition. In order for change to occur in communities like the Yazidi, it needs to come directly from the community and the religious leaders. Change cannot only be a directive from the State or an outside organization. As tradition and culture are so important to some communities, a directive from the outside can be viewed as another imposition or oppression. However, if the State collaborates with the internal leaders of the community, they can work together for change so that preventative measures are in place for the CAAFG. To the author's knowledge, strategies to prevent the consequences of stigma on CAAFG have not been formally studied. The actions of Baba Sheikh and the leaders of the Yazidi community are a concrete example of a preventative mechanism to avoid, or at least decrease, stigmas with CAAFG. Children need the opportunity to survive and thrive. When stigmas occur and attach themselves to CAAFG, especially in a time of post-conflict, transition, and instability, they do not allow children to develop or be children.

²³² United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict, 'Children, Not Soldiers' <<https://childrenandarmedconflict.un.org/children-not-soldiers/>> accessed 3 November 2018.

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