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The battle against child soldier engagement

An evaluation of the different implementation and enforcement mechanisms currently existing in international law regarding child soldier recruitment

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Abstract

This research draws upon the recent attention for the issue of child soldier recruitment by the international community. In this context, many international frameworks have been developed to prevent child soldier recruitment. This paper intends to investigate the effectiveness of the implementation and enforcement mechanisms currently existing within the frameworks of international labour law, humanitarian law, human rights law and criminal law.

This work uses a classical legal approach: it analyses existing legislation, case law and legal literature. Initially it provides an overview of the different legal frameworks, their respective terminology and coverage. Once the set-up has been made clear, the research introduces the existing implementation mechanism. It focuses on the development of national legislation and on (international or national) monitoring-systems. Hereafter the research directs itself towards enforcement, by looking at the effectiveness of international and national mechanisms. The last focal point of this research is the often forgotten issue of victim compensation.

As this research will indicate, there are quite some existing frameworks dealing with the subject of child soldier recruitment. After a close evaluation of the existing implementation and enforcement mechanisms, it seems that much work is needed in order for these legal frameworks to be truly effective.

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