



# **Children's Rights in Transitional Societies: Protection of Children's Rights in Societies in Transition**

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# Introduction

Wars are nothing new in our world as there have been numerous conflicts between nations and intra-state conflicts between different groups in a nation state. When we take into account the two world wars, numerous inter-state conflicts, and intra-state conflicts (based on political, religious, ethnic or cultural grounds) in our history we cannot help but acknowledge that these conflicts have left some dire consequences. These serious consequences brought about by conflicts have also contributed immensely to shaping the course of world affairs. Surprisingly, children have played a very important role in some major conflicts in our history, especially intra-state conflicts or civil wars. The number of children being enlisted as soldiers by the parties involved in civil wars is staggering. “Currently more than 50 parties in conflict-areas around the globe recruit children and an estimated 250.000 children under the age of 18 are actively involved as child soldiers in hostilities in at least 14 countries.”<sup>1</sup> A child soldier can be defined as anyone under the age of 18, be it a boy, girl or children recruited by an armed party to participate in any capacity in the armed conflict.<sup>2</sup>

The consequences of these conflicts on the political, economic, social and cultural life of nations are devastating. There are numerous ways by which these societies that are coming out of conflict implore in an attempt to rebuild their societies again after the setback they have suffered as a result of the conflicts they have been through. Transitional justice mechanisms such as truth commissions, reparations, institutional

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<sup>1</sup> Verena Ertl, Pfeiffer Anett, Elisabeth Schauer-Kaiser, Thomas Elbert and Frank Neuner, “The Challenge of Living On: Psychopathology and Its Mediating Influence on the Readjustment of Former Child Soldiers” *Plos ONE* 9 (2014) 1(1).

<sup>2</sup> Ertl, Anett, Schauer-Kaiser, Elbert and Neuner, “The Challenge of Living,” 1(2).

reforms and criminal prosecutions are most often utilized in post-conflict societies as tools to help them make the transition to a democratic society. The international community, local civil societies and religious leaders participate in this process.<sup>3</sup> In most societies children were not involved in the transitional justice process until fairly recently, this not negating the fact that children have been forcedly recruited to participate in armed conflicts for a very long time. The transitional process that began in Sierra Leone and Uganda in the last decade was the first instances during which the transitional justice process made child soldiers and child victims an integral part of the process.

The goal of transitional justice, which is an intricate part of the rebuilding process for societies coming out of a major conflict, is to recognize the ills suffered by victims and to create an environment of trust that will make it easier for the citizens to respect democratic principles and long-term peace that is sought to being instituted.<sup>4</sup> Leaving children out or having them play a very limited role in the transitional justice process, notwithstanding the fact that children played an active role as child soldiers in the conflicts, will undoubtedly mean not taking into account the experiences of children who were victims and perpetrators of the violence. This intend will lead to the transitional justice mechanisms not being able to come up with recommendations on how

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<sup>3</sup> Dumbuya, Lansana, "The Truth and Reconciliation Commission in Post-Conflict Sierra Leone." 2003, P.20. *University of Pretoria*.

<sup>4</sup> Virginie Ladisch, "Children and Youth Participation in Transitional Justice Processes" no. 3: 506. Virginie argues that since the goal of transitional justice is to give recognition to its victims and establish trust as it seeks to achieve its long term objectives facilitating respect for the rule of law, democracy and lasting peace, factors from experiences in Sierra Leone highlighted the need for more attention to be paid to children and to tailor the different mechanisms of the transitional justice process to include children while ensuring that protection is provided for them as they revisit the past.

to have in place effective institutional structures to guarantee the protection of these children as the experiences of the child soldiers and victims will be missing from their findings.

This thesis argues that although member states of the Convention on the Rights of Children (CRC) are required to guarantee the protection of children's rights, the rights of children are not being protected in societies in transition due to the lack of effective institutional mechanisms that would guarantee this protection. A study of two African nations in transition will be done to demonstrate this nonexistence of effective institutional child protection mechanisms. The two countries I will look at for the purpose of this thesis are Sierra Leone and Uganda. My reason for using these two countries to make my argument is because both nations recently came out of civil conflicts in the last fifteen years and the transitional process commenced with the end of hostilities. Also, my choice of these two countries was influenced by the fact the children played a central role as child soldiers and victims in the conflicts. The transitional justice mechanisms used were different and the role former child soldiers and victims played in this process were also different in both countries. This paper will be looking at the transitional justice mechanisms in both nations, the role child soldiers and victims played in this process, and assessing the effectiveness of the institutional structures in place during the transition in guaranteeing the protection of the rights of these children as required by international and regional child protection mechanisms.

The first chapter is going to look at the current state of affairs in Sierra Leone and Uganda, and how these nations got to where they are today. The first chapter is also going to look into the role children played in the conflicts in both nations. I will discuss

the role of transitional justice in the rebuilding process of states that are coming out of a conflict, with a close attention to the role played by children in the transitional justice process in Sierra Leone and Uganda in chapter two. Chapter three is going to be looking at the different child protection mechanisms in place; international and regional. The Convention on the Rights of the Child, The African Charter on the Rights and Welfare of the Child will be used assess the effectiveness of the Child Rights Act in Sierra Leone and the Ugandan Children Act, and other institutional structures the national documents might have created, in guaranteeing the protection of child soldiers and child victims. The shortcomings, ineffectiveness and nonexistence of institutional child protection mechanisms will be discussed in this chapter. Explanations for the ineffectiveness of these child protection mechanisms will be exploited.

The conclusion to this work will put forward justification for the argument that the institutional child protection mechanisms in place in transitional societies are not effective and the importance of ensuring that effective institutional structures for the protection of children are put in place in such societies will be highlighted. After using the case of Sierra Leone and Uganda to make this argument, a recommendation will be made as to how transitional governments can go about putting in place effective institutional mechanisms to guarantee the protection of the rights of children.

# Chapter 1: Child Soldiers and African Conflicts

There have been numerous civil or intra-state conflicts that have taken place in many African countries throughout the history of the continent. Ethnic, religious, cultural, political, economic and social differences amongst populations of these nations that have experienced civil conflicts have been put forward as reasons for the conflicts. This chapter will be divided into four sections: with the first and second sections consisting of the background of Sierra Leone and Uganda. The role of children in the conflicts these two nations experienced will be looked into in this chapter, in sections three and four.

## 1.1 Overview of Sierra Leone

Sierra Leone was an English colony until April of 1961 when it gained its independence from the English. The country is endowed with many different natural resources like diamond, bauxite and iron, just to name a few. After its independence, Sierra Leone opted for a parliamentary system of government. Sir Milton was the first Prime Minister and head of government of Sierra Leone. The first general election in the history of the country took place under Sir Milton's stewardship in May of 1962. Upon Sir Milton's demise in 1964 his half-brother, Sir Albert Margai succeeded him as Prime Minister.<sup>5</sup>

Sierra Leone's long history of internal conflicts began after the 1967 as a result of the declared winner, Siaka Stevens, of the closely contested elections of that year only

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<sup>5</sup> "Sierra Leone 2014 Country Review." *Sierra Leone Country Review* (July 2014): 8. *Business Source Premier*.



being able to take up his office as Prime Minister a year later in 1968 due to three successive coups that took place after the elections. Stevens stayed at the helm of the state until 1985, and it was under his rule that the constitution was amended in 1978 and Sierra Leone became a unitary party state, with the All Peoples Congress (APC) becoming the sole political party.<sup>6</sup>

In a one-party referendum in October of 1985 the All Peoples Congress pick and Steven's choice, Major General Joseph Momoh, was elected as President. Under Momoh's reign as President multi-party politics was reinstituted in Sierra Leone. In March of 1991 a group of men known as the Revolutionary United Front (RUF) under the leadership of a former military official, Foday Sankoh, began attacking villages in eastern Sierra Leone which led to them gaining control of diamond mines in the Kono district. Captain Valentine Strasser, who was at the head of a group of young military officers, launched a coup in April 1992 that ousted Momoh as President. Momoh went into exile and the National Provisional Ruling Council took over control of the country (NPRC). The National Provisional Ruling Council had to bring in mercenaries to deal with the Revolutionary United Front fighters as almost three years after they assumed control of the nation the RUF fighters were still making gains.<sup>7</sup>

Presidential and parliamentary elections were held in 1996 after the National Provisional Ruling Council had succumbed to international pressure demanding them to hand over power to civilian rule. Ahmad Tejan Kabbah was elected President and only a

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<sup>6</sup> 2013. "Political Conditions." *Sierra Leone Country Review* 8-24. *Business Source Premier*.

<sup>7</sup> "Background Note: Sierra Leone." Background Notes on Countries of The World: Sierra Leone. *Business Source Premier*, (March 2007) 3.

year later in 1997, Major Johnny Paul Koroma and his Armed Forces Revolutionary Council (AFRC) ousted him. The Revolutionary United Front who had been pushed back towards Sierra Leone's borders was invited by Koroma to join the government. A group of regional led forces forced Koroma and his forces out of office after ten months in power.<sup>8</sup>

In an attempt to bring peace to the nation the Lome Peace Agreement was reached in July of 1999 between President Kabbah and Sankoh of the Revolutionary United Front. Under this agreement Sankoh was made Prime Minister. It did not take long for the RUF to begin violating this agreement as civilians were shot and killed for demonstrating in front of Sankoh's home. Sankoh and some senior members of his group were arrested. Sankoh and his senior members who had all acquired posts within the government were relieved of their duties. The second Abuja Agreement of May 2001 that put in place Demobilization, Disarmament and Reintegration on a broad scale led to the government being able to assert itself as fighting had reduced. The Truth and Reconciliation Commission (TRC), which the Lome Accord had called for, and the Special Court for Sierra Leone (SCSL) began their work in 2002 after the President had declared the civil war was officially over.<sup>9</sup>

## 1.2 Overview of Uganda

Uganda is also a former English colony that gained its independence in October of 1962. Milton Obote was the country's first Prime Minister. Prime Minister Obote

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<sup>8</sup> "Sierra Leone 2014 Country Review." *Sierra Leone Country Review* (July 2014): 10-11. *Business Source Premier*.

<sup>9</sup> "Sierra Leone 2014 Country Review." *Sierra Leone Country Review* (July 2014): 12. *Business Source Premier*.

suspended the constitution in 1966 and took over all government powers. Uganda was made a Republic in 1967 under a new constitution that did away with traditional kingdoms and afforded the President more powers. In January of 1972 Prime Minister Obote and his government were overthrown in a coup d'état, which was masterminded and carried out by Idi Amin and his forces. Idi Amin declared himself President, did away with the parliament and also amended the constitution granting himself absolute powers.<sup>10</sup>

Idi Amin's rule, which lasted until 1979, was marked by immense terror and massive violations of human rights. Many Ugandans were murdered under his rule. Amin carried out political persecution along ethnic lines as he went after those who had supported the ousted President, Milton Obote. The Langi and Acholi ethnic groups suffered the most from Amin's persecutory acts as they had not only supported Obote but also made up a big part of the military. It is estimated that over 300,000 Ugandans were killed during Amin's seven years reign.<sup>11</sup>

In an attempt to invade neighboring Tanzania, Idi Amin's forces were pushed back by the Tanzanian forces, which were backed by Ugandans who were on exile. Amin fled the country in 1979 after the seizure of the capital city by Tanzanian forces that had the backing of exiled Ugandans. Amin's forces that had the help of Libyan soldiers who had been sent to assist could not resist the liberation war.<sup>12</sup> Following the fall of Idi Amin

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<sup>10</sup> 2008. "PEOPLE AND HISTORY." Background Notes On Countries Of The World: Uganda 2-4. Business Source Premier.

<sup>11</sup> Ullman, Richard H. 1978. "Human Rights and Economic Power: The United States versus Idi Amin." *Foreign Affairs*, 1978. 529. *JSTOR Journals*.

<sup>12</sup> 2011. "History." *Uganda Country Review* 6-8. *Business Source Premier*.

there was a period of over a year whereby differences over political views and a system of government to be implemented made it difficult for a civilian government to be put in place. Milton Obote and the Uganda People's Congress (UPC) came out victorious in the 1980 elections and he returned to power. Obote committed massive violations against human rights in his attempt to put an end to the uprisings by National Resistance Army (NRA) led by Yoweri Museveni. Obote's government was ousted in 1985 through a military coup and General Tito Okello was placed at the helm of the new regime.

The National Resistance Army ousted General Okello in 1986 and took over control of the country. Yoweri Museveni took over control of the country and he was President. A 2005 referendum led to a multiparty system of government and the first multiparty elections were held in 2006 since Museveni's ascendance power in 1986. Museveni and the National Resistance Movement (NRM) won the elections.<sup>13</sup>

### **1.3 Role of Children in Sierra Leonean Civil War**

Children have been used in many conflicts around the world as soldiers on the front line of hostilities and in many other different roles to serve military or militia groups. According to the 2007 Paris principles a child soldier is defined as anyone under the age of 18 who has been enlisted by an armed force or armed group in any capacity to be used as fighters, porters, cooks, messengers or for sexual purposes; this does not limit their involvement only to direct hostilities.<sup>14</sup> International humanitarian law prohibits the

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<sup>13</sup> Lindemann, Stefan. 2011. "Just another change of guard? Broad-based politics and civil war in Museveni's Uganda." *African Affairs* 110, no. 440: 387-416. *Academic Search Complete*, EBSCOhost (accessed April 23, 2015).

<sup>14</sup> Betancourt, Theresa Stichick, et al. "Sierra Leone's Former Child Soldiers: A Follow-Up Study of Psychosocial Adjustment and Community Reintegration." (July 2010) 81 *Child Development*, no. 4, 1079.

recruitment and use of children under the age of 15 in conflicts and violators of this can be charged criminally with committing a war crime.<sup>15</sup>

Some of the reasons that have been put forward as to why children have historically been recruited to participate in armed conflicts including the one which took place in Sierra Leone between 1991 and 2002 are that they are easily manipulated, they are adventurous, they are quick to learn new skills, the use of propaganda and misinformation to instill widespread fear and panic in them, and they present a moral dilemma to the opposing troops.<sup>16</sup> In the particular case of Sierra Leone children played a pivotal role in the civil conflict that lasted for over 10 years. An estimated 70,000 people lost their lives and an additional 2 million people were displaced as a result of this civil conflict that plagued Sierra Leone.

The child soldiers who participated in the Sierra Leonean civil conflict were for the most part recruited through the use of force, although some of the children voluntarily joined the militia forces. The rebel forces went to extreme lengths in using intimidation and violence to get children to join the militia. Children were forced to commit violent and despicable acts against their families and communities once they had become a part of the rebel forces. Failure to commit these atrocious acts against their families and members of their local community resulted in the child soldier being killed. Cannibalism was also a practice, which was very common amongst the child soldiers as they were

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<sup>15</sup> Geneva Convention: Additional Protocol II, Article 4(3)(c) (1977)

<sup>16</sup> Peters, Lilian. 2005. "Child Soldiers – Recruitment, Demobilization, Rehabilitation, Reintegration." *Developing Strategies To Deal With Trauma In Children* 1, no. 1: 42. *Academic Search Complete*, EBSCOhost.

made to eat the organs of those they had killed including their family members.<sup>17</sup> These were all efforts employed by the Revolutionary United Front (RUF) in order to build a militia that would be capable of overthrowing the government. These child soldiers in the Sierra Leonean civil war have been depicted as victims, perpetrators and heroes

The exact number of children who participated in the conflict is not known as the United Nations Mission in Sierra Leone (UNAMSIL), UNICEF and other NGOs have given different figures with regards to the number of children who were implicated in this conflict. According to the United Nations Refugee Agency's Child Soldiers Global Report of 2001 over 10,000 participated in the conflict in Sierra Leone as child soldiers.<sup>18</sup> This difficulty in coming up with an accurate number of child soldiers involved in this conflict can be as a result of the fact that some the child soldiers died during battle or escaped without being able to be identified as soldiers. The Sierra Leonean Truth and Reconciliation Commission noted that although the actual number of child soldiers that were involved in some capacity in this conflict cannot be put together, the extensive use of children in the conflict is something the commission is able to attest to through the reports submitted by various agencies to the commission.<sup>19</sup> This again points to the immense role played by children in the conflict in Sierra Leone and goes to make a strong case of how important it is to protect that rights of these children who for the most part, through no fault of theirs, were manipulated and forced to take up arms and commit

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<sup>17</sup> Goins, Stephanie, David Winter, Josefin Sundin, Sarah Patient, and Esther Aslan. "Self-Construing In Former Child Soldiers." 2012 25. *Journal Of Constructivist Psychology*, no. 4, 276.

<sup>18</sup> UNHCR Child Soldiers Global Report – 2001, available at: <http://www.refworld.org/docid/498805d15.html> [accessed in March 2015]

<sup>19</sup> Myriam Denov. "Child Soldiers: Sierra Leone's Revolutionary United Front." (Cambridge University Press, 2010), 50.

heinous crimes. The vital role child soldiers played in the conflict in Sierra Leone can again be demonstrated by the move by Human Rights Watch in commending the country's Head of State and his government for keeping their promise of not enlisting children into its army.<sup>20</sup>

Many young girls forcibly recruited by the Revolutionary United Front served as sexual objects to the rebel forces as they were at their disposal and they did as they pleased with them. Girls of different ages, ethnic groups and socio-economic classes were subjected to extensive sexual violence and rape by the rebel forces. It has been estimated that the different fighting factions subjected about 200,000 girls to sexual violence during the duration of the conflict.<sup>21</sup> This practice of subjecting young girls to sexual violence by the different warring factions reinforces the importance of having in place effective institutional mechanisms to guarantee the protection of the rights of all children in societies that are in transition.

The role of girls in the armed conflict in Sierra Leone is almost often linked to sexual purposes after the rebel group had forcibly taken them away. The girls also played other roles in the rebel militia after they had been trained. Girls assumed roles including participating in combat, taking care of the sick and wounded, serving as porters, serving as spies, performing domestic tasks and working in diamond mines for the leaders of the militia.<sup>22</sup> The very active role played by girls in the conflict in Sierra Leone can be seen

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<sup>20</sup> Human Rights Watch, "Parties to Sierra Leone War Urged Not to Recruit Child Soldiers," 1999, available at: <http://www.hrw.org/news/1999/05/04/parties-sierra-leone-war-urged-not-recruit-child-soldiers> [accessed March 2015]

<sup>21</sup> Denov, "Child Soldiers: Sierra Leone's Revolutionary United Front." 64.

<sup>22</sup> Betancourt Theresa, Borisova Ivelina, Marie de la Soudiere and John Williamson, "Sierra Leone's Child Soldiers: War Exposures and Mental Health Problems by Gender." (July 2011) 49, *Journal of Adolescent Health*, Issue 1, 3.

on many different levels within the ranks of the rebel forces. It is undeniable that the girls who were abducted and made a part of the rebel militia were subjected to widespread sexual violence and rape but they also had other task which they were responsible for within the dark system they had been made a part of after their abduction. To condemn putting young girls through such despicable acts is commendable but setting up structures to guarantee the protection of the rights of young girls, like the ones forcibly enlisted as child soldiers, will be going a step further in ensuring that the rights of every child is protected.

The rebel forces after abducting the children, drugged them as they trained them to carry out heinous acts. These children were recruited as young as six years old as recounted by a former child soldier who was recruited at age six. A former child soldier who had gone through the process of demobilization, disarmament and reintegration shared his story on how he was abducted at age six by the Revolutionary United Front Militia group. This former child soldier shared his experience as a child soldier during a visit by a United Nations Messenger of Peace to Sierra Leone in 2003, as he recounted how he was abducted and trained along with other young boys by the rebel forces on how to maim and kill, and how they were made to serve as spies and porters of weapons for the rebels.<sup>23</sup> The experience of this former child soldier and the violence him and numerous other children were forced to participate in goes again to make the point of the importance of having proper structures to see into it that the rights of children are protected in every society.

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<sup>23</sup> Acosta, Y 2003, 'Face to Face with Former Child Soldiers--and Hope', *UN Chronicle*, 40, 2, p. 55, MasterFILE Premier.



The central role played by children in the conflict in Sierra Leone as either soldiers or victims speaks strongly to the need for there to be in place more effective institutional mechanisms to protect children in the country. Considering that fact there is always the possibility of the transitional process not resulting in bringing about long lasting peace it is of great importance there are effective structures in place to guarantee child protection in such times. As there have been other periods of instability in the country of which child soldiers played an active role in hostilities. This goes to support the argument this paper is making that the institutional mechanisms in place to guarantee the protection of children is not effective.

#### **1.4 Role of Children in the Conflict in Northern Uganda**

The process through which children got recruited as child soldiers in Northern Uganda is similar to that of Sierra Leone. The National Resistance Army (NRA), which took over power after the 1985 coup, which saw President Obote and his government ousted, had within its ranks a sizable amount of child soldiers. There were about 3000 child soldiers under the age of 16 and 500 girls; as these child soldiers who were described as loyal, disciplined and trustworthy were at the forefront of the movement to liberate Uganda from Obote's rule.<sup>24</sup> Most of these children were orphans who had lost their parents during the violent reign of Obote and the children looked upon the army that had taken them after their parents died as their parent.

Children in Uganda were again heavily involved in the militia group that was seeking to take over power after Yoweri Museveni's National Resistance Army took over

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<sup>24</sup> Cohn Ilene and Goodwin-Gill. "Child Soldiers: The Role of Children in Armed Conflicts." (Oxford University Press, 1994), 34.

power after the coup in 1986. The main rebel faction in Uganda that had as its goal to overthrow the government of President Yoweri Museveni, was the Lord's Resistance Army (LRA). The Lord's Resistance Army as of date has relocated to neighboring countries where it continues with its destructive ways. Thousands of people were killed while others were left without limbs or arms as a result of the extreme violent acts perpetrated by the LRA militia. The Lord's Resistance Army forcibly recruited an estimated 60,000 children through forcible means.<sup>25</sup> Abductions were the primary means through which the Lord's Resistance Army recruited children into its ranks. These children were one of the instruments through which the LRA was going to achieve their goal to kicking the Museveni government out of power and taking control of the nation.

The role of child soldiers under the National Resistance Army that came to power via a coup d'état in 1986 and later became known as the National Resistance Movement was different from that of child soldiers under the Lord's Resistance Army in that the children of NRA were not forcibly recruited through abductions and instilling of widespread fear of retaliation should they decline to join their ranks. The NRA was a liberation movement that sought to overthrow the oppressive Obote regime. The NRA child soldiers were not trained and directed to perpetrate serious crimes against Ugandan citizens, thereby committing human rights violations. These child soldiers, most of whom were orphans, had seen the National Resistance Army troops come to their aide after their

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<sup>25</sup> Vindevogel, Sofie, Maarten de Schryver, Eric Broekaert, and Ilse Derluyn. 2013. "War-related experiences of former child soldiers in northern Uganda: comparison with non-recruited youths." *Paediatrics & International Child Health* 33, no. 4: 282. *Academic Search Complete*.

parents were violently killed by the Obote army.<sup>26</sup> The National Resistance Army had become their surrogate parents.

The agenda of the Lord's Resistance Army on the contrary is very confusing as it is not clear if the militia had a religious or political agenda. As with the case with child soldiers in Sierra Leone, once the Lord's Resistance Army abducted a child they were trained on how to kill and commit violent crimes against their family and members of the community at large. The fear of retaliation should any of the child soldiers try to escape is instilled in the child soldiers as a control mechanism. About 22,000 children were abducted from their homes and schools by the LRA between 2002 and 2006.<sup>27</sup> Serving as porters, fighting in the army, and the girls taking care of the children and being used to satisfy the sexual appetite of the rebels as these girls were sexually violated and raped by the rebels. The exact number of children who were abducted by the Lord's Resistance Army under the direction of its leader, Joseph Kony, to serve as child soldiers is not known but it is estimated that it is about 30,000.<sup>28</sup> At such a high number children definitely constituted a considerable portion of the Lord's Resistance Army militia group.

These child soldiers in the Lord's Resistance Army were trained on how to carry out violent acts like maiming and killing. The child soldiers could not refuse carrying out

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<sup>26</sup> Cheney, Kristen. 2005. "'our children have only known war': children's experiences and the uses of childhood in northern Uganda." *Children's Geographies* 3, no. 1: 24. *Academic Search Complete*.

<sup>27</sup> Yarbrough, Stella. 2014. "Amnesty or Accountability: The Fate of High-Ranking Child Soldiers in Uganda's Lord's Resistance Army." *Vanderbilt Journal Of Transnational Law* 47, no. 2: 539. *Academic Search Complete*.

<sup>28</sup> Human Rights Watch, "Child Soldiers: A Worldwide Scourge," 2012, available at: <http://www.hrw.org/news/2012/03/23/child-soldiers-worldwide-scourge> [accessed March 2015]

these acts or attempt to escape for fear of retaliation. The Lord's Resistance Army had instilled in them a strong fear of retaliation should they not comply with directives as this could mean the LRA militia retaliating by killing close family members of the child soldier who did not follow orders given to them. The base of the Lord's Resistance Army was in the Northern Ugandan forest from where they came out to launch violent attacks before retreating again. The abducted children turned child soldiers were taken into the forest after their abduction and their training took place there. It is undeniable that these child soldiers cannot be viewed as being responsible for the extreme violent acts they committed as part of the LRA as they did not become a part of the rebel militia of their own free will but were abducted and forced to carry out the acts or else be faced with the prospect of the LRA retaliating by killing them or their close family members. "The practice of using the children to collectively kill fosters guilt and fear among them, and sends a powerful message to the children of their potential fate if they attempt to escape."<sup>29</sup> This again goes to highlight the extent to which the rebel group went to get children involved in the conflict.

The degree of violence we have seen children being exposed to either by witnessing or being forced to carry out such acts, in the case of the conflict in Sierra Leone and Uganda speaks to the fact that it is very important to effective institutions that would see to it that the rights of children are protected. In looking at the historical evolution of both nations there have been a couple of transitional periods that did not

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<sup>29</sup> Human Rights Watch, "Coercion and Intimidation of Child Soldiers to Participate in Violence," 2008, p.11, available at: [http://www.hrw.org/sites/default/files/related\\_material/2008.04\\_Child\\_Soldiers.pdf](http://www.hrw.org/sites/default/files/related_material/2008.04_Child_Soldiers.pdf) [accessed March 2015]

seem to provide any institutional safeguards to guarantee the protection of the rights of children. This is evidenced by the fact that once the transition period is short-lived and a period of political instability ensues, children are again recruited by the military and militia groups alike to engage in conflicts. This reinforces the argument of this paper that although member states of the Convention on the Rights of the Child are required to guarantee the protection of children's rights, the rights of children are not being protected in societies in transitions due to the lack of effective institutional structures to guarantee this protection.

The next chapter is going to look at the actual transitional process in Sierra Leone and Uganda. The focus will be on the transitional justice systems that were instituted in both countries in the aftermath of the conflicts. Special attention will be placed on the role child soldiers and child victims played in this transitional justice process.

## Chapter 2: Transitioning from Conflict

This chapter is going to look how states go about process of transitioning from a civil conflict to a peaceful and democratic society. There are many different parts of the rebuilding process for post-conflict countries including security, peace building and justice, social and economic sustenance. This paper is going to focus on the justice aspect of the transitional process. A close look at different transitional justice mechanisms especially those used in Sierra Leone and Uganda will be what this chapter will be using to assess the institutional structures for the protection of children that were borne as a result of the transitional justice process. Looking at the transitional justice process in these two countries will greatly contribute in providing support for the argument this paper is making that the institutional mechanisms are not effectively protecting the rights of children, as protection mechanisms and institutions for enforcing their functioning are laid down during the transitional justice process.

### 2.1 Transitional Justice in Sierra Leone

Transitioning with regards to post-conflict nations simply means turning over a new leaf, and this usually entails nations seeking to establish a more peaceful and democratic society. There are different types of transitional justice mechanisms that can be used in the aftermath of a conflict.<sup>30</sup> The choice of the type of transitional justice mechanism to be used in any given country can be influenced by ethnic, religious and cultural aspects of that given country.

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<sup>30</sup> Sharp, Dustin N. 2014. "ADDRESSING DILEMMAS OF THE GLOBAL AND THE LOCAL IN TRANSITIONAL JUSTICE." *Emory International Law Review* 29, no. 1: 76-78. *Academic Search Complete*.

This idea of the transitional justice process being unique to each and every nation coming out of conflict is highlighted by Bennett et al. "...transitional justice thinking in particularly shifted from one-size-fits-all formulas in the eighties and nineties towards a recognition of the importance of local solutions adjusted to the specific context of the post-conflict country around the millennium."<sup>31</sup>

A couple of months before the official end of the conflict in Sierra Leone the Sierra Leonean President went to the United Nations to suggest that the perpetrators of the mass violence and human rights abuses that had rocked the country for over ten years be brought to law. Negotiations between the Sierra Leonean government and the United Nations thus began to set up a special court to try those who were guilty of committing war crimes and human rights violations. The Special Court for Sierra Leone (SCSL) was created out of these consultations and it was a hybrid court, which was the first of its kind, with jurisdiction over international and national law, and also in its composition as it was made up of national and international staff.<sup>32</sup>

The Special Court for Sierra Leone was responsible for bringing charges against leaders and members of all the warring factions. This institution that was borne in the aftermath of the in Sierra Leone is one of the main mechanisms in the transitional justice process of the nation. All those who were responsible for perpetrating or committing war crimes and gross human rights violations faced the possibility of standing trial and if

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<sup>31</sup> Tom Bennett et al., *African Perspectives on Tradition and Justice* (Cambridge: Intersentia, 2012) 6.

<sup>32</sup> Park, Augustine S. J. 2010. "Community-based restorative transitional justice in Sierra Leone." *Contemporary Justice Review* 13, no. 1: 97. *Academic Search Complete*, EBSCOhost.

found guilty sentenced to imprisonment. This included government and those in the rebel groups. One of the major highlights in the existence of the Special Court for Sierra Leone was its success in convicting the former Liberian President, Charles Taylor, for his role in backing the Revolutionary United Front militia.<sup>33</sup>

In an attempt to achieve the one of the major goals of the transitional justice mechanism that is to address the horrendous legacy of abuse and gross human rights violations brought about by the civil conflict in Sierra Leone, a Truth and Reconciliation Commission was also set up as a part of this process. The Lome Peace Agreement that was signed between the government and the different rebel groups in Sierra Leone laid down the groundwork for the creation of a Truth and Reconciliation Commission in Sierra Leone and the Sierra Leonean Parliament passed the Truth and Reconciliation Act in February of 2000 thereby bringing this commission to life.

Article 6 of the Truth and Reconciliation Act lays out the functions of the commission that would include to:

“Investigate and report on the causes, nature and extent of the violations and abuses...to the fullest degree possible, including their antecedents, the context in which the violations and abuses occurred . . . whether those violations and abuses were the result of deliberate

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<sup>33</sup> Mphepo, Tiyanjana. 2014. "The Residual Special Court for Sierra Leone. Rationale and Challenges." *International Criminal Law Review* 14, no. 1: 178. *Academic Search Complete*, EBSCOhost.



planning, policy or authorization by any government, group or individual.”<sup>34</sup>

This move by the Parliament in empowering the Truth and Reconciliation Commission, through the Truth and Reconciliation Act, to do everything possible to investigate, report and make recommendations with regards to the role played by government and rebel groups alike in the conflict speaks to the commitment to address the violations that had taken place.

The manner in which the Truth and Reconciliation Commission was to go about carrying out its work was also laid out to its members in an attempt to keep the commission within the functions that were outlined at its creation. Conducting investigation and research, holding of hearings, and taking of individual statements from the victims and perpetrators of the conflict were the roles that were assigned to the Truth and Reconciliation Commission. In their role as investigators the commission was responsible for getting the different actors in the conflict to acknowledge the horrific events that took place the nation and also to bring clarity to the events and commence the process of their citizens being able to talk about the conflict more freely. By doing so, issues of denial will be addressed and those who were responsible in any capacity can assume their responsibility in the presence of their victims. This denial that the commission helps to defeat can emanate from official or community ranks. This role

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<sup>34</sup> Sirleaf, Matiangai. 2009. "Regional Approach To Transitional Justice? Examining The Special Court For Sierra Leone And The Truth & Reconciliation Commission ForLiberia." *Florida Journal Of International Law* 21, no. 2: 223.

played by the commission helped in casting more light on the violent nature of the conflict and its consequences.<sup>35</sup>

Seeking to restore peace through the process of healing the wounds brought about by the conflict and attempting to prevent such acts from occurring again in the future is another role of the commission. Too often victims of war crimes and human rights violations are not given an opportunity to talk about their experiences. Talking about these experiences can have a cathartic effect that can be vital in the healing process. The therapeutic nature of truth and reconciliation commissions can be seen in the relieve that the power of truth can bring to the pain experienced by victims of the conflict and as a result of this the process of healing and reconciliation can begin.<sup>36</sup> This can be very effective in ensuring that the peaceful process the nation has embarked on after many years of conflict is one that can be sustainable as by the victims and perpetrators being able to reconcile would mean both sides for the most part were able to come to a common ground.

Another role of the Truth and Reconciliation Commission of Sierra Leone was to provide a comprehensive report of their findings about the conflict and to make recommendations for institutional reforms.<sup>37</sup> In this role the commission was required to

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<sup>35</sup> Sirleaf, Matiangai V. S. 2014. "THE TRUTH ABOUT TRUTH COMMISSIONS: WHY THEY DO NOT FUNCTION OPTIMALLY IN POST-CONFLICT SOCIETIES." *Cardozo Law Review* 35, no. 6: 2281. *Academic Search Complete*.

<sup>36</sup> Jappah, Jlateh Vincent, and Danielle Taana Smith. 2013. "Transitional Justice: Prioritizing Truth Commissions or International Tribunals to Ensure Healing and Reconciliation." *Journal Of International & Global Studies* 5, no. 1: 9. *Academic Search Complete*.

<sup>37</sup> Sirleaf, Matiangai V.S. 2014. "Beyond Truth and Punishment in Transitional Justice." *Virginia Journal Of International Law* 54, 239. *LexisNexis Academic: Law Reviews*.

share all investigations, hearings and individual statements with the Special Court for Sierra Leone, and the Special Court was expected to do the same the Truth and Reconciliation Commission. This role goes a long way in portraying the commission's work as being very transparent as its activities are not only open to the general public but a formal report is made to the other branch of the transitional justice system that was in place in Sierra Leone.

## 2.2 Transitional Justice in Uganda

In the aftermath of the conflict in Uganda the initial stages of its transition was similar to that of the direction Sierra Leone had taken. An Amnesty Act was passed by the Ugandan government granting immunity from prosecution to individual members of the rebel groups. This amnesty agreement was challenged when the international community got involved in the conflict through the International Criminal Court (ICC).<sup>38</sup> The reason behind the international community's challenge of the amnesty agreement had to do with the fact that the perpetrators of the conflict who are responsible for the gross human rights violations recorded during the duration of the conflict were not going to be punished for their actions. The International Criminal Court wanted to see those responsible for the committing violence and war crimes tried and sentenced.

The Ugandan transitional justice process is a sort of two-track system as on one hand there is the community reconciliation mechanism that the Ugandan people prefer to use and on the other hand there is the International Criminal Court that preceded in

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<sup>38</sup> Anyeko, Ketty, Erin Baines, Emon Komakech, Boniface Ojok, Lino Owor Ogora, and Letha Victor. 2012. "'The Cooling of Hearts': Community Truth-Telling in Northern Uganda." *Human Rights Review* 13, no. 1: 108. *Academic Search Complete*, EBSCOhost.

issuing arrest warrants for rebel leaders of the Lord's Resistance Army. Attempts by the Ugandan government to get the International Criminal Court to allow for their community reconciliation mechanism to be used to address the situation have not gotten the ICC to withdraw the warrants.<sup>39</sup>

As expressed by the Ugandan President that local traditional leaders have opted for the traditional or community justice system to be used as opposed to trials taking place at The Hague, "What we have agreed with our people is that they should face traditional justice, which is more compensatory than a retributive system. He then asked, "If that's what the community wants, then why would we insist?" on a trial in The Hague?"<sup>40</sup> The indigenous justice mechanism the Ugandan people are opting to use is the *Mato Oput*.

The Mato Oput community justice system is a practice of the Acholi ethnic group of Northern Uganda, the ethnic group that suffered the most from the repercussions of the conflict. The loss registered by the Acholi ethnic group was in terms of the victims that were killed and the children who were abducted by the rebel group to become child soldiers. The traditional leaders of this ethnic group are the ones advocating for the use of this community truth and reconciliation system:

"Traditional leaders from LRA's Acholi ethnic group-who have been the main victims of the attacks by both the

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<sup>39</sup> Quinn, Joanna. 2007. "Social Reconstruction in Uganda: The Role of Customary Mechanisms in Transitional Justice." *Human Rights Review* 8, no. 4: 392-394. *Academic Search Complete*.

<sup>40</sup> Bangura, Abdul Karim. 2008. "The Politics of the Struggle to Resolve the Conflict in Uganda: Westerners Pushing Their Legal Approach versus Ugandans Insisting on Their Mato Oput." *Journal Of Pan African Studies* 2, no. 5: 143. *Academic Search Complete, EBSCOhost*.

government and LRA troops, including the abduction of children as recruits-want LRA leader Kony and his fighters to undergo *Mato Oput* justice. The ritual involves a murderer facing relatives of the victim and admitting his crime before the murderer and the relatives drink a bitter brew made from a tree root mixed with sheep's blood."<sup>41</sup>

This type of a truth and reconciliation commission is one that is carried out according to the norms and values in place in that ethnic group when it comes to settling conflicts. The role of the Mato Oput traditional or community justice system is similar to the role of the assigned to the Truth and Reconciliation Commission in Sierra Leone. As this is about the victim and perpetrator in the presence of tribal leaders working on addressing their past experiences and actions. The major difference between the two is that fact that traditional conflict resolution values are an integral part of the process in Uganda. In the Acholi ethnic group conflict and war are viewed as a deviation from the natural order of things and achieving peace is considered a return of normalcy to its hierarchy. The Acholi's understand peace to consist of a reconnection, reconciliation called *Roco wat*, and a healing process and not one of retaliation.<sup>42</sup> The Acholi leaders for the sake reconciliation were in favor of amnesty being granted to those guilty of war crimes, including children, which could be achieved through making peace and forgiveness a priority.

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<sup>41</sup> Banguram Abdul Karim, *The Politics of the Struggle to Resolve the Conflict in Uganda*.

<sup>42</sup> Tom Bennett et al., *African Perspectives on Tradition and Justice* (Cambridge: Intersentia, 2012) 137.

The primary role of the Mato Oput traditional justice system, whose use is strongly being advocated for by Ugandans in addressing the gross human rights violations committed by the Lord's Revolutionary Army militia group and the government to a lesser extent, is to bring about healing, forgiveness and reconciliation. According to the Mato Oput system of justice a hearing is held in the form of individuals whose role as either part of the militia or the government face victims or the family members of victims. During this hearing the perpetrators are to accept responsibility for the pain they caused their victim or their families and the process of healing, forgiveness and eventually reconciliation begins. The victim shares his/her experiences of the violence they suffered and the perpetrator in the presence of the victim is expected to take responsibility for their role in the victim's plight.<sup>43</sup>

This community reconciliation mechanism has its roots in how Ugandans and in particular members of the Acholi ethnic group view conflict, violence, war and peace. They approach it from a holistic perspective as this conflict that had brought about so much pain and immense human rights violations was interpreted as community problem and not a problem pitting one group against another.<sup>44</sup> The notion of the community wellbeing being more important than individual outcomes in most African cultures can explain the rationale behind Ugandans opting for a community reconciliation mechanism. The best way they sought to address this ill that had affected their nation was to have a

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<sup>43</sup> Roach, Steven C. 2013. "Multilayered Justice in Northern Uganda: ICC Intervention and Local Procedures of Accountability." *International Criminal Law Review* 13, no. 1: 251-252. *Academic Search Complete*.

<sup>44</sup> Anyeko, Ketty, Erin Baines, Emon Komakech, Boniface Ojok, Lino Owor Ogora, and Letha Victor. 2012. "'The Cooling of Hearts': Community Truth-Telling in Northern Uganda." *Human Rights Review* 13, no. 1: 107-124. *Academic Search Complete*.

truth and reconciliation mechanism that was grounded in their traditional norms and values of settling conflicts.

## **2.3 The Role of Children in the Transitional Justice Process in Sierra Leone**

The notion of having in place a transitional justice mechanism to deal with the perpetrators of gross human rights violations during times of conflict is nothing new. Historically the trend had been once a conflict is over and a country is secured, the judicial process commences with conducting investigations, trials and sentencing of those found guilty of committing war crimes or violating human rights. In transitional justice processes children historically have not been included. The legacy of mass abuse a transitional justice mechanism is expected to address can be more complex, requiring prompt and effective steps, especially in instances where children are directly involved, as is the case with Sierra Leone.<sup>45</sup> Developmental reasons have primarily been advanced as grounds for child soldiers and child victims not being involved in transitional justices processes.

The transitional justice process in Sierra Leone was the first of its kind to make children an integral part of this process of giving child victims the opportunity to recount the abuses and violations they suffered in the presence of the perpetrators, and for these perpetrators including child soldiers to be able to experience this through the lens of their victims. The Lome Peace Agreement that highlights in its preamble the importance of children playing an important role in the transitional justice process in Sierra Leone made

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<sup>45</sup> Fisher, Kirsten. *Transitional Justice for Child Soldiers: Accountability and Social Reconstruction in Post-conflict Contexts*, Palgrave Mcmillan, New York, NY (2011) P.11

the inclusion of child soldiers and child victims in this process possible.<sup>46</sup> This was a bold step the Lome Peace Agreement had taken in requesting that children be included in the transitional justice process with all the potential risk opponents of such a move could raise against it.

The stage had therefore been set by the Preamble of the Lome Peace Agreement for the government of Sierra Leone, the United Nations, the international community and other international NGOs involved in setting up the transitional justice process in Sierra to proceed in seeing into it that the structures responsible for handling the transitional justice process included children in its work. The Truth and Reconciliation Act that created the Truth and Reconciliation Commission acted accordingly by stating:

"It shall be the function of the commission...to work to help restore the human dignity of victims and promote reconciliation by providing an opportunity for victims to give an account of the violations and abuses suffered and for perpetrators to relate to their experiences...giving special attention to...the experiences of children within the arm conflict."<sup>47</sup>

By the Truth and Reconciliation Act making it unequivocally clear that children had to be given the opportunity to participate in the commission's different proceedings; investigations, hearings and taking individual statements from both the victims and

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<sup>46</sup> See Preamble of Lome Peace Agreement, July 1999, available at: <http://www.sierra-leone.org/lomeaccord.html>

<sup>47</sup> Virginie Ladisch. "Children and Youth Participation in Transitional Justice Processes." *The Journal of the History of Childhood and Youth* 6, no. 3: 507



perpetrators, this presented the commission with the opportunity to hear the stories of child victims and child soldiers being told by them. The Truth and Reconciliation Commission before proceeding with involving children in the transitional justice process took steps to see to it that members of the commission were trained in best practice methods for interviewing, conducting hearings and investigations involving these child victims and soldiers while limiting the adverse effect they could possibly suffer from reliving the traumatic events they had been exposed to.<sup>48</sup>

The effort by the Truth and Reconciliation Act demanding that children be included by the Truth and Reconciliation Commission in their work is a laudable one as only these children who were victims or perpetrators of the violence and human rights violations can give an account of their experiences in a manner that would help the commission come up with recommendations that can properly address these ills. This will provide the Truth and Reconciliation Commission with first hand information on the horrific impact of the conflict on child victims and child soldiers thereby assisting the commission in their task to come up with appropriate mechanisms to guarantee their protections to take into account first experiences of child soldiers and child victims.

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<sup>48</sup> Ladisch, Virginie. "Children and Youth Participation in Transitional Justice Processes." *The Journal of the History of Childhood and Youth* 6, no. 3 (2013): 507.

## 2.4 The Role of Children in the Transitional Justice Process in Uganda

The fact that the Ugandan government and the traditional leaders of the Northern Ugandan ethnic group, the Acholis, have not been able to agree on a transitional justice system to be used in dealing with the victims and perpetrators of conflict that resulted in war crimes and mass human rights violations being committed is presenting a challenge on how the situation of child soldiers and child victims should be dealt with. The role child soldiers and child victims are to play in the transitional justice process is difficult to assess as a result of the nonexistence of an agreeable transitional system of justice to be used. The government is in favor of the justice approach in dealing with child soldiers and their victims while the traditional leaders are pushing for traditional community reconciliation mechanisms to be used.

President Museveni and his government who are advocating for the justice model have been seeking to punish child soldiers of the Lord's Resistance Army for the crimes they committed. Peace as opposed to justice has been what the Northern Ugandan community and its traditional leaders are pushing for, who have the backing of international peace proponents.<sup>49</sup>

Both the government and the advocates of the traditional community reconciliation mechanism do agree on the fact that former child soldiers of the Lord's Resistance Army should be included in the transitional justice process that way they can

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<sup>49</sup> Hetzel, M.A. "The Role and Limitations of Transitional Justice in Addressing the Dilemma of Child Soldier Accountability: The Cases of Sierra Leone and Uganda." 2010, p. 73. *University of Cape Town*.

answer to the violence and human rights atrocities committed. Their disagreement lies in what type of transitional justice system should these former child soldiers of the rebel group answer to. The government which is seeking to see these former rebel child soldiers be punished sees the justice model as the most appropriate channel of achieving their goal of having these child soldiers punished while the traditional leaders view the justice model as an obstacle to peace and reconciliation, and consider the Mato Oput community justice mechanism as what can bring about peace and reconciliation.

The Ugandan government maintained an ambivalent stand when it came to deciding on the type of transitional justice system to be used. This was evidence by the 2007 Agreement on Accountability and Reconciliation the government signed with the Lord's Liberation Army in Juba, South Sudan. This agreement was part of efforts to achieve peace in Uganda. This Peace Agreement left it open that accountability and reconciliation can be achieved through formal justice or community justice mechanisms. Child soldiers and child victims were not explicitly mentioned in this Peace Agreement but clause 12 generally referenced children, making it a requirement for the interest and rights of the children to be taken into consideration in implementing this Peace Agreement.<sup>50</sup> The rights of child soldiers and child victims to be included in the transitional justice process can therefore be read into clause 12 of the Agreement on Accountability and Reconciliation.

The participation of child soldiers and child victims in traditional community justice mechanisms, like the Matu Oput, proposed by the traditional leaders has been

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<sup>50</sup> Karanja, S.A., "Child Soldiers in Peace Agreements: The Peace and Justice Dilemma!" (2008) 8, *University of Oslo, Norwegian Centre for Human Rights, Issue 3*, 7.

hampered by a lack of awareness of some of the traditional customs and practices. The fact that the lives of these child soldiers and child victims had been immensely disrupted by the conflict which had made them miss out on the opportunity to learn some very important aspects of their traditional values and customs. In African cultures the elders through certain rites of passage teach traditional values and customs to children. Child soldiers and child victims in Northern Uganda were not able to learn about some of their traditions and customs as the rebels in order for these children to fight for them had either abducted them or they had ran away for fear of being abducted. "...youths in Northern Uganda have rather limited knowledge about traditional transitional justice processes...due to the fact that traditional education has been disrupted by insecurity in the region as people were not able to or allowed to stay out at night, when people used to sit around fires and tell stories about the past, their customs and beliefs."<sup>51</sup>

From the analysis of the transitional justice process in Sierra Leone and Uganda it is evident that the role played by child soldiers and child victims in this process varied. The transitional justice process in Sierra Leone saw the Truth and Reconciliation Act and Commission taking proactive steps in getting child soldiers and child victims involved in the process, and putting in place measures to ensure that the involvement of these children was done with appropriate safeguards being in place to prevent them from being re-traumatized by the them talking about their experiences during the conflict. The role played by children in the Ugandan transitional justice process is complicated by the fact that there is not an agreed transitional system to be used. The traditional leaders are in

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<sup>51</sup> Luhe, Ulrike, "Children, Youth and Transitional Justice in Northern Uganda: Towards a Comprehensive Transitional Justice Framework for Young Ex-Combatants." 2013, p. 26. *University of Cape Town*.

favor of a traditional community mechanism while the government is in favor of the justice model. Both parties are in agreement that children should be involved in the process but the role these child soldiers and child victims are to play in this process is difficult to assess due to the nonexistence of an agreed upon system.

The next chapter is going to be looking at the international and regional child protection treaties or conventions Sierra Leone and Uganda are parties to. This chapter is also going to look at the national laws of both countries to assess the extent to which the national laws have incorporated provisions of the international and regional treaties pertaining to the state having a positive responsibility of guaranteeing the protection of children's rights into their national structures.

### 3. Shortcomings in Child Protection in Transitional Societies

This chapter is going to look at the international and regional child protection mechanisms that are in place and how, if at all, these mechanisms have been implemented in the case of Sierra Leone and Uganda to protect children in light of the conflicts that have plagued these nations. The different steps taken by these nations in the aftermath of the conflict to provide remedy will be analyzed to see to what extent these international and regional child protection were inculcated into this process. This chapter will also look at some factors that have served as a stumbling block to the rights of children being protected in post conflict societies.

#### 3.1 International and Regional Child Protection Mechanisms

The United Nations Convention on the Rights of the Child (UNCRC) is the most comprehensive and important document that embodies all rights pertaining to children. The UNCRC was adopted and on November 20, 1989 and entered into force on September 2, 1990. It is one of the few conventions that was adopted in the United Nations General Assembly without a vote and it holds the record today for the most ratified human rights treaty, with 196 member states haven ratified or acceded to it.<sup>52</sup> To address the issue of the involvement of children in armed conflict situations an optional protocol to the UNCRC was adopted in 2000.

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<sup>52</sup> Vandenhoe Wouter; Desmet, Ellen ; Reynaert, Didier & Lembrechts, Sara. *Routledge International Handbook of Children's Rights Studies*. Routhledge, 2015, P.43-44.

The children in Armed Conflict Protocol deals realistically and reasonably with the difficult issue of minimum ages for compulsory recruitment, voluntary recruitment, and participation in hostilities. The protocol raises the minimum age for conscription from fifteen to eighteen years, as outlined under international law, thereby obliging state parties to raise the minimum age for voluntary recruitment to eighteen...state parties to the protocol must also prohibit the recruitment and use of persons below the age of eighteen by nongovernmental armed groups.<sup>53</sup>

Security Council Resolution 1882 adopted in August of 2009 is another mechanism put at the disposal of states to utilize in addressing the protection of children of children in armed conflict situations.<sup>54</sup> Having Resolution 1882 as a base, the United Nations Secretary-General through the Monitoring and Reporting Mechanism (MRM) selected six of the most common violations committed against children in armed conflict that serious attention has to be given to. The six grave violations as they are commonly referred to include: killing or maiming of children, recruitment or use of child soldiers, abduction of children, attacks against schools and hospitals, rape and other grave sexual violence against children, and denial of humanitarian access.<sup>55</sup>

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<sup>53</sup> Dennis, Michael J. "Newly Adopted Protocols to the Convention on the Rights of the Child." *American Journal of International Law* 18, no. 4 (October, 2000): p.789.

<sup>54</sup> Security Council Resolution 1882 (2009)

<sup>55</sup> Nilsson, Ann-Charllote. *Children and Youth in Armed Conflict*. Martinus Nijhoof Publishers, 2013.

On a continental/ regional level steps have also been taken to safeguard and protect the rights of children. The Organization of African Unity (OAU), which is today the African Union (AU), through its assembly of heads of states and governments adopted the African Charter on the Rights and Welfare of the Child in July of 1990 and it came into force nine years later, in November of 1999.<sup>56</sup> The fact that the African regional organization, OAU, took steps a year after the UNCRC was adopted to come up with a similar document to protect the rights of children in Africa highlights the importance of taking steps to protect the right of children.

These respective steps taken by member states at the international and regional level to safeguard the rights of children especially in conflict situations places the onus on the same member states to put in place the necessary requirements for these rights to be implemented within each sovereign state. With both Sierra Leone and Uganda haven ratified the UNCRC and the African Charter on the Rights and Welfare of the child the expectation is for these nations to create a suitable environment for these children's rights to be protected within their territories. The obligation of these two states under the international and regional conventions pertaining to the protection of children's rights they are parties will be assessed.<sup>57</sup>

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<sup>56</sup> Oluwo, Dejo. "Protecting Children's Rights in Africa: A Critic of the African Charter on The rights and Welfare of the Child." *The International Journal of Children's Rights* 10, (2002): 127.

<sup>57</sup> Mower, Alfred Glenn. *The Convention on the Rights of the Child: International Law Support for Children*. P.55.



## 3.2 Shortcomings of the Transitional Process in Sierra Leone in Protecting the Rights of Children

Although in the setting up of the Sierra Leone Truth and Reconciliation Commission (SLTRC), children were supposed to play an integral role both as victims and perpetrators it did not actually play out as such.<sup>58</sup>

The role of children in the war, and how the SLTRC would treat those that appeared before it, received a great deal of attention in the period leading up to the operation of the commission. UNICEF developed rules to govern children's participation, and the experience did not seem to be difficult for those who testified. Most children who testified were victims, although more children testified as perpetrators than did adults. The thematic hearing on children drew only a small attendance in Freetown; one UNICEF staffer characterized the audience as being made up of the elderly, researchers and child advocates.<sup>59</sup>

With the thematic hearing in the capital city, Freetown, having a very small attendance of child victims or perpetrators is a strong indication that children played a minimal role in the SLTRC process in the country as a whole.

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<sup>58</sup> Dougherty, Beth. *Searching for Answers: Sierra Leone's Truth and Reconciliation Commission*. P.47

<sup>59</sup> Dougherty, Beth. *Searching for Answers: Sierra Leone's Truth and Reconciliation Commission*. P.47

As a result of the minimal role played by former child soldiers in the transitional process their rights were not effectively safeguarded. “The drift to other areas was likely influenced by the desire to find livelihood opportunities, as well as avoiding the hostility, stigma, and discrimination faced in their home communities by those children who had been with one of the rebel groups.”<sup>60</sup> This goes to stress the fact that a more inclusive process would have ensured that the voices of these children affected the conflict are heard and also taken into consideration in coming up with ways to provide redress. Many girls who were affiliated with different armed groups received no assistance and were excluded from the demobilization process.<sup>61</sup>

Another shortcoming of the transitional justice process in protecting the rights of children in Sierra Leone is its failure to take into consideration cultural differences in interpreting the notion of rights.

The issue of children’s responsibility for their actions during the war has been at the forefront of discussions around the administration of transitional justice and has brought the issue of juvenile justice new prominence in Sierra Leone... In their critiques of the CRC, Sierra Leoneans emphasize the need to put rights together with responsibilities as a way of making the message locally palatable.<sup>62</sup>

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<sup>60</sup>Williamson, John. “The disarmament, demobilization and reintegration of child soldiers: Social and Psychosocial transformation in Sierra Leone.” P.186

<sup>61</sup> Williamson, John. “The Disarmament, Demobilization and Reintegration of Child Soldiers: Social and Psychosocial Transformation in Sierra Leone.” P. 1

<sup>62</sup>Shepler, Susan. “The Rites of the Child: Global Discourses of Youth and Reintegrating Child Soldiers in Sierra Leone.” (2005): P.205

The should have been sound research leading up to the putting in place of the SLTRC in that would have mitigated such pitfalls. Such a research would have provided the actors putting the SLTRC with knowledge of the importance of rights going along with responsibilities in the Sierra Leonean culture.

The lack of adequate educational and training opportunities for the former child soldiers in Sierra Leone to enable them become self-sufficient and more productive members of their communities is another shortcoming of its transitional process in protecting children's rights. "Demand for education in Sierra Leone since the end of the war has been quite high, reflecting the country's need to rebuild and intensifying strains on an already dysfunctional system. At present, the education system has a number of structural problems. In the 2004–5 school year, the gross completion rate for primary school in Sierra Leone was only 65 percent. And in 2004, junior secondary school enrollment was only 17 percent of primary school enrollment, and senior secondary school enrollment was only 8 percent of primary school enrollment."<sup>63</sup> Putting in place educational and vocational programs to absorb these former child soldiers will take care of this shortcoming and reduce the possibility of these children returning to take up arms.

Adequate psychosocial support to assist these former child soldiers deal with their trauma is also another shortcoming of the transitional process in Sierra Leone. "In Sierra Leone, a large number of girls were associated with armed groups, many serving not just as sex slaves but also as combatants. Some young women who had been commanders were quite proud of their military accomplishments. However, the young women who

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<sup>63</sup> Betancourt et Al. "High Hopes, Grime Reality: Reintegration and Reeducation of Former Child Soldiers." (2008) P.2

had become mothers often had problems marrying, a situation they described as tantamount to social death. Also, they wondered where they would get the money needed to buy medications for themselves and their babies.”<sup>64</sup>

### **3.3 Shortcomings of the Transitional Process in Uganda in Protecting the Rights of Children**

There was a lack of safeguards in place to protect the former child soldiers emotionally and mentally. A study on former Ugandan child soldiers and the reconciliation process revealed that:

...the former child soldiers in this study who showed clinically relevant symptoms of PTSD had significantly less openness to reconciliation and significantly more feelings of revenge than those with fewer symptoms. Hence, posttraumatic stress might hinder the children's ability to deal with and overcome emotions of hate and revenge. Likewise, the children with PTSD symptoms might regard acts of retaliation as an appropriate way to recover personal integrity and to overcome their traumatic experiences. Therefore, posttraumatic stress might be an important factor influencing post conflict situations and may

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<sup>64</sup> Wessells Michael. “Psychosocial Issues in Reintegrating Child Soldiers.” *Cornell International Law Journal*, P.517

contribute to the cycles of violence found in war-torn regions.<sup>65</sup>

The research study cited above emphasizes the strong correlation between mental illness and children who have been affected by conflict.<sup>66</sup> The need for psychosocial safeguards to be in place as a part of the transition process would have been very essential.

Uganda turned what seemed to be a major flaw on its part to transitioning to peace and stability into a major success. At the onset there were internal squabbles as to what transitional justice system should be put in place in Uganda, a truth and reconciliation commission, as was the case in Sierra Leone or a traditional reconciliation mechanism as advocated for by some custodians of Uganda's tradition. The traditional justice mechanism which was widely used as a transitional justice tool in the aftermath of the conflict, which emphasizes mediation and reconciliation, is now being recognized by international institutions like the United Nations Security Council.<sup>67</sup>

In societies where traditional practices are still very much respected and are an integral part of the culture, traditional mediation and reconciliation practices have a central role to play in a transitional justice system.<sup>68</sup> This is a recommendation for the establishment of a transitional justice system to take into consideration as this will have a huge impact on former child soldiers being able to be properly reintegrate in their

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<sup>65</sup> Bayer Christophe et al. Association of Trauma and PTSD Symptoms with Openness to Reconciliation and Feelings of Revenge among Former Ugandan and Congolese Child Soldiers.

<sup>66</sup> Bayer Christophe et al. Association of Trauma and PTSD Symptoms with Openness to Reconciliation and Feelings of Revenge among Former Ugandan and Congolese Child Soldiers.

<sup>67</sup> Quinn Joanna. "Social Reconstruction in Uganda: The Role of Customary Mechanisms in Transitional Justice. P.400

<sup>68</sup> Quinn Joanna. "Social Reconstruction in Uganda: The Role of Customary Mechanisms in Transitional Justice. P.401

communities. In support of the positive effects of traditional justice mechanisms have on the transitional process, “Many argue that such traditional mechanisms for cleansing, justice, and reconciliation represent important channels for reintegration and reconciliation which can and should be widely adopted.”<sup>69</sup>

The importance of including the traditional justice mechanism as part of the judicial process in Uganda, and making former child soldiers an integral part of this process is evident as “...the traditional justice provisions within a national policy could adopt the term ‘stake holders’ rather than ‘victims and perpetrators’ in order to reinforce the restorative nature of traditional justice processes...this above recommendation is feasible considering the fact that most of the atrocities were allegedly committed by LRA soldiers who mainly comprised of children.”<sup>70</sup>

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<sup>69</sup> Rose Cecily. “Looking Beyond Amnesty and Traditional Justice and Reconciliation Mechanisms in Norther Uganda: A Proposal for Truth Telling and Reparations.” P. 360

<sup>70</sup> Among Hope. “The Application of Traditional Justice Mechanisms to Atrocities Committed by Child Soldiers in Uganda: A Practical Restorative Justice Approach.” P. 454

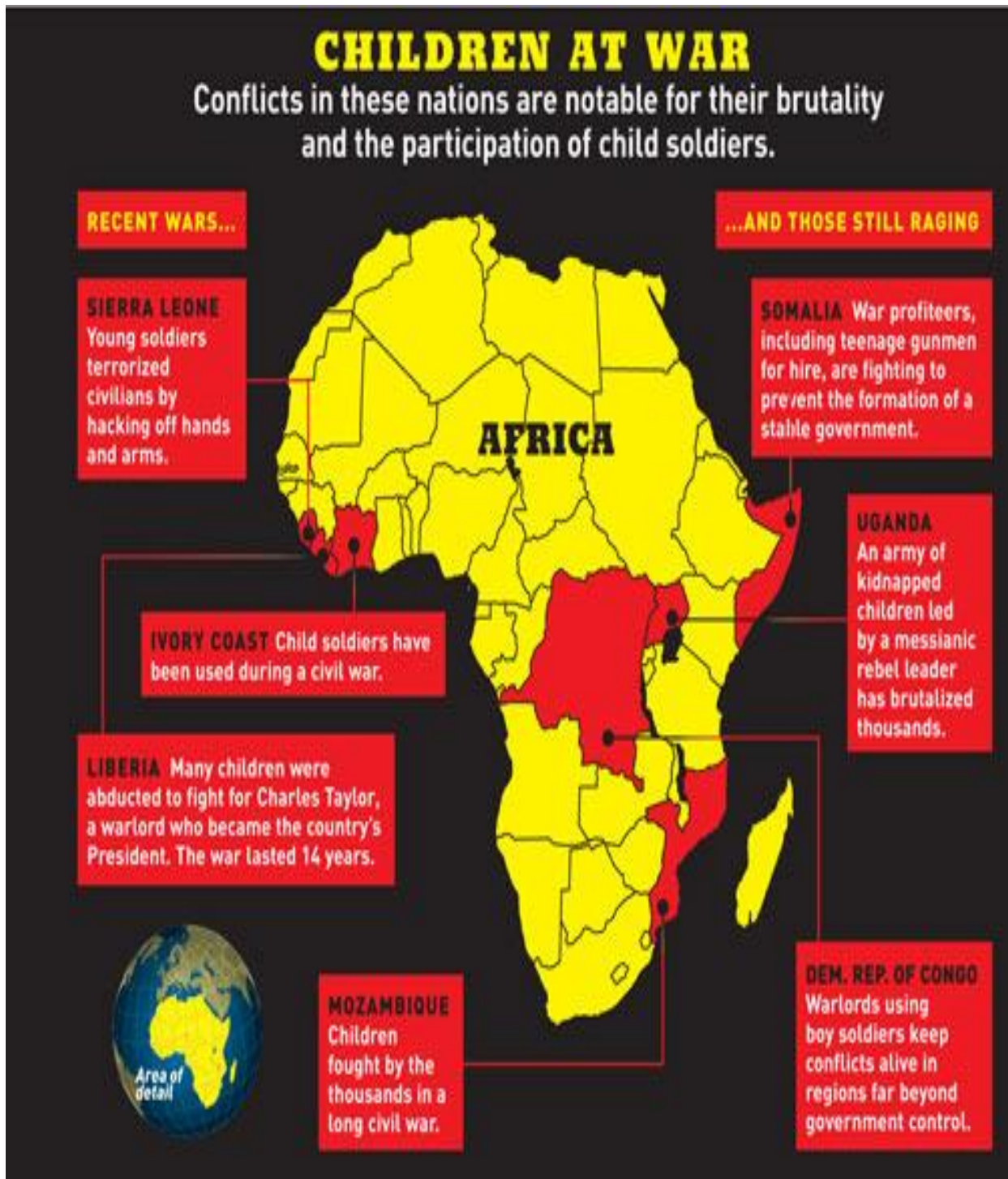
## Conclusion

In working on my thesis on how the rights of children are not protected in societies in transition it is work acknowledging that major improvements have been made at international and regional levels in recent years to improve the plight of children in times of conflict. This is a strong indication of lessons learned from the participation and impact of conflicts on children over the years. The UNCRC and its optional protocol on the Involvement of Children in Armed Conflict are the foundation on which the protection of children's rights in times of conflict or in the aftermath of conflicts stand. Taking into consideration that the UNCRC is the most ratified convention is a signal of the commitment of states to ensure that children's rights are protected especially in and after conflicts.

The action taken by the United Nations Secretary General in further addressing this issue and coming up with the six grave violations committee against children during conflicts is also a solid move in the direction of protecting the rights of children in post conflict societies. These steps have all been taken in response to situations experienced by children in Sierra Leone and Uganda during the conflicts that are now a part of their respective histories.

All these measures taken to protect the rights of children gives reason to hope that in the advent of conflicts, which is something we all hope never happens, children's rights will be protected. And what stands out in this analysis is the role the former child soldiers played in the transitional process after the conflicts and the lapses identified in this process should help to have better safeguards in place.

Map of Participation of Child Soldiers involved in Conflicts in Africa





## Map of Child Soldiers in the World



Map of Child Soldiers Presence in Africa



Map of the Conflict in Uganda



## Bibliography

- Acosta, Yvonne. "Face to Face with Former Child Soldiers--and Hope." UN Chronicle 40, no. 2 (June 2003): 54. MasterFILE Premier.
- Among Hope. "The Application of Traditional Justice Mechanisms to Atrocities Committed by Child Soldiers in Uganda: A Practical Restorative Justice Approach." *African Human Rights Law Journal* 13 (2013).
- Anyeko, Ketty, et al. "'The Cooling of Hearts': Community Truth-Telling in Northern Uganda." *Human Rights Review* 13, no. 1 (March 2012): 107-124. Academic Search Complete.
- "Background Note: Sierra Leone." *Background Notes On Countries Of The World: Sierra Leone* (March 2007): 1-8. Business Source Premier.
- Bangura, Abdul Karim. "The Politics of the Struggle to Resolve the Conflict in Uganda: Westerners Pushing Their Legal Approach versus Ugandans Insisting on Their Mato Oput." *Journal Of Pan African Studies* 2, no. 5 (July 2008): 142-178. Academic Search Complete.
- Bennett, T. W. *African Perspectives on Tradition and Justice*. Cambridge: Intersentia, 2012.
- Betancourt Theresa, Borisova Ivelina, Marie de la Soudiere and John Williamson. (July, 2011) "Sierra Leone's Child Soldiers: War Exposures and Mental Health Problems by Gender." *Journal of Adolescent Health* Volume 49, Issue 1: 21-28.
- Betancourt, Theresa Stichick, Ivelina Ivanova Borisova, Timothy Philip Williams, Robert T. Brennan, Theodore H. Whitfield, Marie de la Soudiere, John Williamson, and Stephen E. Gilman. 2010. "Sierra Leone's Former Child Soldiers: A Follow-Up

Study of Psychosocial Adjustment and Community Reintegration." *Child Development* 81, no. 4: 1077-1095. Academic Search Complete.

Betancourt Theresa, Simmons Stephanie, Borisova Ivelina, Brewer Stephanie, Iweala Uzo, and Marie de la Soudiere. "High Hopes, Grime Reality: Reintegration and Reeducation of Former Child Soldiers." *Comp Educ Rev.* 52, no.4(2008)

Bayer Christophe, Klasen Fionna, Hubertus Adam. Association of Trauma and PTSD Symptoms with Openness to Reconciliation and Feelings of Revenge among Former Ugandan and Congolese Child Soldiers. *Journal of the American Medical Association* 298, no. 5 (2007)

Clark, Philip. *The Gacaca Courts, Post-genocide Justice and Reconciliation in Rwanda: Justice without Lawyers.* Cambridge: Cambridge University Press, 2010.

Cheney, Kristen. "'our children have only known war': children's experiences and the uses of childhood in northern Uganda." *Children's Geographies* 3, no. 1 (April 2005): 23-45. Academic Search Complete.

Dennis, Michael J. "Newly Adopted Protocols to the Convention on the Rights of the Child." *American Journal of International Law* 18, no. 4 (October, 2000).

Denov, Myriam. *Child Soldiers: Sierra Leone's Revolutionary United Front.* Cambridge: Cambridge University Press, 2010.

Dougherty, Beth. Searching for Answers: Sierra Leone's Truth and Reconciliation Commission. *African Studies Quarterly* 8, no1, 2004.

Dumbuya, Lansana, "The Truth and Reconciliation Commission in Post-Conflict Sierra Leone." (2003). University of Pretoria.

Ertl, Verena, Anett Pfeiffer, Elisabeth Schauer-Kaiser, Thomas Elbert, and Frank Neuner.

2014. "The Challenge of Living On: Psychopathology and Its Mediating Influence on the Readjustment of Former Child Soldiers." *Plos ONE* 9, no. 7: 1-11.

Academic Search Complete.

Fisher, Kirsten. *Transitional Justice for Child Soldiers: Accountability and Social*

*Reconstruction in Post-conflict Contexts*, Palgrave Mcmillan, New York, NY

(2011)

Goins, Stephanie, et al. "Self-Construing In Former Child Soldiers." *Journal Of*

*Constructivist Psychology* 25, no. 4 (October 2012): 275-301. Academic Search

Complete.

Hetzel, M.A. "The Role and Limitations of Transitional Justice in Addressing the

Dilemma of Child Soldier Accountability: The Cases of Sierra Leone and

Uganda." University of Cape Town (2010).

Honwana ,Alcinda. *Child Soldiers in Africa*. Philadelphia: University of Pennsylvania

Press, 2006.

Jappah, Jlateh Vincent, and Danielle Taana Smith. "Transitional Justice: Prioritizing

Truth Commissions or International Tribunals to Ensure Healing and

Reconciliation." *Journal Of International & Global Studies* 5, no. 1 (November

2013): 1-15. *Academic Search Complete*.

Karanja, S.A., "Child Soldiers in Peace Agreements: The Peace and Justice Dilemma!"

(2008) 8, *University of Oslo, Norwegian Centre for Human Rights, Issue 3, 7*.

- Kaplan, S. n.d. "Child Survivors of the 1994 Rwandan Genocide and Trauma-Related Affect." *Journal Of Social Issues* 69, no. 1: 92-110. *Social Sciences Citation Index*.
- Ladisch, Virginie. "Children and Youth Participation in Transitional Justice Processes." *The Journal of the History of Childhood and Youth* 6, no. 3 (2013): 503-513. <http://muse.jhu.edu/>
- Lindemann, Stefan. "Just another change of guard? Broad-based politics and civil war in Museveni's Uganda." *African Affairs* 110, no. 440 (July 2011): 387-416. *Academic Search Complete*.
- Lome Peace Agreement, July 7<sup>th</sup>, 1999, Lome, Togo
- Luhe, Ulrike, "Children, Youth and Transitional Justice in Northern Uganda: Towards a Comprehensive Transitional Justice Framework for Young Ex-Combatants." 2013, p. 26. *University of Cape Town*.
- Mower, Alfred Glenn. *The Convention on the Rights of the Child: International Law Support for Children*. Greenwood Publishing Group, 1997.
- Mphepo, Tiyanjana. "The Residual Special Court for Sierra Leone. Rationale and Challenges." *International Criminal Law Review* 14, no. 1 (January 2014): 177-199. *Academic Search Complete*.
- Nilsson, Ann-Charllote. *Children and Youth in Armed Conflict*. Martinus Nijhoff Publishers, 2013.
- Oluwo, Dejo. "Protecting Children's Rights in Africa: A Critic of the African Charter on The rights and Welfare of the Child." *The International Journal of Children's Rights* 10, (2002): 127-136

- Park, Augustine S. J. "Community-based restorative transitional justice in Sierra Leone." *Contemporary Justice Review* 13, no. 1 (March 2010): 95-119. *Academic Search Complete*.
- "PEOPLE AND HISTORY." *Background Notes On Countries Of The World: Uganda* (April 2008): 2-4. *Business Source Premier*.
- Peters, Lilian. "Child Soldiers – Recruitment, Demobilization, Rehabilitation, Reintegration." *Developing Strategies To Deal With Trauma In Children* 1, no. 1 (September 2005): 40-52. *Academic Search Complete*.
- "Political Conditions." *Sierra Leone Country Review* (July 2013): 8-24. *Business Source Premier*.
- Quinn Joanna. "Social Reconstruction in Uganda: The Role of Customary Mechanisms in Transitional Justice." *Human Rights Review* 8, no. 4 (September 2007): 389-407.
- Resolution 1882, adopted by the United Nations Security Council at its 6176<sup>th</sup> meeting, On August 4, 2009.
- Rose Cecily. "Looking Beyond Amnesty and Traditional Justice and Reconciliation Mechanisms in Norther Uganda: A Proposal for Truth Telling and Reparations." *Boston College Third World Law Journal* 28, no.2 (2008)
- Sharp, Dustin N. "ADDRESSING DILEMMAS OF THE GLOBAL AND THE LOCAL IN TRANSITIONAL JUSTICE." *Emory International Law Review* 29, no. 1 (September 2014): 71-117. *Academic Search Complete*.
- Shepler, Susan. "The Rites of the Child: Global Discourses of Youth and Reintegrating Child Soldiers in Sierra Leone." *Journal of Human Rights* 4, no. 2 (2005)



- Sirleaf, Matiangai V.S. "Beyond Truth and Punishment in Transitional Justice." *Virginia Journal Of International Law* 54, (April 1, 2014): 223.*LexisNexis Academic: Law Reviews*.
- Sirleaf, Matiangai. 2009. "Regional Approach To Transitional Justice? Examining The Special Court For Sierra Leone And The Truth & Reconciliation Commission For Liberia." *Florida Journal Of International Law* 21, no. 2 (August 1009): 209-284. *Academic Search Complete*.
- Sirleaf, Matiangai V. S. "THE TRUTH ABOUT TRUTH COMMISSIONS: Why They Do Not Function Optimally In Post-Conflict Societies." *Cardozo Law Review* 35, no. 6 (August 2014): 2263- 2347. *Academic Search Complete*.
- "Sierra Leone 2014 Country Review." *Sierra Leone Country Review* (July 2014): 1-249. *Business Source Premier*.
- Sriram, Chandra Lekha. *Peace versus Justice?: The Dilemma of Transitional Justice in Africa*. Oxford: James Currey, 2010.
- Ullman, Richard H. "Human Rights and Economic Power: The United States versus Idi Amin." *Foreign Affairs*, 1978., 529, *JSTOR Journals*, EBSCOhost (accessed April 23, 2015).
- Vindevogel, Sofie, et al. "War-related experiences of former child soldiers in northern Uganda: comparison with non-recruited youths." *Paediatrics & International Child Health* 33, no. 4 (November 2013): 281-291. *Academic Search Complete*.
- Vandenhoe Wouter; Desmet, Ellen ; Reynaert, Didier & Lembrechts, Sara. *Routledge International Handbook of Children's Rights Studies*. Routhledge, 2015.
- Wessells Michael. "Psychosocial Issues in Reintegrating Child Soldiers." *Cornell*

*International Law Journal* 32, no. 3 (1999)

Williamson, John. "The disarmament, demobilization and reintegration of child soldiers: Social and Psychosocial transformation in Sierra Leone." *Journal of Mental Health and Psychosocial Support in Conflict Affected Areas* 4, no. 3 (November 2006): 185-205.

Yarbrough, Stella. "Amnesty or Accountability: The Fate of High-Ranking Child Soldiers in Uganda's Lord's Resistance Army." *Vanderbilt Journal Of Transnational Law* 47, no. 2 (March 2014): 531-568. *Academic Search Complete*.

Geneva Convention: Additional Protocol II relation to the protection of victims of Non-International Armed Conflicts, June 8, 1977.

2011. "History." *Uganda Country Review* 6-8. *Business Source Premier*.