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CHILD SOLDIERS IN CAMBODIA

1. Introduction

It has been commonplace in recent years in areas of conflict and particularly in developing countries to find widespread use of children as soldiers, in government and rebel armies, and Cambodia has been no exception. There has been evidence of child soldiers in Cambodia over a considerable period of time, from the Lon Nol regime, especially under the Khmer Rouge regime, and up to the present day. This report is not intended to be comprehensive, but it will give an account of information uncovered by LICADHO concerning this issue over the last three years.

Despite the knowledge that recruitment of children as soldiers and cadres was very common in the Khmer Rouge period, and the suspicion that this has continued, clear evidence of child soldiers in Cambodia today is difficult to find. This briefing relies on information from NGOs and the UN Human Rights Centre, and in the absence of adequate statistical information, it concentrates on case studies.

2. Legal definitions

The UN Convention on the Rights of the Child defines child soldiers as one of the groups of children in need of special protection, and countries which are signatories to the Convention are required to provide information concerning cases of children recruited into the military.

Article 32, 2-3 of the UN Convention states that:

'States parties shall take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities'

'States parties shall refrain from recruiting any person who has not attained the age of 15 years into their armed forces. In recruiting among those who have attained the age of 15 years but who have not attained the age of 18 years, States Parties shall endeavor to give priority to those who are oldest.'

Thus the Convention concentrates protection on those who are under 15. There is a strong case for saying that this definition is too narrow, and that young people should not be recruited into the armed forces below the age of 18 years. Indeed there are moves currently to amend article 32,2 by raising the age to 18, and it is to be hoped that the monitoring aspects of the Convention will be expanded to include child soldiers up to the age of 18.

In terms of Cambodian law, the SOC law which still governs recruitment into the Cambodian armed forces stipulates the minimum age for military service as 18 :

'Male citizens aged 18 to 30, without regard to faith, religion, ethnicity and social class, must serve in the armed forces as determined by this law.'

Therefore for the purposes of this briefing mention is included of cases of children involved in paramilitary activities such as transporting ammunition and supplies, acting as guards at checkpoints, serving in village militias and acting as spies.

3. EVIDENCE CONCERNING CHILD SOLDIERS

i. Khmer Rouge

The information set out below was gained in 1995 from visits by LICADHO staff to the Dey Ath defectors' Centre in Phnom Penh, set up by the government for rehabilitation of rehabilitation of Khmer Rouge defectors. It is based on interviews with inmates.

Evidence given by the defectors showed that cases of children being recruited as soldiers is particularly prevalent among the Khmer Rouge, who continued over a long period to recruit children under 15 with little or no education, especially from the hill-tribe areas of North-West Cambodia. The children are ostensibly recruited for 3 months, then kept under duress for a year or more. According to sources, it is likely that some of these child soldiers are still operating with the remnants of the KR forces around Anlong Veng.

Up to March 1995 the defector's centre had taken in 66 young defectors aged 16-20, all of whom had been with the K.R. forces for at least two years. Some were orphans who had spent a number of years un training with the K.R. There is one particularly stark case of a 17 years old woman from Pailin who was orphaned at 2 and taken by the K.R. to Rattanakiri in 1979. The K.R. looked after her and gave her military training from the age of 5, continually moving from province to province.

According to this young woman, she was one of a group of 300-500 girls under 15 who were kept together and given military training. At 14 they were given guns and uniforms, and became active soldiers. The girl soldiers were stationed at the front in all military actions, and so bore the brunt of any casualties. Even if sick, they were not permitted to get medical treatment. If they disobeyed, they would be punished or killed. She herself escaped with 6 other girls, but they were shot at by the K.R. and she was the only one to succeed in escaping.

Newspaper reports concerning Khmer Rouge defectors have also pointed out cases of child soldiers. Chhouk Ra, the son of Colonel Chhouk Rin, who defected from Phnom Vour in November 1994, told journalists he had been a soldier since he was 15, and had participated in raids and shot and killed opposing troops (Phnom Penh Post,

January 13-26, 1995). Although he claimed to be 18, journalists commented that he appeared much younger.

There is some concern over rehabilitation of these former child soldiers. Most expressed a desire to get an education, but the government has few resources for resettling and retraining defectors. Those who wish to continue in the armed forces are quite well catered for, being able to retain their former rank and serve in the government army. But there are few resources to assist those who wish to become civilians, and no specific provision at present to cater for social and psychological welfare of child soldiers. Up to date (August 1997) no further research has been done concerning the rehabilitation and employment of Khmer Rouge defectors, so it not possible to comment on the current situation of former Khmer Rouge child soldiers.

ii. Government army

There is little information available on recruitment of children into government forces. As shown above, the official position according to current law is that no persons below the age of 18 are recruited, and senior officers insist that this is the case. However unit commanders in the provinces admit to helping young boys join the army, usually by falsifying the boys' age, and both NGOs and the UN Human Rights Centre have come across numerous cases. In the absence of any overall statistics, case examples are outlined below.

In May 1994 LICADHO staff in Battambang province found evidence of Cambodian government forces having recruited boys aged 13 to 15 by night from villages in the areas of Banon and Ke Phnom, close to Pailin. Many young boys were forced to carry weapons to the front, according to eye witness accounts. Some were made to take part in the fighting, and there were cases of young boys (aged 13-15) being killed or wounded. Families who had sufficient money were able to pay army commanders to get their children released, but this was not possible for poor families. Subsequently there has been some evidence from Battambang and other North-Western provinces that children are still involved in carrying weapons and equipment, but do it voluntarily for payment.

Furthermore there have been numerous cases of corruption by army commanders who regularly claim supplies and finances for more soldiers than they have under their command. When checks are made, these commanders make up the numbers by recruiting school children temporarily for one or two days. This is particularly common in the North-Western provinces, where schools are often closed due to military conflict. For example LICADHO provincial staff reported in January 1995 that schools were closed due to fighting in Sdau, Treng and Bovul communea, Banon district, and other areas around Pailin, and there had been complaints that some children were conscripted.

There is also a problem of confirmation of age and unreliability of official documents regarding age of recruits. Thus even when the official documents state that a person is over 18, they may be younger. There is still no effective system of birth registration in Cambodia, and many births go unregistered, especially in remote areas. Therefore it is quite easy to falsify the documentation in order to join the armed forces.

The UN Human Rights Centre has also found evidence of child soldiers in the government army. For example, in Kratie province, two government soldiers, Mul Chanvibol and Chan Reksmui, were put on trial for murder in July 1994, accused of the killing of two civilians in a shooting incident. The army handed them over to Kratie police, and they were subsequently found to be aged 15 and 17. After being held for two months in the police station and shackled, they were transferred to T5 prison in Kg. Cham and kept with adult prisoners.

In another case, the Cambodia Daily reported in November 1995 that one of the two soldiers due to represent Cambodia in an international boxing competition was aged 17.

A child labour study carried out by Asian American Free Labor Institute (AAFLI) and LICADHO in 1996 found cases of child soldiers in Siem Reap and Kompong Speu. The report quotes the following account of a 15 year old soldier in Siem Reap who is an orphan and stays in Siem Reap with his 'stepfather' who is a soldier:

"...He has been a soldier for 3 years. He is paid R40,000 per month (c. \$14). He stopped going to school and doesn't want to go to school again because he says he won't have enough money to support himself if he doesn't work. He was sent to work on the battlefield but has never been injured." ('Child Labor in Cambodia', AAFLI / LICADHO, Sept. 1996)

In 1996 a local NGO in Battambang, Operation Enfants Battambang, claimed to have found many cases of child soldiers in the Battambang area, but no clear statistics have yet been compiled. More recently during 1997, there have been frequent reports of child soldiers especially in Siem Reap, Battambang Oddar Meanchey and Bantey Meanchey provinces, in areas where conflict still continues. LICADHO and United Nation Centre for Human Rights staff in these regions have reported incidental sightings of very young soldier along the roads to the frontline. Ty Hum of United Nations Centre for Human Rights reported in August 1997 that he had observed two truck loads of every young boy soldiers travelling on the road north from Battambang towards the frontline.

An Australian defense attach, Col. David Mead, reported in July 1997 that he had carried out some interviews with boy soldiers from the CPP forces in Northern Cambodia, following the factional fighting between CPP and FUNCINPEC forces. According to a report in Cambodia Daily, 21st July 1997, Col. Mead interviewed 17 young CPP soldiers at Siem Reap military hospital, and said that the number of boy soldier was alarming and unacceptable. These boys had been wounded fighting in the front line of the battlefield. According to Col. Mead, one 15 years old was unaware who or why he was fighting, but said his boss told him to fight. Col. Mead only visited CPP units, but stated that FUNCINPEC units also contained child soldiers. He subsequently met with the deputy chief of RCAF general staff and received an assurance that soldiers under 18 would be removed. However there is to date little evidence that any action has been taken, although the government authorities admit that there are underage soldiers in units in the northern provinces.

Journalists travelling up to cover the CPP/FUNCINPEC conflict around Samroang in July/August 1997 also reported many sightings of young boy soldiers in uniform carrying guns and military equipment. These sightings are confirmed by NGO staff working in the northern provinces, but clear statistical evidence is lacking.

Case example: "Hel"

In August 1997 LICADHO's mobile team interviewed a young boy of 13, "Hel", who was in the military hospital in Siem Reap with malaria. The boy had been on active service with a CPP military unit, and said that he had been in the army for 3 years. Hel's unit commander Men Songkriem, who was also in the hospital with a leg wound, informed that Hel had joined the army to earn money for his family, who are very poor and who live in a remote village between Siem Reap and Kompong Thom. His mother is a lone parent with four other children and no source of income except the R30,000 which Hel sends her from his wages of R40,000.

Hel carries a rifle which is sawn off at butt to make it easier for him to carry, and said that he had fired it in battle during the recent conflict. The unit commander said that he pitied Hel and agreed that such young boys should not be in the army, but he knew Hel's family were very poor and wanted to help them. According to the commander there are four or five other boys under 18 in the unit, and similar numbers in other units. He agreed that Hel could leave the army if NGOs were able to assist him. Hel expressed a wish to leave the army and go to school or to a children's centre, but he worries about how his family would manager if he is no longer earning money for them.

LICADHO's mobile team, which travels to 12 provinces, witnessed several other examples of child soldiers in Siem Reap and Banteay Meanchey provinces during July and August 1997. Maj. Simon Hermes, an assistant defense attach with the Australian Embassy, informed LICADHO in August 1997 that there had been many recent sightings of young boys in Division 7 of the RCAF around Samroang and other conflict areas in the northern provinces. However it was not possible to quantify the numbers as no statistics had been compiled.

During August 1997 LICADHO Children's Department staff also visited the military hospital in Phnom Penh after reports that there were a large number of child soldiers there. They found that the hospital was overcrowded with soldiers wounded in the recent conflict, but most appeared to be over 18. There were a large number of children at the hospital but they were young children from the families of the soldiers. However some of the wounded soldiers interviewed appeared to be under 18, or at least by their own admission were under 18 at the time of joining the military. For example:

- One boy from Stung Treng claimed to be 19 but looked several years younger. He said he had been in the army two years, and was wounded in fighting in Siem Reap province. He had joined up because his family were poor and he had no other work. He had a serious leg wound and was likely to be hospitalized for some time.

- One boy from Kratie, claiming to be 18 but appearing younger, said he had been in the military for 2 years, having joined voluntarily due to poverty. He was the fifth of eight children and his parents were very poor. He had been in the hospital for some months, having had his hand and lower arm amputated after being wounded in battle.

Therefore while it was clear that early reports of substantial numbers of child soldiers in the hospital were exaggerated, there was some evidence to be found. Senior officials at the hospital denied that there were any soldiers there under 18, but admitted that there were child soldiers in the northern provinces around Siem Reap, and that some young boys wounded in the fighting could be seen in the military hospitals in these provinces. Such cases would not be brought to the Phnom Penh hospital unless their wounds were particularly serious, or complicated operations or amputations were necessary.

The general attitude of the senior officers was sympathetic towards the boy soldiers. Those interviewed by LICADHO in Siem Reap tended to agree that boys should not be in active military service and said they would be prepared to co-operate with any plans to assist boys to leave the army. However they felt that recruiting young boys was permissible and indeed inevitable due to the poverty of rural families and the need for the boys to gain an income. Other ordinary soldiers appeared to have a laissez-faire attitude towards the boys, treating them as a joke rather than as serious soldiers and tending to use them as lackeys to help with the cooking or fetching and carrying.

The general impression to be gained is that while there had been some evidence from time to time of forced conscription, most of the boy soldiers at least on the government side were volunteers. Usually these were orphans or boys from poor families who joined the army for economic reasons because of poverty and the lack of other work opportunities, or in some cases sons of soldiers on active service who followed their fathers.

4. PARA-MILITARY ACTIVITIES

In addition to child soldiers on active service, there is evidence of children in Cambodia becoming embroiled in other para-military activities related to the ongoing civil war. Eye-witnesses have recounted many instances of children being made to carry ammunition, mines and other supplies in various provinces where there has been conflict between government and rebel forces. Such incidents appear to be a regular occurrence in conflict areas, and in many cases it seems that children are compelled or intimidated into performing these functions.

Moreover there are reports of children in conflict zones becoming caught up in even more dangerous military activities. A particularly stark example of this is the discovery by researchers from LICADHO and the Asian American Free Labour Institute (AAFLI), during their child labour study, that in Kompong Speu province where there is conflict between Khmer Rouge and RCAF troops, children were working as spies for the armed forces, and laying mines (of 'Child Labor in Cambodia':

LICADHO / AAFLI, Sept. 1996). Child spies appear to have been used by both armies, because children can pass through the lines almost unnoticed and carry information about troop movements etc. The LICADHO mobile team also reported cases in Kompong Speu of young boys in military uniform running a checkpoint on the bridge going into the town. Such checkpoints are mostly unofficial and are usually a means for soldiers or other armed persons to extort money from passing vehicles.

The LICADHO mobile team, which makes regular visits to carry out casework across 16 provinces of Cambodia, reports that in addition to recruitment into the regular army, many villages in the northern provinces recruit for their own militias which report to the village chief. These militias commonly include young boys, some reportedly as young as 10 years old, who carry weapons and fulfill guard duties etc in return for payment in cash or kind by the chief. This may well be a route by which youths come to join the regular army.

Thus even if the evidence concerning children's formal recruitment into the armed forces is not yet clear, many children are clearly involved in related activities which may be just as dangerous to their survival, health and welfare.

5. CONCLUSION

Cambodia has suffered from military conflict within part or all of the country for over 30 years, and children in the rural areas around the conflict zones are particularly vulnerable to the effects of this conflict, including active involvement in the fighting through military service or related activities. Disruptions to schooling, rural poverty, destruction of crops and property, a high incidence of families headed by a woman alone, and the general lack of economic opportunities outside subsistence agriculture are all factors which cause young boys to decide to join the army, which is usually keen to take on recruits. Apart from the evidence from Khmer Rouge defectors outlined above, there is no other evidence of girls on active service in the military, but it is clear that they have been involved in carrying ammunition and other similar work. It is difficult to establish accurately the extent of recruitment of children into the armed forces in Cambodia, but the research, personal accounts and anecdotal evidence from NGO staff and other informants outlined above indicate that it is very widespread. However the evidence gathered thus far points to the conclusion that most of the recruitment is voluntary rather than forced.

No attempt has yet been made in Cambodia to quantify the effect of involvement in military conflict on the children concerned, but it seems likely that some psychological as well as physical damage may result, particularly for those actively involved in battle. The battlefield must be a very frightening place for children, and some of those interviewed said they suffered often from nightmares. Rigid discipline, separation from family and the lack of possibilities for normal socialization are also likely to have a considerable effect on psychological and emotional development. Furthermore many child soldiers end up in hospital with wounds or sicknesses such as malaria, and some are left with permanent disabilities through the loss of a leg, arm or eye. On the other hand military service precludes any possibility of gaining an education, and children

without schooling whose only experience is in the military will have the utmost difficulty in gaining any other employment when they leave the army.

The Cambodian government is yet to take any measures to reduce numbers of children under 18 serving in the RCAF. Indeed there appears to be little awareness of the problem among the higher echelons of the government, and those that are aware of the existence of child soldiers seem to be showing no urgency to tackle the problem.

6. INITIAL RECOMMENDATIONS

1. Further research

There is a need for more research to be carried out to gain an overall view of the number of child soldiers which has a proper statistical basis, rather than reliance on individual examples. This could be carried out by NGOs or by military advisers to the Cambodian government, with the co-operation of the Ministry of Defense.

2. Government action to review the army recruitment policy and practice

The Ministry of Defense should review recruitment into the military to ensure that Cambodian law concerning age of recruits is strictly adhered to, and should issue a moratorium on recruitment of children under 18.

3. Action on demobilization of existing child soldiers

The Cambodian government should give consideration to instituting a plan for demobilization ideally of all soldiers aged under 18 years. This could be done in co-operation with NGOs, which could offer accommodation and support to those without families, vocational training, or assistance to poor families in order to allow the children to return home.

4. Special assistance for wounded and amputee child soldiers

The Ministry of Defense, Ministry of Health and Ministry of Social Action, Labour and Veterans Affairs should co-ordinate an inquiry into the numbers of wounded and amputee soldiers under 18 years of age, and co-operate with NGOs to provide medical care and other assistance for rehabilitation and recovery.
