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Citation

Regilme, S. S., & Spoldi, E. (2024). Children's rights in Somalia: dignity under siege in armed conflict. In *Children's rights in crisis* (pp. 135-170). Manchester: Manchester University Press.
doi:10.7765/9781526170149.00014

Version: Publisher's Version

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Downloaded from: <https://hdl.handle.net/1887/4198364>

Note: To cite this publication please use the final published version (if applicable).

Children's rights in Somalia: dignity under siege in armed conflict

Salvador Santino F. Regilme and Elisabetta Spoldi

Introduction¹

In its 2021 report, Save the Children—the global civil society organization dedicated to children's rights and welfare—succinctly but insightfully describes the current state of the welfare of minors amidst multiple transnational crises: “as a result of climate change, conflict and COVID, a global hunger and food insecurity crisis is ravaging more than 40 countries, and nearly 200 million children are living in lethal war zones, experiencing life-changing consequences” (Save the Children 2021, 1). Remarkably, the groundbreaking report to the United Nations (UN) General Assembly contended that the presence of children in a conflict zone constitutes a violation of “every right of a child—the right to life, the right to be with family and community, the right to health, the right to the development of personality and the right to be nurtured and protected” (Machel 1996). The recruitment of children in wars is not historically new, considering that children have been deployed during the Second World War, the American Revolution, and the Civil War in Sierra Leone in the 1990s (Rosen 2015). These children have been recruited by government forces, armed rebel groups, and even paramilitary groups. There is a wide variation in their involvement in wars, as some of them are primarily engaged in the frontlines of armed conflict, such as in suicide missions, while some of them function as spies or messengers or are forced into sexual slavery. To recruit children, armed groups often abduct them, while other children join armed rebellion out of desperation, based on the belief that such groups offer their best chance for existential survival. The phenomenon of children associated with armed forces or groups (CAAFG) is not new, as it has evolved along with the changing characteristics of war.

Technological innovations generated weapons that are smaller, lighter, and easier to use (Kaplan 2005). This has allowed for the deployment of child soldiers with minimal training. The recent rise in child recruitment has fueled increased international attention to the issue. Figure 6.1 illustrates

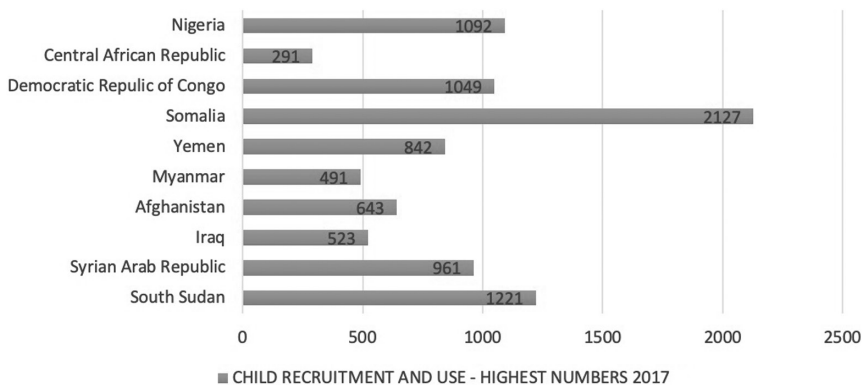


Figure 6.1 Child recruitment and use—highest numbers 2017 (UN General Assembly Security Council 2018)

that Somalia, South Sudan, and Nigeria had the highest number of reported child soldiers (UN General Assembly Security Council 2018). Child recruitment, however, is not limited to national borders, with both state and non-state actors coercing minors in armed conflict. For example, transnational armed rebel groups such as the Islamic State have been known to recruit children from the global North, as shown by the case of Shamima Begum from the United Kingdom (Masters and Regilme 2020). The deployment of children in armed conflict constitutes a grave violation of the right to life and well-being.

The CRC is supplemented by two additional protocol documents: The Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography (OPSC); and the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (OPAC). The latter protocol addresses the issue of child soldiers, designating the minimum recruitment age at eighteen and mandating states to prevent and end the use of children in armed conflict (UN General Assembly 2000). Despite being widely recognized as a significant landmark in global child protection laws, progress within many countries has been limited, with confirmed cases of child soldiers decreasing only modestly in recent years (UN Human Rights Council 2019).

Over time, many states have committed to various international legal tools to prohibit and prevent child recruitment, included in both international humanitarian law, such as the Geneva Conventions and their Additional Protocols, and international human rights law, such as the CRC and the OPAC. In recent years, several UN resolutions and international treaties emerged in a bid to advocate for the dignity of children.² The

substantial majority of the world's national governments signed and ratified these treaties. While the CRC has been ratified by all UN members except for the United States (US), 170 countries have ratified the OPAC, and 196 countries have ratified the Geneva Conventions and its three protocols by 174, 169, and 77 respectively. Yet the CRC has its own limitations, considering that it has yet to become a solid, highly effective legal instrument (Vandenhoe 2015).

Nevertheless, a number of these same states that formally agreed to comply with the set of rules outlined in the treaties clearly deviate from them, thus not only violating the international norms but also committing grave violations of human rights. The practice of recruiting children is unfortunately widespread in many African countries, where heads of state are not always compliant with their ratifications and, especially in countries afflicted by war, children's rights are often neglected. Achvarina and Reich (2006) argue that, since 1975, Africa has witnessed the largest number of conflicts, the increase of non-state armed groups, and consequently, the most rapid intensification in the recruitment and use of children, thus becoming the world's hub of child soldiering. In 2017, Somalia recorded one of the largest number of children killed at war (931), and the highest number of recruited and used children in conflict (2127) (UN General Assembly 2018). Once more, in 2019, the UN Human Rights Council reported Somalia as the state with the highest number of verified cases³ of child recruitment (UN Human Rights Council 2019).

Somalis have experienced armed conflict in their land for decades. They endured a war with neighboring countries like Ethiopia, a civil war that ended in 1991 with the ousting of the then-dictator Siad Barre from power, and a famine that caused deaths and widespread diseases (Lee Hogg 2008). In 2007, a new extremist Islamist organization, al-Shabaab—"youth" in Arabic—emerged from the ashes of the "Islamic Courts Union" and opposed the government, prompting another conflict, first against the Transitional Federal Government (TFG) and then from 2012 onward, against the new Federal Government of Somalia (FGS) and its Somali National Army (SNA).⁴ The war has also been fought by numerous Somali clans and smaller militias associated with either one of the factions and by external actors, such as the regional peacekeeping mission under the name of the African Union Mission in Somalia (AMISOM) (BBC 2018). In this constant climate of insecurity, whilst al-Shabaab continues to be the biggest recruiting group for deploying children in war, all the parties engaged in the conflict have actively recruited children in armed services (Human Rights Watch 2018). As such, the widespread deployment of children in armed conflict constitutes a grave human rights crisis, which pushes the Somalian state to comply with the relevant

international and regional human rights treaties and conventions that the country signed and ratified over the years.⁵

The core question of this chapter is the following: Despite the relatively consolidated body of public international law on children's rights and armed conflict, why do armed rebel groups and state forces deploy children in armed conflict, particularly in Somalia? Our core argument states that, among the various key factors that supposedly explain the causes of CAAFG in Somalia, only two are found to be demonstrably applicable for both the extremist organization al-Shabaab and the Somali government and their allied forces. First, children may voluntarily join the army or be recruited by the commanders because they lack alternatives for livelihood outside of the armed groups, which generates a temporal yet false sense of material security and group affinity. Second, Somali children were born in an environment of existential violence and material insecurity that normalized and routinized violence. That consequently reduced or removed their sense of morality, thereby causing them to view enlistment in armed conflict as morally permissible and necessary for existential survival. Both factors illustrate why recruiting children remains a common practice in the Somali conflict. We define recruited children⁶ based on the 2007 Paris Principles:

any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities. (UNICEF 2007)

The recruitment of children is an extremely serious crime that still involves approximately two to five hundred thousand⁷ children as victims worldwide (Benrey 2016). Singer (2010) estimates that children are part of 40 percent of the world armed forces, including state armies, insurgent groups, and non-state armed rebel organizations, and they fight in 75 percent of the conflicts taking place globally. By participating in armed conflict, children are subjected to potential mental and physical injuries, and in many cases, death. Interviews with former CAAFG, who escaped or were liberated by the armies, reveal that participation in armed conflicts and witnessing killings, rapes, beheadings of civilians, bombings, and other forms of blatant violence constitute traumatizing experiences, thereby leaving physical and mental scars long after these children have terminated their participation (Schauer and Elbert 2010).

Despite the large body of reports and articles produced by the UN and the transnational human rights organizations, child recruitment remains on the sidelines of the international community's political and security agendas, which have primarily focused on matters of national security, nuclear

weapons, and non-state terrorism (Achvarina and Reich 2006). Research on CAAFG has been conducted mainly by civil-society organizations or think tanks (Haer 2019; Tynes and Early 2015). However, in Somalia where, as in many other cases, the issue of child recruitment has been reported for decades, most studies available have been conducted by non-governmental organizations (Achvarina and Reich 2006). In addition, these reports and investigations always distinguish between the actions of al-Shabaab and the government. In contrast, we will first explain the factors of child recruitment for the two main sides involved in armed conflict, and then analytically describe the two elements common to both to understand the fundamental reasons for the widespread phenomenon in the country. The deployment of recruited children in armed conflict constitutes a global human rights crisis, on which global as well as regional human rights institutions and states have yet to focus. Indeed, the mobilization of children in armed conflict could generate a generation of society beset in violence, insecurity, and political instability (Achvarina and Reich 2006).

The next section reviews the relevant literature on CAAFG. The theory section discusses in more detail our theoretical arguments on child recruitment as well as the analytic approach, data sources, and methods used in our analysis. Next, the chapter will be divided into two substantive sections of our empirical analysis on the causes of the participation of children in armed conflicts in Somalia. The first will review the different rationales for each side to the conflict to explain their use and recruitment of recruited children. Subsequently, the second chapter will explore the findings of the research, namely the two common factors pushing children to “voluntarily” join either al-Shabaab or the government’s forces and allies. The first factor being that in the context of war, when children may have lost caregivers, they do not have external support and may see the army as a “safe” harbor to acquire food, shelter, and a minimum salary to help their families. The second factor is that Somali children have only ever experienced conflict in their country and have “normalized” violence, which brings about the idea that fighting is the only way to put an end to the war. The final section will present the conclusions of the article, where the findings will also be considered in the broader discussion of the international discourse of child recruitment and conflict studies.

State of knowledge: recruited children

Child recruitment in armed forces is prohibited under different domestic, regional, and international treaties and conventions, and the recruitment of children in armed conflict constitutes a grave violation of human rights. Since the end of the Cold War, human rights have obtained increased international

attention, but universal compliance remains a key challenge for all states (Regilme 2022a). In recent years, human rights have been codified and institutionalized in domestic and international legal structures, and the number of related covenants and treaties has risen exponentially. Certain countries, however, have witnessed a deterioration of human rights standards (Regilme 2019). On the one hand, some scholars claim that domestic elements need to be closely observed to better understand the conditions under which governments comply with human rights norms (Hafner-Burton 2013; Regilme 2020a). Simmons (2009) theorizes that the most powerful mechanisms able to influence a state's decision to comply with human rights treaties are litigations, new agendas, and social mobilization. The author found that states were more likely to fulfil international norms, particularly concerning civil and political rights, when their populations had both reasons and means to succeed in fighting for their rights (Simmons 2009). On the other hand, others assert that, when analyzing human rights violations, it is necessary to consider the interdependence between domestic, regional, and transnational factors, which can be considered predominant causes for national political change (Regilme 2014, 2021). The hypothesis maintains that the analysis of human rights abuses cannot be entirely grounded in domestic politics. Instead, transnational and regional factors are important key elements that enable the academic as well as the international policy debates to discuss the role played by foreign aid, economic trade, and political interventions in human rights abuses, especially in weak and small states (Regilme 2014, 2021).

Multiple factors could explain the problem of CAAFG. These elements are conceptually distinct from each other, yet they can coexist in situations of conflict, and they usually overlap and mutually reinforce one another—thereby making the recruitment and use of children a persisting and evolving issue. These factors can be categorized into four clusters of literature: domestic factors, material factors, ideational factors, and inherent characteristics of children. In addition to these four categories, it is important to touch upon the academic debate on the international elements that affect the phenomenon. Notwithstanding the widespread adoption by states of relevant international treaties, it remains difficult to effectively implement such commitments in ways that could minimize the proliferation of recruited children (Francis 2007).

Domestic factors

Domestic factors pertain to those variables within a country where child recruitment occurs. Many states in which this happens are considered in the literature as “fragile” or “failed states,” wherein violence, civil war, and

corrupt governments lead to weak institutions, the collapse of most infrastructures, negative economic growth rates, and the considerable lowering of the population's living conditions (Barma 2013). In conflict-ridden areas, children may join an armed group to seek food, a certain level of security that cannot be provided outside, money or material benefits, medical care, and more generally, a means to survive. In this context, children often lack a stable education and viable alternatives and see the militias as the only way to provide for themselves and their families (Wessells 2006). In a report on child combatants in Colombia, Brett found that most of the volunteer recruits joined the guerrillas to escape domestic violence, poverty, and/or lack of education, thinking that an armed group could improve their status (Brett 2003). When war is fought among civilians, children may witness their loved ones' deaths and suffering—another push factor to join the forces and fight the attackers (Beber and Blattman 2013). In literature, however, this factor has been debated among scholars. Achvarina and Reich (2006) argue that it is an oversimplified motive since in some war zones children are not in any case willing to join an armed organization, even when their living conditions could drive them to do so.

Material causes include those elements that generate financial advantages to the rebel army that recruits children, or that are push factors facilitating the use of minors in militias. For armed rebel groups, children are convenient, cheap, and expendable tools. Accordingly, children are viewed as having fewer material demands, as they are not paid as adults, do not need to be well-clothed or well-sheltered, and can be easily replaced (Dallaire and Humphreys 2011). Moreover, in the Global South, child recruitment in wars is also sustained by a demographic element, whereby the majority of the populations of these countries are children (Vautravers 2009). In this scenario, adolescent minors are at risk as militias often recruit them due to their physical resemblance to adults, which can, therefore, deceive monitoring mechanisms (Wessells 2006).

Another notable material factor refers to children's adaptability to succumb to authority. In fact, children are frequently used for non-combatant roles such as guards, cooks, spies, carriers, sex slaves, etc. (Kononenko 2016). As described by Becker (2010), Maoist forces in Nepal abducted a vast number of children and principally used them as porters, spies, and guards, and to help the militias with political mobilization during the civil war. Adult rebel leaders forcibly command girl soldiers to perform a range of duties, while such adult rebels objectify and exploit those girls for sexual pleasure (Masters and Regilme 2020). In Liberia and Uganda, boys were mainly deployed to the battlefield, while girls were coerced to carry out sexual services (Thompson 2001). In Sierra Leone, the commanders would raise their status by marrying the highest number of child brides (Mazurana and McKay 2001).

Some technological advancements in military weapons contributed to the widespread use of children in conflicts. Rosen links the phenomenon of child recruitment to the trade of small, lightweight arms. Children can carry, deconstruct, and assemble these weapons easily with their smaller hands, thereby making those weapons easy to use during combat (Rosen 2005). The 2000 Bamako Declaration on an African Common Position on Small and Light Arms Proliferation asserted that

we express our grave concern that the problem of the illicit proliferation, circulation and trafficking of small arms and light weapons continues to have devastating [...] consequences on children, a number of whom are victims of armed conflict, while others are forced to become child soldiers. (Organization of African Unity 2000)

Children have not yet completely built their own identities and are still searching for a set of beliefs to adhere to and a community in which to belong. In contexts of conflict, it is easier for commanders and armed groups to indoctrinate boys and girls and push worldviews that frame war as a necessary mode for their individual and collective survival. In Asian conflicts, indoctrination played an incisive role in the recruitment of children in armies due to the explicit political agenda of many militias (Becker 2010). Particularly, in Sri Lanka, the rebel forces opposed to the government carried out methodical propaganda campaigns in schools to indoctrinate and recruit children. The programs consisted of parades and special events for children exhibiting war equipment, describing the abuse and suffering that minors were forced to live through, and showing speeches or movies about their fight for independence portraying them as heroes (Becker 2010). At this age, children lack a sense of prudence and cannot often compellingly distinguish right from wrong, and once they have been coerced and persuaded of the belligerents' motives, the mere fact of pertaining to the armed organizations acquires meaning and purpose (Wessells 2006).

The last category of causal factors includes supposedly intrinsic features often attributed to children. Children are widely considered to be easily controlled, exploitable, and more responsive to threats and physical violence than adults, thereby making them pliable to orders. Furley's (1995) research in Mozambique revealed that the Mozambique National Resistance preferred children because commanders could intimidate them enough to avoid escape attempts, which in contrast, often occurred with adults. Furthermore, brutality and terror, as well as "spiritual magic" or voodoo rites, have been found to be effective in manipulating children and coercing them to follow the instructions from their officials, as well as elevating their loyalty to the troops and to the causes for the war (Dallaire and Humphreys 2011). In

several countries, including Liberia, Sierra Leone, the Democratic Republic of the Congo, and Colombia, small units of naked recruited children would be sent to initiate battles in order to confuse the enemy, who would be appalled, thus giving an advantage to the army using children (Singer 2005). In fact, taking advantage of the shock value, recruiters considered children as effective tools for sowing confusion during warfare.

International elements

The three main instruments employed by the international community to prevent and stop the practice have been sanctions, including travel bans, economic restrictions, and arms embargoes, directed at perpetrators of child recruitment (Haer 2019). Another technique is “naming and shaming,” which involves the use of UN annual reports and official statements to call out the states violating the rights and dignity of CAAFG, to make those rebel groups and the relevant national governments accountable for their abuses (Lleshi 2018). Finally, the criminalization of the recruitment of children in armed conflict was accomplished by the International Criminal Court through the prosecutions, convictions, and sentences of Thomas Lubanga, a war criminal from the Democratic Republic of the Congo; and Charles Taylor, former president of Liberia (Haer 2019). However, this mechanism of prevention and eradication of child recruitment is highly contentious. Some scholars state that the criminal prosecution and potential conviction of CAAFG’s recruiters still represent only a minor progress toward the prevention of abuses or the promotion of justice (Drumbl 2012a). Meanwhile, Gates and Reich (2010) argued that tools such as criminalization may also become an obstacle in reaching peace agreements because, if perpetrators of child recruitment fear the possibility of prosecution once the war is over, then the probability of not resorting to arms disarmament increases. Other scholars such as Francis (2007) define conventions and treaties as “paper protection,” since it cannot be conclusively determined that they are effective in protecting children from recruitment and use in armed conflict. He also argues that many African states, to preserve their sovereignty, do not perceive themselves as subject to the law nor implement its rules in their domestic legislation (Francis 2007). Regarding child protection, Grover states that there is an urgency to incorporate the OPAC in international human rights law as an absolute prohibition of the use and recruitment of children in armed conflict by any actor involved (Grover 2013). He stresses the need to implement the Geneva Convention’s provision on the “genocidal forcible transfer of children” and use it to prosecute and convict the perpetrators of child soldiering (Grover 2013). On the other hand, Waschefort

(2014) argues that an implementation of norms concerning CAAFG does not require major changes in public international law but a constant reassessment and improvement of all the currently existing judicial instruments.

The aforementioned factors gather all the elements recognized as the main factors that facilitate the recruitment and mobilization of children in war. Nevertheless, not all factors are found in countries where child recruitment is a practice; generally, each case has distinctive characteristics, and the phenomenon can be affected by a unique set of domestic, cultural, social, and political conditions. Among the factors discussed above, it is possible to find two elements that are particularly relevant for understanding the political logic of CAAFG in the Somali conflict. The next section elaborates on the main theoretical arguments of this paper concerning recruited children.

Theory and arguments: recruited children in Somalia

Our core analytic objective inquires on the causes of the deployment of children as agents of war in contemporary Somalia. Our main argument states that children have been recruited and mobilized in Somalia by the armed rebel group al-Shabaab and the government's forces and allies, for different reasons. Nevertheless, only two elements appear to be applicable to both groups.

First, the reasons for child recruitment and deployment differ for al-Shabaab and the Somali government. The two sides and their associated militias generally employ children for different purposes and with different methods. On the one hand, al-Shabaab's commanders carry out forced recruitments and abductions in public spaces such as schools, markets, villages, and crowded streets (US Department of State 2011). After the recruitment, children are sent to training camps where they are taught how to fight and are assigned duties, such as taking part in combat, intelligence gathering, becoming suicide bombers, spying, cooking, carrying loads, or guarding the army's camps (Human Rights Watch 2012). On the other hand, although there have been few verified cases of abductions from the government security forces, children are still significantly present in the SNA. Amongst the government's troops, recruited children are largely used as regular soldiers or to guard checkpoints (Human Rights Watch 2012). In addition, it is difficult to ascertain whether all the militias supporting the state do comply with applicable laws that prohibit the deployment of children in armed conflict. This deficiency in information, together with the lack of methodical monitoring mechanisms that ensure minors are excluded from armed conflict, make it easy to keep children inside the troops (Amnesty International 2011).

Second, voluntary recruitment is found to be a shared feature, and two factors are common to both factions. First, children are recruited by the armed group or may join voluntarily, due to the lack of viable alternatives for means of survival. Many children in Somalia come from financially impoverished backgrounds or from villages that have been heavily devastated by war. Therefore, commanders persuade children through often false promises of money and other material benefits, and these children are consequently attracted by the idea of being able to provide for their families and acquire food, shelter, and a certain level of protection. In addition, Somali children have been born and raised in a persistent climate of insecurity and widespread violence, which motivates them to believe that war is the only feasible strategy to fight for their freedom, identity, and values, regardless of whether rebels or government forces help them fulfil a nationalistic sentiment that arises from wanting to protect their country and regions, and to take revenge for the recurring abuses perpetrated by the belligerents.

Table 6.1 shows the differences between al-Shabaab and the government armies and highlights their shared features, which will be further investigated in the analysis.

Conflicts often lead to violations of human rights, causing immense suffering for communities and undermining dignity. These abuses can be politicized, used as repressive measures by state actors to remove behavioral threats from opponents (Regilme 2014; Sriram, Martin-Ortega, and Herman 2018). Conflicts can be background conditions for crimes against humanity and war crimes (Hafner-Burton 2013). Conflict-ridden societies

Table 6.1 Differences in recruiting methods and use of children in al-Shabaab and the government armies

	<i>Al-Shabaab</i>	<i>The government forces</i>
Recruiting methods	• Abductions in schools, markets, crowded streets, public spaces • Recruitment through propaganda campaigns • Admission of voluntary child enlistees in the army	• Admission of voluntary child enlistees in the army
Reasons for use of child soldiers	• Suicide bombers to commit terrorist attacks in strategic locations • Domestic duties in al-Shabaab camps • Spies, guards, porters, intelligence gatherers • Combat duties (also used as “shields” to protect adult soldiers) • Girls are also given in marriage to officers or used as sex slaves	• Combat duties

frequently generate human rights abuses, considering that violations are justified as security measures. Over time, violence can become routinized, leading to cycles of violence in society and undermining social controls within the community.

A shared notion when discussing child recruitment is that, although it is not a novel practice, it has notably increased during the twenty-first century. Rosen (2005) claims that “new” wars have drastically changed from the past. They are technologically more developed, but the proliferation of new, small, and light arms has made recruitment of children more widespread (Singer 2010). Taking this internal aspect into consideration, Samphansakul (2008) offers three hypotheses on the correlation between child recruitment in armed forces and civil wars. He claims that the ongoing civil war, the duration of it, and the death rate of the conflict are all elements affecting the possibility that CAAFG will be employed by non-state actors, as well as by the government (Samphansakul 2008). Finally, the number of internally displaced persons (IDPs) and refugees is strongly linked with a higher possibility that children will be recruited in the fighting (Samphansakul 2008).⁸ A further global study found that oftentimes the incentives that push governments and insurgents to use children are influenced by rebel mobilization, the intensity of the conflict, and the government's degree of militarization (Tynes and Early 2015). The research also suggests that the international community should have the duty to effectively monitor and intervene when internal conflicts are brutal and protracted, even though these are the same reasons why it can be difficult to interfere in such wars (Tynes and Early 2015).

This chapter focuses on a single case study: child recruitment in Somalia and the involvement of all key actors engaged in the armed conflict. We cover key political developments in Somalia from 2007 to 2017 because this time frame corresponds to the rise of al-Shabaab and to the peak of the war. This decade has seen a tremendous increase in the recruitment and use of children in armed conflict, yet, the phenomenon, in the Somali context, has been understudied in the scholarly literature. We refer to primary sources, including documents published by the UN (such as UNICEF) and verifiable and reliable news articles, as well as official texts of international law, such as the CRC and its Additional Protocol, the Paris Principles, the African Charter on the Rights and Welfare of the Child, and all other relevant open-access documents related to child recruitment in armed conflict. We also refer to secondary sources that include peer-reviewed articles; books; reports by international organizations working in the field of human and children's rights, including Human Rights Watch (HRW), Amnesty International, World Vision, and Save the Children; and previously conducted research on the topic. Due to safety concerns, fieldwork in Somalia was not possible

in our analysis. To address this limitation, we employed data triangulation using reliable primary and secondary sources from diverse organizations. This crossverification helped us overcome the constraint and provide relevant data for our case study (Flick 2002).

The case study explained: Somalia

After gaining independence from Italy and Great Britain in 1960, Somalia entered a phase of considerable political instability consisting of several changes at the highest level of power and of consequent fights for authority and control of the country. The first democratically elected president, Adam Abdullah Osman, united the Italian and British territories and governed for seven years (Al Jazeera 2016). Osman was succeeded by Ali Sharmarke, who was assassinated in 1969 and replaced by Mohamed Hussein, whose presidency lasted only six days and culminated in a military coup conducted by General Siad Barre. The coup terminated Somalia's democratic period and marked the beginning of a twenty-two-year-long dictatorship that ended in 1991 (Al Jazeera 2016).

Nonetheless, it was during these decades that Somalia underwent remarkable sociopolitical transformation, as Barre's regime facilitated the increase in the population's literacy level and received political support from the United States.⁹ However, he suspended the constitution and dissolved the parliament, while also banning political parties and suppressing press freedom (Al Jazeera 2016). In 1977, General Barre's army invaded Ethiopia in the Ogaden region, thereby starting a conflict against the neighboring country. Ethiopia, backed by Soviet aid, which included Cuban troops and soldiers from Yemen and North Korea, forced the Somali army to withdraw, defeating Somalia in the war (Yared 2016). Consequently, the opposition against Barre gained momentum until 1988, when the Northern Somali tribes took control of the region now known as Somaliland.¹⁰ In 1991, southern and northern militias finally deposed Siad Barre, ending his twenty-two years of absolute power (Al Jazeera 2016).

Nevertheless, the country did not return to a relatively peaceful period. The collapse of Barre's government resulted in the civil war, which brought about a serious humanitarian crisis and the deployment of a UN peacekeeping mission from 1992 to 1995 (UN.int n.d.). In 1998, a second northern region, Puntland, gained a semi-autonomous status, thereby providing a relatively safer setting for its population (UNICEF 2016).¹¹

In 2001, the UN withdrew from the country, and the US, suspecting Somalia of being an al-Qaida hideaway, declared its intention to advance military operations in the country. A Transitional Federal Government

(TFG) for Somalia was elected in 2004 in Kenya to guide the country out of its crisis, and it only returned to Somali territory in 2006 (BBC 2018).

In 2007, the radical Islamist organization al-Shabaab transformed into the most powerful Somali rebel militant group (Wise 2011). In February of the same year, the African Union sent a peacekeeping mission, AMISOM, to support the federal government in its struggle against al-Shabaab. One year later, the US declared al-Shabaab as a terrorist organization, halting all financial aid to it. Since their emergence, al-Shabaab started a campaign largely made up of terrorist attacks in Somalia, as well as in neighboring countries (Rice 2010). The famine of 2011 drove the country into a more serious humanitarian crisis, while the war between the government and al-Shabaab kept advancing. In 2012, besides blocking the Red Cross and other aid sources from operating, al-Shabaab declared their affiliation with al-Qaeda, establishing an even more dangerous connection in terms of terrorism and resources.

After years of transitional governance, in 2012, Somalis elected Sharif Sheikh Ahmed president and adopted the provisional constitution of the Federal Government of Somalia, denoting a sign of hope both at the national and international level. The year 2013 marked the first international recognition of the Somali government since decades (Talsky 2018). Notwithstanding, peace and security did not endure, and armed conflict intensified in the following years.

Piracy contributes to further destabilization in Somalia. In 2008, the first UN resolution was issued to tackle the robbery and piracy crisis in the region. However, the lack of competent political parties able to address development and poverty left space for pirates to emerge and build their economic power by hijacking and attacking ships off the coast of Somalia, in the Indian Ocean (Reva 2018). These groups also make use of children as (pirate) soldiers and exploit them for their own interests (Drumbl 2013).¹²

In 2017, a new wave of hope was brought by the election of Mohamed Abdullahi "Farmajo." While al-Shabaab has lost control over several territories, the government and AMISOM have not yet gained control of the entirety of the country, which still suffers violence from both sides.

The differences in recruitment and deployment of children

Al-Shabaab

The growth of al-Shabaab intensified the conflict and triggered substantial risks for the population of being caught in the middle of the civil war. The rising number of children recruited by the group reflected its gain of control over territories in central and south Somalia, where they imposed strict rules

of conduct (Amnesty International 2011). Forced recruitment of adults and children became a regular practice in 2009. The following year, Amnesty International (Amnesty International 2011) interviewed Somali refugees, finding that the possibility of children being recruited was amongst the reasons for fleeing.

Initially, al-Shabaab targeted children from extremely poor districts, not only in Somalia but also in Kenya. However, as the group expanded its influence, it also started aiming at university students, offering them money and regular salaries (West 2016). The recruiting method used by al-Shabaab varies from luring children with gifts and money to directly threatening them or their families. In addition, militants started abducting children by raiding schools, markets, playgrounds, and crowded outdoor locations (Kriel and Duggan 2016). In particular, in the areas under al-Shabaab's influence, many of the men fighting for the group draft children from their own families to support the war. Furthermore, recruiters force clan elders to deliver a predetermined quota of children desired by the army (Human Rights Watch 2012; Maruf 2017). Lastly, several children join the guerrilla, driven by the prospect of escaping poverty. A notable feature is that the al-Shabaab frequently punishes, flogs, or even kills children or members of their families in public when they refuse to enlist (Human Rights Watch 2012).

Al-Shabaab's brutal practices show that the main reasons for child recruitment are to replace and to increase the available soldiers. However, the organization also employs children for supporting roles, including cooking; gathering information; carrying water, ammunition, and heavy loads for other soldiers; guarding the camps; or pressuring potential recruits among their peers to join the army (Human Rights Watch 2012). Furthermore, al-Shabaab benefits from the ease of manipulating children through corporal punishment, demonstrations of violence, and executions to dissuade them from escaping or rebelling against the commanders' orders (Human Rights Watch 2012). Occasionally, children are ordered to punish other fighters or civilians that violate al-Shabaab's strict rules. As confirmed by Betancourt et al., the punishments include whippings, identifying lawbreakers, beatings, and sometimes killings, which have terrible psychological repercussions (Betancourt et al. 2010). In a study conducted with former recruited children years after their liberation, 48 percent of those who spent more than one month with a militia suffered from post-traumatic stress disorder, while one out of four confirmed that they were still severely tormented by their times with the armies (Schauer and Elbert 2010).

The al-Shabaab coercively recruited young girls for diverse purposes, including cleaning, washing, and performing other domestic duties, or to be sex slaves and wives to the army's soldiers. In her study on sexual violence toward girl soldiers, Grey states that these girls are highly vulnerable and

constantly face the risk of sexual violence inside the armed group (Grey 2014). Testimonies reveal that young girls are also recruited from Muslim and Christian communities, both in Somalia and Kenya, and promised the possibility of well-paid jobs in other cities or countries. These girls are then brought to brothels to provide sexual services for soldiers or forced into marriages with al-Shabaab militants, often giving birth to children who are automatically born and raised inside the organization (Attwood 2017).

Several scholars affirm that those aforementioned factors and traumatic experiences create stronger ties within the armed group because, as sometimes happens, children are convinced that they will not be accepted again in civilian communities, having committed and suffered such terrible acts, so they give up on a life outside the army (Denov 2010; Kiyala 2015). When children are abducted or forced to join an armed group, often the commanders sever the social ties of children with their respective communities and families, as recruiting forces send the children far from their hometowns to make them even more pliable to their orders (Grover 2014; Honwana 2011).

An additional reason for al-Shabaab to make use of CAAFG is their strategic and distinctive role in actual combat. Boys are frequently selected to fight against government forces, clan armies, or AMISOM to protect the more experienced soldiers and remove dead or injured bodies from the battlefield (US Department of State 2014). In training camps, al-Shabaab separates children into several groups and teaches them how to use hand grenades, firearms, or other explosive weapons, which are given to them according to their ability to carry different loads, ranging from AK-47s to small pistols.

Besides conventional battle, al-Shabaab uses children as suicide bombers to attack government's territories, officials, infrastructures, and the population to spread terror. One boy, interviewed by Somalia Report, recalled how al-Shabaab recruited him at thirteen, through the false promise of financial compensation. He stayed with the group for four years until his escape a few weeks before he would have had to commit a suicide bombing in Mogadishu Aden Adde International Airport (Roble 2011).

Finally, al-Shabaab deploys indoctrination and propaganda campaigns to recruit children. Specifically, al-Shabaab militants go to local mosques after prayers and enter *duksis*—Quranic schools—to convince boys and girls that the “holy” war is justifiable and would make them good believers, granting them an “entry into paradise” if they were to die as martyrs (Amnesty International 2011). Ideology constitutes a fundamental element for the organization, which has pledged allegiance to al-Qaeda. They use their fanaticism to take back Somali territories, enforcing their idea of holy law that should govern the cities they seized, as well as convincing recruited

children about the lawful fight they have to sustain in order to stop the supposed abuses perpetrated by the government.

To conclude, al-Shabaab mainly recruits and uses children for fighting, thereby confirming the existence of the many factors described in the general literature review on CAAFG. Al-Shabaab profits from domestic factors, luring children into their ranks by promising jobs, salaries, or a greater role in the so-called holy war. The recruitment of children provides material benefits to al-Shabaab because the former adds to the number of fighters and those performing other supporting duties in the context of conflict. The ideational factor is embodied in the religious and jihadi component. Finally, al-Shabaab exploits the inherent characteristics of children of being susceptible to coercion, thereby allowing the militants to coerce them into violent acts and control them through fear and corporal punishment.

Furthermore, al-Shabaab largely ignores public international law concerning children's rights and international norms on armed conflict. The group, guided by a strong religious-political ideology, seeks to acquire legitimacy in Somalia and establish itself as the only rightful regime, able to provide the population with societal, religious, military, and economic necessities without the assistance from external "apostate" actors.

The government and its allied forces

The government of Somalia has a recent history of public promises and pacts, both internationally and domestically, pledging to stop the recruitment and use of children in their decades-long armed conflict. In 2012, the TFG signed an action plan with the support of the UN Political Office for Somalia (UNPOS). The plan included ending and preventing the use of children in the SNA, reintegrating released CAAFG, criminalizing the practice, and granting the UN access to verify the absence of minors in the forces (United Nations Political Office for Somalia 2012). In 2015, the FGS ratified the CRC, although the state never ratified the Optional Protocol on the involvement of children in armed conflict. Article 29(6) of the Somali Constitution (2012) states that children have the right to be protected from being exposed to and used in conflict. In November 2017, the FGS decided to start drafting the Child Rights Bill (Cunninghame et al. 2018).

Yet, the report of the Secretary-General about children and armed conflict with recorded data from 2017 declared once again that in Somalia, 2,127 children were recruited and used in conflict, a significant increase compared to 2016 (UN General Assembly Security Council 2018). The report also asserted that although al-Shabaab was the main recruiter, the SNA still enlisted 119 children. Ahl al-Sunna wal-Jama'a (ASWJ), a

moderate Sufis paramilitary organization opposed to radical groups like al-Shabaab, recruited sixty-six. Other armed forces in opposition to al-Shabaab, including the Galmudug, the Jubbaland forces, and the Somali Police Force, together recruited 91 children (UN General Assembly Security Council 2018).

Undoubtedly, the government forces have not yet implemented the CRC, nor have they made significant progress in the Action Plan signed in 2012. Furthermore, it is difficult to obtain reliable information from the SNA about the accurate number of children that may be part of the army.

The SNA and its associated forces do not apparently intend to abduct children. The main issue in this case is that Somalia does not have effective and complete birth registration mechanisms, making it extremely difficult to determine the age and prove the seniority of SNA recruits, as there are no birth certificates or documents officially stating their year of birth (Gettleman 2010; US Department of State 2017). It is essential for teenagers to be registered, as they are the most vulnerable in terms of recruitment and cannot always rely on their appearance to prove their age. Although donor countries that are involved in cooperating with Somali soldiers in neighboring countries regularly carry out screenings to exclude minors from the troops, this process becomes difficult when recruits are incorporated in the SNA from other clans and militias that do not effectively monitor the age of their novices (Amnesty International 2011). The coalition of forces opposed to al-Shabaab does not have a formal and central command but consists of a mixture of militias integrated and coordinated in disparate ways (Human Rights Watch 2012). Somali government officials admitted that when they started building the army to counter al-Shabaab as fast as possible, they did not examine whether recruits were minors, as long as they could carry a gun (Gettleman 2010).

The SNA and their supporting forces generally permit children to join the army voluntarily. Whilst the SNA uses adolescents in direct combat against al-Shabaab, clan militias and smaller armies also assign children domestic tasks, such as food preparation and guarding checkpoints (Gettleman 2010).

Children primarily join the SNA and its allied forces in an attempt to escape from extreme poverty, seeking food, protection, money, and material benefits that could help them and their families survive. In addition, an important factor facilitating the enlistment of children in the SNA is that many see their classmates, relatives, or friends joining the army for financial compensation and better living standards.

Many adolescents are also driven by a sense of duty to their families and fellow citizens who have suffered from the oppression of al-Shabaab for many years and might want to take revenge. In an interview conducted

by *The East African* newspaper, a boy recollected how he decided to join the militias close to his town to take revenge for the death of his father at the hands of al-Shabaab. At the time, he did not have any education, and joining the armed group seemed the most logical decision (Barigaba 2018).

Thus, the Somali government forces take advantage of the domestic factors mentioned earlier in the article and employ the children mainly as regular soldiers, profiting from their participation as additional support in the war against al-Shabaab.

The differences in recruitment and deployment of children

Socio-economic factors: lack of external alternatives

As mentioned earlier, one of the main reasons Somali children enlist in armed groups is that oftentimes they do not have viable options for existential survival and thus perceive recruitment as the rational choice. This absence of socio-economic opportunities is the result of interrelated factors, such as poverty, health issues, famine, and lack of education and social support. Furthermore, children are brought to believe that the armed group will provide them with material and social benefits that could help them survive and provide for themselves and their families (Dudenhoefer 2016; Honwana 2011).

Poverty, famine, and insecurity

For years, Somalia has been one of the most materially impoverished countries in East Africa due to decades of civil war and dysfunctional governance, which were facilitated by exploitative and violent European colonialism in the African continent.

The main cause of poverty and health issues harming children and vulnerable groups in particular is structural insecurity. After the ousting of Siad Barre from power in 1991, a power vacuum left the country without a central government that could lead the population out of the dictatorship and the crisis. In 2002, approximately 43 percent of the Somali population was living in conditions of extreme poverty, which practically meant surviving on less than \$1 per day (UNDP 2007). Moreover, malnutrition rates were increasing, with one out of four children dying before their fifth birthday (UNDP 2007). The escalation of structural insecurity that followed the emergence of al-Shabaab and the subsequent conflict resulted in the obstruction of public goods provision and the hindrance of investment, consequently throwing the country further into poverty, especially in the rural areas.

The year 2011 further deteriorated the situation, as the worst famine of the twenty-first century hit the country and took the lives of almost 260,000 people (Maxwell et al. 2016). Initially caused by production collapse and a drought, the famine was aggravated by the lack of preventive measures and by al-Shabaab restricting humanitarian aid from reaching the most afflicted areas. In order to follow anti-terrorism legislations, major international donors such as the US stalled humanitarian aid in the Southern parts of Somalia controlled by al-Shabaab (Seal and Bailey 2013). This catastrophe cost a substantial number of lives and caused hundreds of thousands of people to flee Somalia and seek refuge in neighboring countries.

The repercussions of the famine lasted for several years with two million people suffering from food insecurity, loss of livelihood, and the general deterioration of living conditions, which internally displaced more than one million Somalis (United Nations Office for the Coordination of Humanitarian Affairs 2014). Children have been among the most vulnerable groups. In 2017, 1.2 million children still suffered from severe malnutrition, with 65 percent of those being IDPs. 4.4 million people were left in need of water, hygiene, and sanitation services, and 24 percent of the total population of children under the age of five suffered from diarrhea at any one time (UNICEF 2017).

Along with the widespread poverty and famine, the conflict with al-Shabaab brought even more insecurity into Somali children's lives. In 2017, more than seven hundred thousand children were internally displaced, and 6.2 million people (of which 3.4 million were children) required humanitarian assistance (UNICEF 2017).

In most cases, children were left alone because their parents and caregivers had been killed or injured, and other families did not have enough resources to take on another member. When children did not flee their homes, they had to find a way to help their families survive. Especially in the most afflicted areas where agriculture and animal breeding were no longer possible, children often resorted to illegal means. Under these circumstances, the idea of joining an armed organization that (misguidedly) appeared to accommodate their needs became an attractive and necessary alternative to poverty and hunger.

Education

Throughout the years, children's educational rights have been severely violated. Machel (1996) drew attention to the fact that when governments enter a civil war, the public spending on education lowers to a minimum to support the costs of the conflict. Therefore, the responsibility of education

falls on the communities that have enough resources to continue or resume it (World Bank 2018). Nonetheless, maintaining a high level of schooling is oftentimes challenging as access to education may be disrupted and both teachers' and children's lives put at risk. In 2007, right after the civil war erupted, Somalia's enrolment rate for primary school was marked as one of the lowest in the world at 19.9 percent (Kirk 2007).

With the escalation of the civil war, children's opportunities for a standardized education further declined. The Global Campaign for Education (2010) identified Somalia, together with Haiti, as the worst countries for a child to attend school. All the factions engaged in the war deliberately destroyed or attacked schools during combat. Even in the absence of an attack, schools closed down due to teachers and students fleeing their towns or not feeling secure enough to continue their studies (Amnesty International 2011).

Al-Shabaab raided academic institutions, thereby coercing teachers to either give a number of students up for recruitment or be killed if they refused. They restricted the teaching of certain subjects such as English, enforced strict rules on clothing, and banned non-Arabic signs (Shil 2011). Moreover, young girls were prohibited from receiving education and forced to either stay home and care for the household or be recruited in the organization (Shil 2011). The al-Shabaab also used schools for propaganda campaigns and taught classes on jihad led by members of the radical organization (Human Rights Watch 2012).

Interviews with children indicate the consequences of being directly affected by the conflict and experiencing the loss of relatives and structured education. This results in a relatively easier recruitment of children who either answer the enlistment campaigns or join the fight forcibly. Specifically, a fifteen-year-old boy described how his father's death left him to care for his mother and brothers and, with no possibility of continuing his studies or finding a job, he was taken by al-Shabaab and was able to escape only after having fought on the frontlines (Shil 2011). The aforementioned famine caused mass displacement and severe restrictions on water resources in proximity to schools, which brought about the closure of almost 400 public facilities in the country in just three months (United Nations Office for the Coordination of Humanitarian Affairs 2011). Despite the fact that al-Shabaab lost control over the majority of the territories, the FGS was not able to restore safe provision of education. In fact, in 2017, out of 4.9 million children, 60 percent were still out of school and 50 percent abandoned it entirely before the age of ten (UNICEF 2017).

The foregoing discussions on poverty, insecurity, and education demonstrate that children's rights in Somalia have been violated on multiple levels and aggravated by the longstanding armed conflict. We argue that, on the

one hand, al-Shabaab, the SNA and the other militias have exploited the extremely poor living conditions of children. Amidst this already complex scenario, children cannot be supported by teachers and cannot receive a proper education, which makes it more difficult for them to find safer means of securing material resources for survival. Consequently, the armed belligerents are able to allure them into taking up arms, in exchange for a salary or other material benefits, such as food or shelter, or the feeling of security and power that armed combat could possibly give to soldiers (Drumbl 2012b). In order to replenish their armies, armed groups do not carry out appropriate screening processes among the recruited soldiers. Screenings would allow them to identify those children that, left alone to face a crisis bigger than them, voluntarily enlist in an attempt to escape acute poverty, starvation, and oftentimes abandonment.

Childhood in the midst of violence

Our second principal finding underscores that children may decide to become soldiers because they do not perceive war as entirely wrong; they normalized violence, and they want to help their families and communities to re-establish a peaceful existence, driven by a patriotic sentiment (Singer 2010). However, the only way they know to put an end to the perpetrated attacks is to fight back.

Childhood is an important formative period for emotional, cognitive, and physical and social development (Schauer and Elbert 2010). Klasen et al. (2010) claim that as children grow up, they learn and acquire knowledge from what surrounds them, which includes traumatic experiences that may have detrimental impact on their development. In Somalia, today's children were born and raised during a conflict of which they understand neither the initial causes nor the reasons for which it is still happening. The majority of them grew up constantly fearing for their own and their parents' lives, being forced to escape from their native communities and live in refugee camps, risking being recruited in armed forces or exploited for labor or sexual purposes, and ultimately trying to survive a dreadful war that has persistently characterized their everyday lives.

Several scholars have affirmed that the consequences of war for young boys and girls are immensely catastrophic: children become distressed, inert, and disorientated by the brutality they witness, which might create the opportune conditions for children to voluntarily enlist (International Labour Office 2003). Children's development is marked by what they are taught in their society. In Somalia, children have not been socialized to find solutions to end the evolving war but have rather been accustomed

to the prospect of becoming fighters and assuming belligerent attitudes, gangster-like culture, and a general approach leaning toward violence (Abdi 1998). Their understanding of violence and war makes children's approach to society and the establishment of healthy relationships with their peers and other adults vastly problematic (Tavares 2012). In addition to witnessing the destruction of their villages and lands on a daily basis, children have been victims of killings, torture, ill-treatment, and other abuses (Drumbl 2012b). In 2010, the International Committee of the Red Cross (2011) reported that the two main hospitals of the Somali capital, Mogadishu, received more than 2,300 children and women suffering war-related wounds, making up more than 40 percent of the entire number of patients in their clinics.

Especially in the areas controlled by al-Shabaab, children have been obliged to attend public punishments of relatives, friends, and people from their communities accused of violating the holy law, the Shari'a. Minors have been regularly sentenced to flogging, stoning, amputations, and beatings because they did not obey the rules. For instance, the dress code included a mandatory hijab and sometimes the abaya—the first is the Islamic headscarf, while the second is the traditional over-gown—for girls (Amnesty International 2011). To cite an example of a child's punishment as perpetrated by the extremist organization, Amnesty International (2008) described the death by stoning of a thirteen-year-old girl, who had previously been raped by three men, yet was accused by al-Shabaab of having been adulterous.

Another problem is that, although children are deeply disturbed by the armed conflict, once they have managed to find some sort of refuge, most often no professional help is available, leaving them alone to deal with their own traumas. This can only add to the multiple hazards that children have suffered in Somalia in the past decades.

We argue that, as children have seen their own lives disrupted and their country devastated by the different parties to the conflict, they have been brought to develop a sentiment of collective pride that propelled them to enlist, in one faction or the other, to put an end to the conflict. Perhaps the choice of becoming CAAFG came about on the grounds that Somali children have never experienced structural peace¹³ during their lifetime. Even though they dream and want to eventually achieve a Somalia without armed hostilities, the only way familiar to them to fight for the freedom of their country, its people, and a non-violent future is through armed conflict itself. We maintain that, in regard to Somali children who voluntarily enlist, the traumatic experiences they have endured have led to a "normalization" of violence, which has brought them to believe that joining an army and participating in the war is a rational and natural choice.

To conclude, the factors discussed in this section—insecurity, poverty, malnutrition, lack of education, violent childhood, normalization of conflict, and a patriotic sentiment—are interrelated. Those factors explain why child recruitment remains a prevalent phenomenon in Somalia amongst all the fighting factions. We found that these factors are especially applicable in terms of voluntary recruitment, a phenomenon that is common to al-Shabaab, the SNA, and the other minor supporting forces. Furthermore, even though the term “voluntary” is used, we argue that the decision made by Somali children is not entirely a matter of free will but a combination of the various structural factors that enable Somali government agents and armed rebel leaders to forcibly recruit children as soldiers.

Conclusions

Why do armed rebel groups and state forces deploy children in armed conflict, particularly in Somalia? This chapter evaluated the general literature on the role of children in armed conflict, and we analyzed how, and under which conditions, the Somalian stakeholders deploy children. The chapter illustrated how al-Shabaab has systematically violated relevant instruments of public international law that explicitly prohibit the mobilization of children in armed conflict.

The two main parties in the conflict have dissimilar methods and diverse motives in recruiting children into their ranks. On the one hand, al-Shabaab is more likely to abduct and to coerce children into becoming soldiers. On the other hand, although aware of the presence of minors among their armies, the SNA and associated forces generally do not implement any screening mechanisms that would systematically and accurately identify and therefore exclude children from fighting alongside adult soldiers.

Government forces treat and use children as if they were of legal age, mainly for combat purposes and to make sure they always have physically ready fighters. Meanwhile, al-Shabaab has exploited children not only through the deployment in the armed conflict's frontlines but also tasking such minors to serve as suicide bombers, camp guards, cooks, porters, spies, and, in the case of girls, as sex slaves (and being forcibly married to the rebel group's leaders).

Our analysis focused on the two structural factors that make child recruitment still prevalent in the Somali conflict. We contend that children are structurally driven to join al-Shabaab, the SNA, or the other militias because of two main reasons. The first is primarily correlated to domestic factors, whereby such minors face the absence of alternative sources of

social support and means of survival. The Somali civil war has resulted in the deterioration of the public goods provision system, which in turn, generated a structural condition of extreme poverty, malnutrition, water scarcity, economic decay, and environmental devastation. The enduring armed conflict has generated the traumatization of children, thereby normalizing violence that motivates some children to take up arms in a desperate attempt to put an end to a war. Indeed, Somali armed groups contribute to recruiting children, particularly through propaganda campaigns that falsely inform minors of the supposed material benefits and status recognition they could gain from participation in armed conflict.

As a caveat, our findings, however, have their own limitations: directly gathering official information from Somali sources is problematic. That is because of the absence of comprehensive numerical data on children, starting from birth registrations and updated data on deployed soldiers in the ongoing armed conflict. Somalia has not only been bearing the fight between government forces and al-Shabaab, but it has also witnessed internal disputes over territories and the involvement of other actors, such as pirates, who have contributed to the deepening of the country's fractures by allying with one faction or the other to mainly pursue their own financial interests. Additionally, international actors including AMISOM, the US, and the UN have also played a role in the civil war. All these different actors make it difficult to have a comprehensive and clear picture of the armed conflict in Somalia.

Our findings here contribute to existing policy and scholarly debates concerning children in armed conflict. First, we underscored how structural-material vis-à-vis ideational factors in a given society function as background conditions that facilitate the deployment of minors in wars. Second, the recruitment and mobilization of children in armed conflict constitutes a grave human rights abuse, and this particular problem should be taken up in key global governance agendas. Third, our analysis is fully embedded within the relevant literature on public international law on children's rights, international norms on armed conflict, and political violence—thereby demonstrating the need for a multidisciplinary sensibility in human rights law. Fourth, our analysis of recruited children in Somalia suggests that international human rights law, including children's rights, should be situated within the highly contested terrain of political contestations; compliance with human rights obligations is likely to succeed when policy approaches deal with the broader structural material and ideational conditions that could motivate actors from disengaging in armed conflict.

Finally, there are further questions and issues that may be taken up for future research on children in armed conflict. Policy approaches that deal

with children in armed conflict should adopt a more comprehensive strategy that strengthens national and regional judicial institutions and civil society activism that could facilitate criminal accountability as regards perpetrators. Notably, the Somali justice system has recently adopted a trend that has occurred in other countries perpetrating the crime of child recruitment, such as Uganda, where domestic courts aggressively prosecute recruited children after their exit from the armed groups (Rosen 2015). In the Somali judicial system, this allows the police to arrest and prosecute children for their involvement with al-Shabaab. This practice removes children's rights to be assisted and reintegrated into society, as was declared by the national program that stipulates the mandatory hand-over of released or escaped CAAFG to UNICEF for rehabilitation within seventy-two hours (Human Rights Watch 2018). Instead, former child combatants have been detained and sentenced to spend time in prison varying from six years to life. The military court also sentenced ten children to death, violating the international norm that prohibits the execution of child criminals, to later commute the sentence on appeal (Human Rights Watch 2018). Thus, the prevention of children from becoming involved in armed conflict requires sustainable structural reforms that prevent all actors from taking up arms, thereby including policies that generate equitable economic growth and long-term investments in public goods provision. There should be a committed long-term institutionalization of programs that aim to reintegrate former soldiers in the wider society, particularly through public investments in mental and physical rehabilitation, economic livelihood, health, education, and public order. Future research and policymaking regarding Somalia should also concentrate on factors such as acute poverty, governance, the reconstruction of towns and farms in rural areas, and the birth registration mechanisms that could help the future generations exit the humanitarian and insecurity crisis through various correctional, vocational, and educational programs focusing on children's resilience in their post-traumatic growth (Blattman and Annan 2010; Drumbl 2012b; Werner 2012). In 2018, the Somali population between zero and fourteen years of age was estimated to be 46.57 percent of the total (World Bank 2018). In a country where almost half of the society is under fifteen years of age, international and regional cooperation efforts should focus first and foremost on establishing high-quality education and socio-economic welfare systems. In that way, the promotion of children's rights constitutes a holistic approach, ranging from the protection of their right to life and education to health care and a decent standard of living.

Appendix 1

International humanitarian law

Customary international humanitarian law¹⁴

- Statute of the International Court of Justice (1945)
- Geneva Convention I, II, III, IV (1949)
- Additional Protocols to the Geneva Conventions I, II, III (1977)
- Rome Statute of the International Criminal Court (1998)

International human rights law

Customary international human rights law

- ILO Convention 29 (1930)
- UN Declaration of Human Rights (1948)
- International Covenant on Civil and Political Rights (1966)
- International Covenant on Economic, Social and Cultural Rights (1966)
- Convention Against Torture (1984)
- Convention on the Rights of the Child (1989)
- UNHCR Guidelines on the Protection and Care of Refugee Children (1991)
- UN Guiding Principles on Internal Displacement (1998)
- ILO Convention 182 (1999)
- Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000)
- Paris Principles (2007)

Security Council Resolutions on Armed Conflict and Children

- Res.1261 (1999)
- Res.1314 (2000)
- Res.1379 (2001)
- Res.1460 (2003)
- Res.1539 (2004)
- Res.1612 (2005)
- Res.1882 (2009)
- Res.1998 (2011)
- Res.2068 (2012)
- Res.2143 (2014)
- Res.2225 (2015)
- Res.2427 (2018)

Appendix 2

Table 6.2 Signatures and ratification of Somalia

<i>Laws, conventions and treaties</i>	<i>Signed</i>	<i>Ratified</i>
Geneva Conventions I – IV	✓ 1962	✓ 1962
Additional Protocols I – III	–	–
Rome Statute of the International Criminal Court	–	–
Statute of the International Court of Justice	✓ 1960	✓ 1963
Convention on the Rights of the Child	✓ 2002	✓ 2015
Optional Protocol to the CRC on the involvement of children in armed conflict	✓ 2005	–
Covenant on Civil and Political Rights		✓ 1990
Covenant on Economic, Social and Cultural Rights		✓ 1990
ILO Convention 29	✓	✓ 1960
ILO Convention 182	✓	✓ 2014

Notes

- 1 This chapter is a revised and updated version of the following open-access article: Salvador Santino Fulo Regilme and Elisabetta Spoldi, “Children in Armed Conflict: A Human Rights Crisis in Somalia.” *Global Jurist* 21(2) (2021): 365–402. <https://doi.org/10.1515/gj-2020-0083>
- 2 A list of the international norms, conventions, and treaties concerning the issue of child soldiering can be found in Appendix 1. For a more intensive discussion on dignity, please refer to Regilme (2022b) and Regilme and Feijoo (2021).
- 3 The information provided by the government and the other belligerents is not reliable; thus, the actual number of child soldiers is estimated to be much higher.
- 4 From this point on, both the TFG and the FGS forces will be referenced as “government forces,” unless otherwise specified.
- 5 A list of laws signed and ratified by Somalia can be found in Appendix 2.
- 6 The term also refers to minors who voluntarily decide to join an armed group.
- 7 This figure is an approximation since it is very problematic to have an accurate number of all children recruited in armies at a global level.
- 8 As Lischer (2006) explains, the higher possibility that children living in IDP camps in countries affected by conflicts will be recruited derives from the fact that in IDP camps, parents’ ability to provide for their families and their authority lessens. Moreover, in this context, children often do not receive education and have little prospects of permanent employment. Therefore, their vulnerability to being recruited by the armed forces increases (Lischer 2006).
- 9 For further discussions on how powerful states impact regime survival, see Regilme (2021).
- 10 Notwithstanding with several challenges, the newly independent Somaliland was able to keep a peaceful, self-governing, secure state during the conflict

that afflicted the rest of the country (Bradbury 2008). The government of Somaliland was a pioneer in guaranteeing protection to children from conflict and in giving them free education (Lasley and Thyne 2015; Save the Children 2021).

- 11 In recent years, the regions of Somaliland and Puntland have repeatedly clashed over territories. Although the two regions have managed to enjoy relative stability during the Somali fight against al-Shabaab, this new escalation of violence could destabilize the two regions, as well as the country even further (International Crisis Group 2018). For the purposes of this chapter, it will not take into consideration the new developments in Somaliland and Puntland, but it will focus on the Somali civil war against al-Shabaab.
- 12 Although child piracy is a further violation of children's rights by Somali armed groups, we will not consider the role of piracy, as pirates do not have political or ideological goals, and thus have not directly partaken in the conflict between al-Shabaab and the government.
- 13 For a more extensive discussion on peace, refer to Regilme (2020b).
- 14 International treaties bind only those states that have signed and ratified them. Customary law is universally binding.

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