

RECRUITMENT OF CHILDREN AND ADOLESCENTS: RETENTION AS SLOW VIOLENCE

The recruitment of children and adolescents by illegal organized armed groups has gained increasing significance on the international agenda this century, as efforts have been made to prioritize the integrated protection and restoration of their rights. However, there is little clarity on the characteristics and experiences of the phenomenon for its victims, and its specific temporal and victimizing aspects tend to be overlooked.

This Spotlight offers a conceptualization and brief overview of the recruitment of children and adolescents in Colombia and around the world, followed by an analysis based on the theory of “slow violence,” a term coined by academic Rob Nixon.¹ In the latter, the concept of retention is explored as disguised form of violence and an often-ignored aspect of the recruitment war crime², which, nonetheless, has profound consequences for the lives of all those involved.

THE CONCEPT OF CHILD AND ADOLESCENT RECRUITMENT

The recruitment of children and adolescents in armed conflict is a complex and multicausal phenomenon, the conceptualization of which stems from government institutions’, and international and non-governmental organizations’ experiences in prevention and care for affected children and adolescents. The concept has therefore tended to cover the conditions that facilitated or made the involvement of children and adolescents in armed groups possible, as well as considering responses in terms of integrated protection and the restoration of child and adolescent rights, and the evaluation of these interventions’ impact. Thus, the most ingrained ideas about the recruitment of children and adolescents have emerged from national and international policy frameworks (particularly the latter), which contain shared understandings and transnational agreements, in turn created based on global experiences in addressing the phenomenon.

RECRUITMENT OF CHILDREN AND ADOLESCENTS	
INTERNATIONAL LEGAL FRAMEWORK	NATIONAL LEGAL FRAMEWORK
The recruitment and use of children in conflict is one of six serious violations identified and condemned by the UN Security Council.	In Edict 251 of 2008, the Constitutional Court stated that all <i>recruitment is a coercive act, of which children and adolescents are victims.</i>
The Paris Principles (2007) define recruitment as <i>the conscription or enlistment of children into any type of armed force or armed group.</i> ³	Article 162 of the Criminal Code classifies this conduct as the offence of <i>“unlawful recruitment.”</i> ⁴
The universal definition of recruitment includes <i>the permanent or temporary enlistment of persons under 18 years of age into illegal organized armed groups and/or organized criminal groups carried out by force, deception, or because of personal conditions or contexts favoring it.</i> (Cape Town Declaration of Principles, 1997; CONPES 3726 of 2012).	The prevention policy line defines recruitment as <i>the physical separation of children and adolescents from their family and community environment for the purpose of their direct participation in war or military activities or in tactical or supporting activities, or any other role related to combatants from organized armed or criminal groups.</i> ⁵

These international and national legal frameworks coincide in their definition of the recruitment of children and adolescents as consisting of an act of coercion by any type of armed force, with the aim of involving them in their military and/or criminal activities, implicating various degrees of separation from their family and community environment, as well as the interruption of the regular course of their lives. However, this legal conception tends to lose sight of the divergent human life experiences it encompasses. It is therefore essential to affirm that recruitment is “a historical phenomenon, is not static, and much less homogeneous.”⁶ In fact, the idea that children and adolescents are not allowed to participate in war is relatively recent, and as a consequence, so is the notion of recruitment of children and adolescents as a crime that violates the moral and legal precepts of a presupposed international civil society.

For example, in the years leading up to the U.S. Revolution (1740-1781), between 30% and 40% of independence forces were children and adolescents, many of whom were around 13 to 15 years old; some historians even document 9-year-olds on the battlefields. Their participation was never considered an aberration; in fact, they are part of the pantheon of heroes who fought to forge the new homeland.⁷ Similarly, in the early

history of Colombia (19th century), the presence of children and adolescents among the liberating forces is also recorded, with the consent of their parents who considered the authority of the army to be equivalent to their own or to that of the Church. Later, the nineteenth-century national army established a minimum age of 16, but in practice, the signature of the parents was sufficient for a 10-year-old child to be incorporated into military life.⁸

Even during the First World War (1914-1918), Great Britain alone enrolled some 250,000 minors (as a conservative estimate) in its ranks, a number very similar to the estimated total number of children and adolescents recruited by illegal armed groups around the world today. Thus, the first call is to avoid historical amnesia, given that children and adolescents were part of military life in both the Western world and other cultures for several centuries without being questioned.⁹

Secondly, even if the historical variable is eliminated, the differential nature of child recruitment must be highlighted, with variations according to armed group, as well as the social and cultural context in which it takes place; in short, according to the spatiality and actors involved.¹⁰ For example, the experience of a young Sierra Leonean abducted by the Revolutionary United

Front and forced to murder his parents as part of a rite of passage and initiation into a short life affected by the consumption of psychoactive substances and bloody struggle on the front lines, as compared to the experience of a young Colombian recruit who willingly joined the ranks of the Revolutionary Armed Forces of Colombia (FARC), continuing a family tradition, to then become a doctor for this illegal armed group, following ideals that continue to uphold and identify it after the war.

These divergent life experiences require identifying differences from a societal point of view, in order to broaden the conceptual spectrum and qualify prejudices. For example, the normalization

of many Western countries' "voluntary" recruitment of adolescents aged 16 or 17 into their armed forces based on the presumption that they have the cognitive and emotional maturity to make this decision.¹¹ Thus, the thin lines that equate or divide forms of recruitment as legal or illegal tend to become blurred when viewed from a sociological, philosophical, and anthropological perspective. The final call is therefore for a holistic and complex understanding of child and adolescent recruitment, beyond legal devices and global statistics. This, with the understanding that recruitment constitutes a violation of modern principles, institutions, and norms, but that it also encompasses irreversible and inalienable life histories that must be recognized in all their specificities.

THE PHENOMENON AT THE INTERNATIONAL LEVEL

Today, recruitment worldwide focuses on the so-called phenomenon of "child soldiers,"¹² which summarizes a new humanitarian consciousness that dates back to the 1990s, where the involvement of children and adolescents in the activities of any armed group is outlawed under legal and ethical codes, mainly under International Humanitarian Law (IHL). It is under this humanitarian framework that the recruitment of children and adolescents by national armed forces has been increasingly limited, accompanied by an effort by the international community to make States the role models in this area. Nevertheless, different practices related to "child soldiers" persist at the global level.

It is for this reason that the recruitment of children and adolescents has become visible as a prohibited act under the framework of IHL – both in treaty law and in customary law – as well as an act typified and established as a war crime by the International Criminal Court.¹⁵ Likewise, in 2000, the UN General Assembly adopted the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict¹⁶ (OPAC), with the aim of providing a specific legal instrument to address the phenomenon of "child soldiers." Today, this Protocol has been ratified by 168 of the 197 United Nations member states.

RECRUITMENT AT THE GLOBAL LEVEL TODAY¹³

- It is estimated that between 250,000 and 300,000 children and adolescents are involved in armed forces or illegal armed groups around the globe.¹⁴
- At least 46 States continue to recruit children and adolescents under the age of 18 into their armed forces.
- Children and adolescents have participated in hostilities in at least 18 internal armed conflicts since 2016.
- 240 million children and adolescents live in countries affected by internal armed conflict..

OPAC COMMITMENTS (2000)

States will not recruit children and adolescents under the age of 18 to specifically be sent to the battlefield.	States should take all possible measures to prevent such recruitment, including legislation to prohibit and criminalize the recruitment of children under the age of 18 and to involve them in hostilities.	States shall demobilize children under the age of 18 recruited or used in hostilities and provide physical and psychological recovery services and assist their social reintegration.	Armed groups other than a country's armed forces must not, under any circumstances, recruit or use children under the age of 18 in hostilities.
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According to the United Nations Secretary General, at least 21,000 violations against children and adolescents were verified in 2017 (6,000 by government forces, 15,000 by non-state armed groups). Recently, the direct or indirect participation of children and adolescents in hostilities or armed actions as a consequence of their recruitment has taken place in countries such as: Nigeria, Somalia, Iraq, Afghanistan, Democratic Republic of Congo, South Sudan, Colombia, Mali, Libya, Cameroon, Central African Republic, India, Syria, Yemen, the Philippines, and Burma, among others.

Countries with reported use of children and adolescents in hostilities (since 2012)¹⁷



Taking a cursory look at the international geography of the recruitment of children and adolescents, the phenomenon appears to be concentrated in three geographical areas: Central Africa (which extends into a strip towards the North), South and Southeast Asia, and the Middle East.¹⁸ A first analysis would indicate that these countries share similar conditions in terms of the vulnerability, marginality, and poverty of important segments of their population. Another common denominator is political instability and closed democratic systems, and in some cases authoritarian governments. But these images obscure the broader involvement of international actors and factors in these conflicts. On the one hand, there is the presence of foreign armed forces in nations such as Iraq, Afghanistan, Syria, Yemen, and Libya, as well as cross-border illegal armed actors in countries such as the Democratic Republic of Congo, Mali, Nigeria, Cameroon,

Central African Republic, Uganda, and Somalia. On the other hand, the presence of illegal economies that are part of transnational trafficking networks must also be considered, given that in many of these countries violence is catalyzed by the production, use, and commercialization of illicit drugs, oil, minerals, and other types of natural resources.

In short, violence in this globalized world can hardly be isolated from international dynamics; rather, it is often the consequence of global economic, political, and social relations. Therefore, a more precise cartography of the recruitment of children and adolescents in the world points towards a wider co-responsibility which implicates the community of nation-states, as well as those acting in their shadow to mobilize their power across border areas.¹⁹

EXTENT OF THE PHENOMENON AT THE NATIONAL LEVEL

In Colombia, there is a clear conceptual difference between the “use” and the “recruitment” of children and adolescents depending on the type of illegal actor carrying out the activity, and it is from this perspective that the type of legal violation being perpetrated is understood. Thus, the standard definitions of involvement, as a broad phenomenon, are normative concepts specific to the legal sphere.

In this context, only actors with State-recognized belligerent status can commit the crime of recruitment, as only they can violate International Humanitarian Law (IHL) applied exclusively in times of war. In other words, only those illegal armed actors who are recognized for contesting population and territorial control, who battle for power and threaten state sovereignty, are liable to recruit a child or adolescent. Meanwhile, organized criminal groups categorized by the State as perpetrating “misdemeanors” are guilty of the use of children and adolescents.

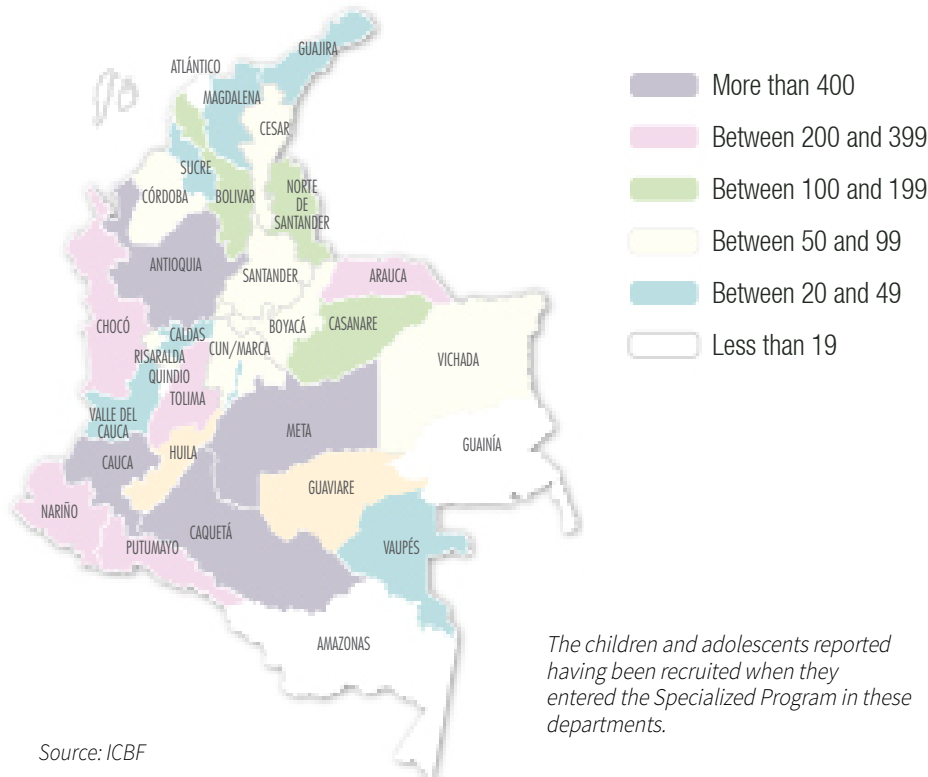
Consequently, only certain actors are responsible for recruitment in the context of the Colombian armed conflict. The main perpetrators include the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), the United Self-Defense Forces of Colombia (AUC), and some paramilitary successor groups.

It is also clear that the spatiality of the recruitment of children and adolescents by illegal armed groups coincides with the geography of internal armed conflict, in particular, with the historical bastions of guerrillas and self-defense groups. The recruitment of children and adolescents has primarily been concentrated in the FARC's (as the main actor in this crime) rearguard, control, and dispute areas. Therefore, to a large extent, the particularities of the recruitment of children and adolescents by illegal armed groups in Colombia reside in the practices and customs of the FARC, ELN, AUC and their successor structures, in their collective identities and war strategies.

Recruitment of children and adolescents by illegal armed group (1999-2019)²⁰

FARC	59%
ELN	18%
AUC	16%
BACRIM	4%
OTHER GROUPS	2%
UNKNOWN	2%

Recruitment of children and adolescents by department (1999-2019)



Source: ICBF

However, the social distinction between the “recruitment” and “use” of children and adolescents is more nuanced and complex, as in the heat of war this differentiation becomes weaker and more blurred, resulting in grey areas in the forms of involvement. It is therefore better to imagine a continuum, with recruitment and use located at the opposite extremes, and along which particular cases are situated according to, on the one hand, the degree of a child or adolescent’s involvement in an illegal armed group, and, on the other, the degree of involvement in their community and family. Under a “pure case” of recruitment, the first involvement is absolute and the latter has been lost, while under a “pure case” of use, family involvement exceeds involvement in the armed group.

- Involvement in Organized Armed Group (OAG) Illegal Armed Group (IAG), Armed Group Operating Outside the Law (AGGOL)

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To explore the phenomenon of retention, focus must be placed on cases of recruitment where the child or adolescent loses fundamental bonds with their family and community, lives outside of the community, and conducts most of their daily activities under the command of an illegal armed actor. It is in these cases, where there are more actions impeding the return of a child or adolescent to civilian life, where retention emerges with greater force.

In Colombia, a more nuanced understanding of recruitment, which considers whether it is forced or voluntary, is also needed. Although international norms suggest that children and adolescents lack the will and knowledge to make this decision, in practice it may be that they approach the armed actor, and not the other way around. In fact, most cases of recruitment of children and adolescents in Colombia are influenced by family relationships in that a (usually male) family member or close relation may facilitate or promote their involvement, making analysis even more complex. In any case, one must not lose sight of the fact that under national legislation recruitment of children and adolescents by illegal armed groups is considered forced.

RECRUITMENT AS SLOW VIOLENCE: RETENTION

Violence in the social world is usually associated with individual actions against specific bodies, and with explosive, militarized, spectacular, cinematic, and instantaneous events that detonate visibility and in condensed periods of time.²¹ However, a series of silent and deferred violence also exists, a phenomenon which academic Rob Nixon calls “slow violence.” This violence is gradual, cumulative, and incremental, and its implications lack renown, suffer from disinterest, and are presented as anonymous because it is difficult to determine who is exercising violence, and how.²²

It is no coincidence that when Colombians talk about the armed conflict the first images that come to mind are isolated, iconic, and “ready-made” violent events: a man threatening a defenseless civilian, a mine exploding under the foot of an unsuspecting passerby, or the gunfire and explosive power of a guerrilla takeover in a rural town. However, the conflict has also been packed with subtle forms of violence, occasioning scars which are no less deep: a deserted school, a memory used for political purposes, or the pollution of a river and the subsequent wiping out of its fauna and community livelihoods. Behind every form of traditional violence there is also a slow violence in operation: kidnapping can be an explosive event which, in turn, is manifest in the waiting endured by hostages’ loved ones; forced displacement involving physical violence also has lasting consequences in the form of long-term uprooting.

The recruitment of children and adolescents by illegal organized armed groups is also a violent phenomenon composed of two aspects; on the one hand, the most vivid event in one’s imagination, is the day of recruitment, but on the other hand, most violence happens during the long process of involvement. Accordingly, one should not consider recruitment as an event, but rather as a series of continuous violence that accumulate and deteriorate with time, until they become naturalized as part of the lives of children and adolescents who have been recruited. This process seeks the socialization of violence by minimizing conflicts of internal values, submission to a new collective social order (“deindividualization”), the internalization of a new way of life and norms of conduct, as well as the adoption of a new societal role where responsibility is diluted in the group. All of these elements make up the phenomenon of *retention*.²³

In this sense, child and adolescent victims of recruitment are usually subjected to different forms of violence such as torture, sexual abuse and slavery, forced contraception and prolonged detention. Additionally, these children “suffer separation from their families and their rights to education, recreation and the free development of their personality are violated”.²⁴ Ultimately, it is about the impossibility of having a typical life cycle within the socio-cultural contexts where they were born and should have grown up. This point is not in reference to city life or the existence of a single model of perfect childhood and adolescence, but about the interruption of a life course under dignified conditions. In this sense, the victims of recruitment often feel that they are distanced from who they were, until a new reality and identity associated with the conflict and the armed group in which they are engaged becomes the only possible option.

Recruitment as a war strategy is aimed at obtaining valuable “human resources”, given that children and adolescents are believed to possess desirable characteristics that are advantageous to the development of war and its economies. For example, there is a belief that children and adolescents have an underdeveloped conception of death, so they fear less in battle, turning them into frontline soldiers who shield the other members of the organization. In this sense, it is also common to desensitize the children and adolescents through practices of psychological violence and reprogramming of their relationship with the world, making them capable of committing acts of violence and brutality that under other circumstances they would not have agreed to carry out.²⁵ On a different front, children and adolescents are used for their very capacity to generate compassion in the adversary or in the civilian population, relationships of trust that, when broken, generate uncertainty, fear and unreason for both sides; destroying the social fabric, as well as disfiguring the functional notions of collective coexistence, especially for children and adolescents.

Retention results in a series of negative consequences that extend to the community and the family. In this way, slow violence also affects people who feel powerless to defend their own children and, moreover, watch with pain as children and adolescents are forced to inflict violence on other innocent people, sometimes even on their own community and family. For the family more

directly, it represents the impossibility of maintaining close ties in any form with these children and adolescents, to the point that they cease to recognize them and feel that, even after their disengagement, they belong to very distant realities that are difficult to reconcile. It should also be considered that many families who were victims of forced displacement in Colombia sought to avoid the recruitment of their children, nieces/nephews or grandchildren by illegal armed groups.

Finally, it must be stressed that, while legal traditions tend to dismiss the legal responsibility of children and adolescents for their actions, there is no person who can escape moral scrutiny,²⁶ especially self-reflection, as well as the ethical representation that

one constructs. In this sense, identity and upbringing are essential elements in the constitution of a moral or ethical perception, inwards and outwards, influencing actions that one did not want to commit, but could not avoid (at least not without a high cost). The militarization of life often leads former combatants to avoid making a total break with their conflict identity; in fact, they often want to maintain aspects of it, adapting their own identity to new circumstances, but not denying it. Doing so would be nonsensical, even though it is among the expectations of civil society. The recruitment of children and adolescents is one of the most effective ways for the armed conflict to continue, regenerate and survive, cultivating lives engaged in making war.

CONCLUSIONS

This broad social conception of the phenomenon of recruitment also has an impact on the type of care given to children and adolescents disengaged from armed groups operating outside the law, as well as the routes of reintegration into civil society designed for their attention. To this extent, it has also become necessary to look for ways to deconstruct the violence of retention and reconstruct daily life and ways of relating to the world. This new image of recruitment also has a bearing on the kind of attention that is, and should be, offered to children and adolescents exiting illegal armed groups. This does not imply disregarding a life full of violence or experiences of involvement, but rather the construction of a new way of life based on existing foundations. This ethical commitment to the re-establishment of the rights of children and adolescents who have been recruited should never become a political crusade to discredit a way of life, but rather should consider the complexity the complexity and understanding of a different and equally valuable civilian way of life which needs to be rebuilt, ideally based on cultures of peace and not war.

¹ Nixon, R. (2011). "Slow Violence and the Environmentalism of the Poor." Cambridge: Harvard University Press.

² Gates, S. (2011). "Why Do Children Fight? Motivations and the Mode of Recruitment." In *Child Soldiers: From Recruitment to Reintegration*. Ed. Alpaslan Özerdem and Sukanya Podder. New York: Palgrave MacMillan.

³ The Paris Principles, agreed in 2007, are the Principles and Guidelines for the Protection of Children Recruited or Illicitly Used by Armed Forces or Armed Groups. They are the result of global experiences in implementing programs to prevent recruitment, protect children, support their release from armed groups, and reintegrate them into civilian life, and provide more precise guidance for those responsible for implementing such programs. Available at: https://www.unicef.org/protection/Paris_Principles_SP.pdf

⁴ In the Colombian legal system, "children involved in the conflict are victims of the crime of recruitment" (Constitutional Court, Sentence C-240 of 2009). Article 175 of the Childhood and Adolescence Law (Law 1098 of 2006) establishes that "adolescents who exit illegal armed groups must be referred to the Colombian Family Welfare Institute's specialized care program for children and adolescents exiting irregular armed groups."

⁵ Public policy line for the prevention of recruitment, use, utilization, and sexual violence against children and adolescents by organized armed groups and organized criminal groups.

⁶ Centro Nacional de Memoria Histórica (2017). Una guerra sin edad. Informe nacional de reclutamiento y utilización de niños, niñas y adolescentes en el conflicto armado colombiano. CNMH: Bogotá, p.28.

⁷ Rosen, D. M. (2019). *Child Soldiers in Historical and Comparative Perspective: Creating a Space for Data-Driven Analysis*. Washington & Lee Public Legal Studies, 04.

⁸ Reina Rodríguez, C.A. (2012). Reclutamiento y vida cotidiana de niños y jóvenes en Colombia durante el siglo XIX: aproximaciones generales. *Revista Infancias Imágenes*, 11 (2), p. 59-68.

⁹ Rosen, D. M. Op. Cit.

¹⁰ Hart, J. (2006) "The Politics of 'Child Soldiers'". *Brown Journal of World Affairs*, xiii (1).

¹¹ Child Soldiers International. *Child Soldiers World Index*. Available at: <https://childsoldiersworldindex.org/>

¹² In Colombia, the term "child soldier" has been removed from the political, legal, and technical agenda due to the contextual developments of public policy for the prevention of recruitment and integrated protection of children and adolescents. Given that the minimum age for conscription and voluntary enlistment in the armed forces has been 18 since the 1990s, all eyes have fallen on recruitment by illegal armed

groups. Thus, the lexicon developed to describe the different forms of involvement exercised by illegal armed groups, that is, use, utilization, and recruitment of children and adolescents and youth.

¹³ Child Soldiers International, *Ibid.*

¹⁴ This same figure has been reported by international organizations, NGOs, and other entities seeking to prevent, make visible, or respond to the phenomenon of recruitment of children and adolescents over the past two decades, meaning that questions concerning its accuracy have also arisen.

¹⁵ Hinestroza- Arenas V. (2007) *Reclutamiento de niños y niñas: fenómeno invisibilizado, crimen manifiesto*. Oasis, 13.

¹⁶ United Nations General Assembly. (2000) *Optional Protocol to the Convention on the Rights of the Child*. New York. Came into effect February 12, 2002. Available at: <https://www.ohchr.org/sp/professionalinterest/pages/opaccrc.aspx>

¹⁷ Child Soldiers International, *Ibid.*

¹⁸ Colombia appears to be the only country outside of these regions, however, low reporting of this phenomenon must be taken into account, as well as the bias that exists when it comes to making visible certain countries experiencing armed conflict and violence, over others.

¹⁹ Gates, S. and Reich, S. (2010) *Introduction*. *Child Soldiers in the Age of Fractured States*. University of Pittsburgh Press.

²⁰ These figures correspond to the percentage of children and adolescents exiting armed groups as reported by the Colombian Family Welfare Institute (ICBF, the main entity responsible for overseeing the restoration of the rights of disengaged children and adolescents), making them representative, but also exposed to the risk of reporting bias within disengagement dynamics.

²¹ Nixon, R. (2011) *Op. Cit.*

²² *Ibid.*

²³ Gates, S. (2011) *Op. Cit.*

²⁴ Hinestroza- Arenas V. (2007) *Reclutamiento de niños y niñas: fenómeno invisibilizado, crimen manifiesto*.

²⁵ Beber, B. and Blattman, C. (2013) *The Logic of Child Soldiering and Coercion*. *International Organization*, 67 (1), pág. 65-104.

²⁶ McMahan J. (2010) *An Ethical Perspective on Child Soldiers*. In *Child Soldiers in the Age of Fractured States* (Ed. Gates, S. and Reich, S.). University of Pittsburgh Press.