

Statement of
The Honorable Tom Coburn

United States Senator
Oklahoma
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Statement of Senator Tom Coburn, M.D.
Hearing: "Casualties of War: Child Soldiers and the Law"
Subcommittee on Human Rights and the Law
United States Senate Committee on the Judiciary
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I would like to thank Chairman Durbin for holding this hearing on a monumentally important issue. Tragically, over 2 million children around the world have lost their childhoods, their innocence, and ultimately their lives following forced or coerced recruitment into militaries or militias.(1) Another 6 million have suffered disabling injuries, and 250,000 children continue to be exploited today.(2)

Children should never participate in hostilities. As a nation we have recognized this principle through the treaties we have ratified, including the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict(3) and the International Labor Organization Convention 182 on the Worst Forms of Child Labor.(4) This principle is well-recognized throughout the international community as well. Nonetheless, children are still being ripped from their families and forced into a dark world where they serve as soldiers, messengers, spies, porters, and sex slaves.

I am encouraged that in February of this year, representatives of 58 countries signed a nonbinding accord not to use children under 18 in wars.(5) The agreement included 10 of 12 countries identified by the United Nations as using child soldiers.(6) Additionally, the International Criminal Court (ICC) chose for its first case the prosecution of a warlord who forced children as young as 10 to fight in the Democratic Republic of Congo.(7) The ICC has also issued warrants for members of the Lord's Resistance Army (LRA) in Uganda for the same crimes.(8)

However, more must be done by the United States and other Nations to bring an end to this victimization of children. The United States can begin by carefully evaluating the assistance we are providing to countries that use children as soldiers. Despite our strong condemnation of the use of child soldiers, according to the Center for Defense Information, the United States has supplied military assistance to 14 countries where children under age 18 have been forcibly recruited, have taken direct part in hostilities, or have been forced to support both government and non-state armed groups.(9) The U.S. has supplied military assistance to 9 of these countries where "children were recruited or used as soldiers by government security forces or government-sponsored armed groups."(10)

To address this inconsistency, I am pleased to join Senators Durbin and Brownback in their effort to condition U.S. military assistance on a country's efforts to eliminate the use of child soldiers, by cosponsoring The Child Soldiers Prevention Act of 2007 (S. 1175). If this Act becomes law, the United States will use the State Department's Country Reports on Human Rights to determine which countries are exploiting children in combat. Countries who are identified as recruiting or using child soldiers in government armed forces or government-supported paramilitaries will be eligible to receive U.S. military assistance only to end the use of child soldiers and otherwise modify their armed forces until the problem is remedied. This bill presents a crucial first step to addressing the issues that accompany the use of child soldiers.

I also believe that we need to examine our immigration and criminal laws carefully to see if there are any changes that need to be made to address this issue. Children who are forced to take up arms or otherwise participate in hostilities should not be barred admission into the United States as refugees for that reason alone. Also, those who recruit and use child soldiers should not be able to seek refuge in the United States with impunity. We need to be certain that our laws treat former child soldiers fairly and hold the perpetrators of crimes against these children accountable.

I look forward to hearing the testimony today.

1 Report of the Special Representative of the Secretary-General for Children and Armed Conflict, U.N. G.A., 61st Sess., Agenda Item 62 (a), at 4, U.N. Doc. A/61/150 (August 17, 2006).
2 Id.

3 Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children, Feb. 12, 2002, A/RES/54/263.

4 Armed Conflict and the International Labor Organization Convention 182 on the Worst Forms of Child Labor, November 19, 2000.

5 Ariane Bernard, World Briefing Europe: France: 58 Nations Vow to End Use of Child Soldiers, N.Y. Times, February 7, 2007.

6 Id.

7 Daniel Howden and Steve Bloomfield, Historic Trial puts Warlord in Dock Over Child Soldiers, The Independent, January 30, 2007.

8 Id.

9 U.S. Military Assistance to Countries Using Child Soldiers, 1990-2007, Center for Defense Information, <http://www.cdi.org/PDFs/ChildSoldiersUpdate2006Charts.pdf> (Analyzing the U.S. Department of State's Country Reports on Human Rights Practices, <http://www.state.gov/g/drl/rls/hrrpt/2006/>., which discusses the "'nature and extent of the compulsory recruitment and conscription of individuals under the age of 18' by all armed groups in every country, and what steps have been taken by the governments of the respective countries to eliminate such practices.")

10 Id.