

***Child Soldier***  
pelibatan anak  
dalam  
konflik bersenjata

by

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# Anak dalam Konflik Bersenjata

- Konflik bersenjata seringkali tak terhindarkan dengan berbagai macam sebab dan alasan
- Anak seringkali terlibat atau dilibatkan dalam konflik bersenjata
- Anak bisa menjadi korban, ataupun korban pelaku, ataupun saksi kekerasan/kekejaman

- Konflik bersenjata di Libya > Collateral damage?
- Serangan fajar di Abbotabad Pakistan > collateral damage?

# Cambodia 1975 - 1979



# Cambodia 1975 – 1979

## Pelaku atau Korban?



# Cambodia



# Cambodia



# Tuol Sleng, Phnom Penh





# Tuol Sleng Phnom Penh



# Agent Orange Victims – American- Vietnam War



## Article 77.2 Additional Protocol 1 to the Geneva Conventions 1977

- *The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, the Parties to the conflict shall endeavor to give priority to those who are oldest.*

# Sumber Kutipan Utama

Sanjaya Aryal, *Child Soldiers in Nepal, 2008*

*A Long Way Gone, Memoar Seorang  
Tentara Anak Sierra Leone* (Suplemen  
Majalah GATRA 7 Mei 2008)

- Recruitment of children as child soldier is a **global problem**. Recent data from UNICEF estimates around **250,000** child soldiers worldwide.
- (data lain menyebutkan 300.000)



# Dimana Tentara Anak?

- Sierra Leone
- Burundi
- Kongo
- Liberia
- Somalia
- Afghanistan
- Nepal
- Etc.



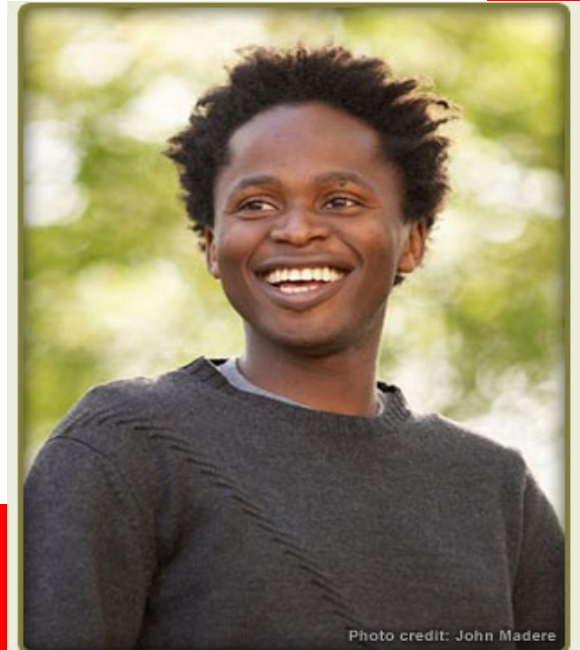
# Fenomena Sejarah



- The recruitment of children in war and armed conflict is also not a new phenomenon as **we can trace back to early history** of use of minors in warfare (Glazer, 2006; Hart, 2006; Singer, 2007; Wessells, 2002).

# A Long Way Gone : Memoirs of A Boy Soldier (Ishmael Beah)

...umurnya baru 12 tahun ketika ia direkrut menjadi tentara anak-anak pro pemerintah di Sierra Leone. Ishmael Beah, bocah itu, dilatih menjadi pembunuh para pemberontak. Narkoba seperti amfetamin, mariyuana, dan campuran kokain dengan bubuk mesiu yang dikenal dengan nama *brown brown* membuatnya jadi pembantai yang kejam...



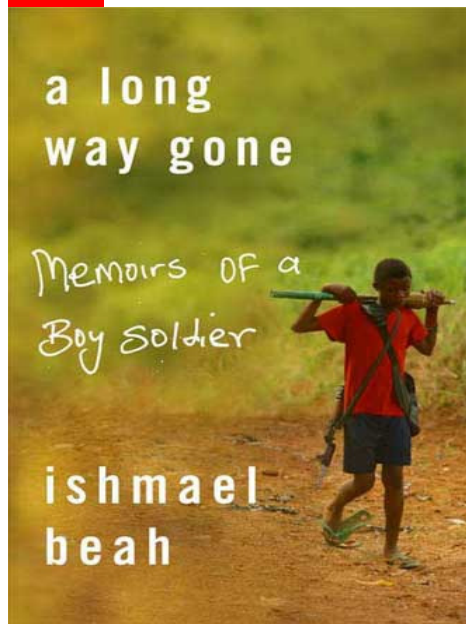


# A Long Way Gone : Memoirs of A Boy Soldier (Ishmael Beah) (2)

...kami menonton film di malam hari, film-film perang seperti Rambo, First Blood, Rambo II dan Commando. Kami semua ingin menjadi Rambo

dan tak sabar

mempraktekkan teknik2 nya...



# **A Long Way Gone : Memoirs of A Boy Soldier (Ishmael Beah) (2)**

**...kami mulai berlatih membunuh para tahanan seperti yang dilakukan sang Letnan. Ada lima anak yang ditunjuk untuk membunuh para tahanan itu. Anak yang mampu membunuh tahanan paling cepat akan memenangkan perlombaan...**



# “Keuntungan” menggunakan tentara anak

- become able to perform the role of efficient warriors.
- their supportive role in the armed conflict has changed to multiple roles ranging from combatant to supporter as porter or messenger.
- be easily manipulated and more obedient than the adult soldiers.



- According to 'Child Soldier Global Report 2004', tens of thousands of children under the age of 18 years have been recruited in more than 60 countries and within 2001-2004, rebel groups in 22 countries, and forces and authorities (informally).
- Recent facts on children by UNICEF estimate that more than 250,000 children are currently serving as child soldiers (UNICEF, 2007).
- about 30 per cent of the CPN-M forces in Nepal were children between the ages of 14 and 18. child soldier in Nepal may come more than 9,300.

# Pengertian (1)

- Child soldier is any person **under 18 years** of age who is **part of any kind of regular or irregular armed force or armed group in any capacity**, including but not limited to cooks, porters, messengers and anyone accompanying such groups, other than family members. The definition **includes girls recruited for sexual purposes and for forced marriage**. It does not, therefore, only refer to a child who is carrying or has carried arms.[\[1\]](#)

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[\[1\] Cape Town Principles \(1997\)](#). Retrieved October 5, 2007 from [www.unicef.org/emerg/files/Cape\\_Town\\_Principles\(1\).pdf](http://www.unicef.org/emerg/files/Cape_Town_Principles(1).pdf)

# Pengertian (2)

- The Paris Principles and guidelines, 2007, endorsed by 59 governments have redefined the child soldiers as :
- “A child associated with an armed force or armed group” refers to 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.

# Instrumen Internasional tentang Child Soldier

1. Declaration on the rights of the child (Declaration of Geneva), 1924
2. Universal Declaration of Human Rights, 1948
3. Declaration on the Rights of the Child, 1959
4. International Covenant on Civil and Political Rights, 1966
5. International Covenant on Economic, Social and Cultural Rights, 1966
6. Convention on the Rights of the Child, 1989
7. Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict, 2000

# Instrumen Internasional tentang Child Soldier (2)

8. [Rome Statute](#) of the International Criminal Court, 1998
9. International Labour Organization (ILO) [Convention 182](#), 1999
10. [African Charter](#) on the Rights and Welfare of the African Child, 1990
11. [Geneva Conventions](#), 1949 and [Additional Protocol I & Additional Protocol II](#) of 1977
12. United Nations Security Council resolution [1261 \(1999\)](#), [1314 \(2000\)](#), [1379 \(2001\)](#), [1460 \(2003\)](#), [1539 \(2004\)](#), [1612 \(2005\)](#)
13. Cape Town Principles and Best Practices, 1997
14. [Paris Principles](#) and Guidelines, 2007



# Konvensi Hak Anak 1989

## ***Article 38***

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavor to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

# Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts (2000)

## Article 1

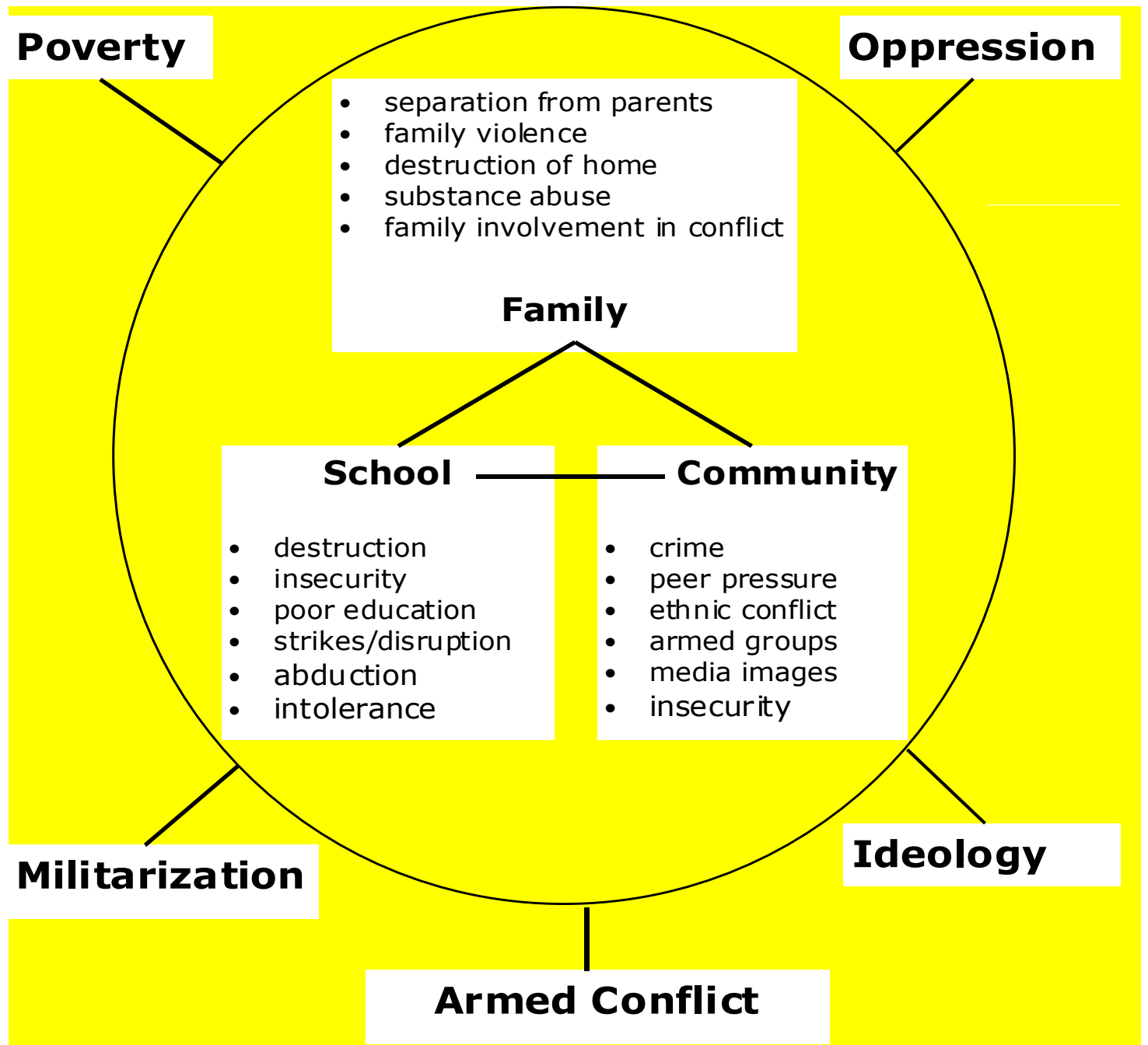
- States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

## Article 2

- States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.



# Faktor2 Berpengaruh





**War isn't child's play...**