

IANSA and International Peace Information Service (IPIS) briefing paper
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Children Shooting Children



Source: UN Photo: Isaac Billy



Children shooting children

This paper aims to explain how small arms and light weapons (SALW) proliferation leads to extreme violence by children using guns against other children, a shocking indictment on the failure of governments to ensure strict control of such weapons. The paper will draw on examples from different countries where such incidents have occurred. It will focus on cases relating to school shootings, child soldiers, cartel violence and gangs. When analysing these cases, it is important to keep in mind the complex duality involving children being both, perpetrators and victims. Finally, this paper will make recommendations on possible measures to prevent and reduce such SALW violence by children.

A. INTRODUCTION

The use of SALW constitutes a primary cause of death and other harm, both in conflict and non-conflict settings. The proliferation of SALW undermines human security, socio-economic development and contributes to the commission of grave human rights abuses against the most vulnerable, particularly women and children.¹ According to the Small Arms Survey, as of 2017 there are an estimated one billion firearms in global circulation, 84.6 % of them are in civilian hands.² Their small size, easy handling, uncomplicated design and all-too frequent availability facilitate the misuse of these weapons by children, exposing them and those around to serious risks of death and other harm. Recognising that children are still at a developmental stage and, therefore, are more vulnerable than adults, States should pay special attention and adopt measures to ensure that boys and girls are not given access to weapons and grow up protected from a culture of violence.

Multiple factors explaining armed violence by children against other children

There are a multitude of factors that drive children into using violence and gun violence against their peers. Factors that are commonly identified in connection with the cases presented in this paper are poverty, lack of opportunities, abandonment from the State, a culture of violence, and easy access to firearms and ammunition resulting from their proliferation. Higher levels of impulsivity, malleability and inexperience amongst children also put them in vulnerable positions when encountering the violent cultures of armed criminal gangs, organised crime cartels and armed political groups, especially those that deliberately target children with their acts of violence. In some cases, children have been found to be groomed and forced to commit acts of brutality against other children when the group threatens to kill, torture or harm the child or his/her family and friends. The alleged case of 'S',³ a 16-year-old girl abducted by the Lord's Resistance Army (LRA), is an example of such an act:

*"One boy tried to escape, but he was caught. [...] and then they made us, the other new captives, kill him with a stick. I felt sick. I knew this boy from before. We were from the same village. I refused to kill him and they told me they would shoot me. They pointed a gun at me, so I had to do it. [...] After we killed him, they made us smear his blood on our arms. I felt dizzy. [...] They said we had to do this so we would not fear death and so we would not try to escape."*⁴

1 United Nations Security Council (30 December 2019). "[Small arms and light weapons Report of the Secretary-General](#)," S/2019/1011.

2 Karp, Aaron (2018). "[Estimating Global Civilian Held Firearms Numbers](#)". Small Arms Survey, p. 4. For a discussion of such statistics on SALW proliferation, see the IANSA briefing paper "[Small Arms and Light Weapons Proliferation and Violence: Estimating its Scale and Forms](#)" (June 2022).

3 Name provided to victim in report by Human Rights Watch (2003). Stolen Children: Abduction and Recruitment in Northern Uganda." Vol.15, No. 7 (A).

International legal standards relevant to prevent children shooting children

International human rights law requires States to protect the rights of children. The Convention on the Rights of the Child, which virtually all States have ratified, defines a “child” as “every human being below the age of eighteen years”.⁴

Several international instruments commit the states to ensure that SALW do not fall into the hands of children and that they are not exposed to SALW violence. The United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN PoA), adopted by the UN General Assembly in 2001, acknowledges the devastating consequences of children being exposed to armed conflict, which often includes their recruitment into armed groups.⁵ The Optional Protocol to the Convention of the Rights of the Child on the involvement of children in armed groups prohibits the participation of persons under 18 years of age in armed hostilities.⁶ As part of their export risk assessment, State Parties of the Arms Trade Treaty (ATT), under article 7.4 ATT, “shall take into account the risk of the conventional arms [...] being used to or facilitate serious acts of gender – based violence or serious acts of violence against women and children”.⁷ Furthermore, States face the challenge of how to handle child offenders, given their duality as both perpetrators and victims. Most countries have special juvenile judicial systems in place where the minimum age of criminal responsibility ranges from six to eighteen years.⁸

B. Types and cases of children killing children

School Shootings

School shootings of children and their teachers are one of the most shocking types of SALW violence, especially when perpetrated by children. Society rightfully expects schools to be places of safety and learning. Moral outrage and extensive media coverage of school shootings has mostly focused on their rising number in the United States dating back to the Columbine High School massacre in 1999. However, school shootings continue to be a tragic reality in many other countries, for example in Mexico, Brazil, Germany and Russia.

The Gun Violence Archive defines a school shooting as “an incident that occurs on property of the elementary, secondary or college campus where there is a death or injury from gunfire [...]”.⁹ Similar atrocities are described in this paper, particularly concerning the motives of the child perpetrators, the sources of the weapons used, the gender of the perpetrators and their age.

A common motive identified in the cases is revenge for being expelled or being bullied. In Brazil during 2018, a 15-year-old student was arrested after having entered the *João Manoel Mondrone* State College in Medianeira, Western Paraná, where he shot students, injuring two of them. He was assisted by an 18-year-old fellow student. The reason given for this crime was bullying.¹⁰ Another case, triggered by disputes between students, occurred in France during 2017. There, a 17-year-old student brought a rifle, two hand grenades and a knife to school and then opened fire, injuring four people, including his headteacher.¹¹

4 Article 1, [Convention on the Rights of the Child](#), 20 November 1989, 1577 U.N.T.S. 3.

5 See [UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects](#), A/CONF.192/15, Preamble, para. 6: Gravely concerned about its devastating consequences on children, many of whom are victims of armed conflict or are forced to become child soldiers, [...], taking into account the special session of the United Nations General Assembly on children.

6 *Article 1* of the Optional Protocol establish that 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* says that States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces. Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, OHCHR.

7 [Arms Trade Treaty](#). Opened for signature 3 June 2013. Entered into Force: 24 December 2014.

8 Penal Reform International. “The minimum age of criminal responsibility”. P.1.

9 Gun Violence Archives. “General Methodology”.

10 EFE-EPA (28 September 2008). “[2 Students wounded in shooting at high school in Brazil.](#)”

11 BBC (16 March 2017). “[France school shooting: Teenage boy arrested after four hurt.](#)”

A mixture of mental health issues, such as depression, has been suggested as another risk factor. Even though mental health problems can be a contributing factor, they “don’t cause school shootings”.¹² Rather, what trigger the shootings carried out by children have to be seen in combination with other contributing factors, such as bullying, violent disputes between students, and easy access to firearms. In January 2017, a 15-year-old boy entered his private school named “*Colegio Americano del Noreste*” located in Monterrey, Mexico, and shot his classmates and teacher, before committing suicide. When interviewed, his parents claimed that he was suffering from depression.¹³

Social media also plays a significant role in some school shootings. Perpetrators either leave warnings prior to carrying out their shootings or post disturbing violent images as a reflection of the underlying problems the children face prior to these violent events. In 2021, a Tik Tok challenge known as “National Shoot Up Your School Day” was discovered in the United States. Even though it ended up being baseless, it caused panic and led to the temporary closure of several schools.¹⁴ Other cases involve children shooting their classmates by accident. Such an incident occurred in Mexico in 2004: a 13-year-old boy accidentally shot a classmate in the head, leaving her brain-dead.¹⁵

What is highly significant is that a determining factor in school shootings is always the easy availability of firearms and access to ammunition. In the cases covered by this paper, the weapons most used were pistols and revolvers. Other weapons identified have been AR-15 style rifles, as in some cases in the United States, as well as grenades in France, or an AK-47 in Kenya where a 17-year-old boy killed six children and a night guard.¹⁶ Most weapons used in school shootings were legally owned and were proven to belong to a close relative such as the father of the shooter. In 2009 in Germany, a 17-year-old boy killed 15 people in a shooting spree. The shooter had used a gun registered by his father, who was a member of a shooting club and had a collection of 15 guns at home.¹⁷ Faced with such tragedy, some States have made necessary legislative changes, establishing stricter gun control laws and prohibiting certain types of weapons for civilian use.

For example, after the 1987 shooting spree near London, the United Kingdom introduced the Firearms (Amendment) Act in 1988, which expanded the list of banned weapons including certain semiautomatic rifles. In 1996, as a result of a mass shooting perpetrated by a man with four handguns in Dunblane in Scotland, UK legislation was passed banning handguns, with few exceptions.¹⁸ Australia and New Zealand have reacted in a similar manner to such events. Both Australia and the UK also introduced temporary buyback programs for handing in firearms, which contributed to taking tens of thousands illegal or unwanted guns out of the hands of civilians.¹⁹

Child Soldiers

Children are at a high risk of being recruited by armed groups and government forces in most conflict settings. Between January 2018 and December 2021, worldwide over 30,000 children had been identified as recruited and used by armed forces and armed groups.²⁰ A child soldier is defined as a “*child associated with an armed force or armed group*” and “*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, [...], used as fighters, cooks, porters, messengers,*

12 Chatterjee. R. (29 May 2022). “[School Shooters: Understanding their path to violence is key to prevention.](#)” NPR.

13 Beauregard. L.P. (19 January 2017). “[Un adolescente dispara a varios compañeros y a una profesora en un colegio de Monterrey.](#)” El País.

14 Natanson. H and Meckler. L (20 December 2021). “[School threats and social media hoaxes are forcing closures, time-consuming investigations.](#)”

15 El Universal (17 May 2004). “[Confirman muerte cerebral a Dalia.](#)”

16 Sky News (15 October 2017). “[Teen kills six classmates with AK-47 at Kenya school.](#)”

17 Sackmann. H, Leske. N (11 March 2009). “[Teenage gunman kills 15 in German school attack.](#)”

18 Master. J (Updated. 10 June 2022). “[U.S. Gun Policy: Global Comparisons.](#)”

19 Ibid.

20 UNICEF. [Global Annual Results Report 2021](#). P.55.

spies or for sexual purposes.”²¹ State Parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict have the obligation to ensure that children under the age of 18 are not compulsorily recruited into their armed forces and do not take a direct part in hostilities.²²

Research shows that boys are at a higher risk of being recruited for combat roles than girls. According to a survey by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG CAAC), in the context of the Philippines, the Democratic Republic of Congo (DRC), Lebanon, Syria, Chad, Burkina Faso, Myanmar, Iraq, Sudan, and Yemen, 85% of recruited children were boys.²³ These findings do not mean that girls are at a lower risk of being recruited or that they are exempt from fulfilling combat roles. However, gender roles and gender discrimination remain present in these groups and girls are often forced into the roles of “wives, cooks, maids, [and] protecting sacred objects that groups used for their protection”.²⁴

In 2020, most children were recruited in Afghanistan, the Democratic Republic of Congo (DRC), Somalia, Syria, and Yemen.²⁵ According to the United Nations, 788 children, including 687 boys and 101 girls, were recruited in the DRC, with most cases occurring in North Kivu, Tanganyika, the greater Kasai region. In Somalia, 1,716 children, including 1,655 boys and 61 girls, were recruited in 2020, mainly by Al-Shabaab (1,407) as well as by the Somali Police Force and the Somali National Army among other groups. In Syria, 813 children, including 777 boys and 36 girls, were recruited. In Colombia, 116 children, including 77 boys and 9 girls were recruited mostly by dissident groups of the former *Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo* (FARC-EP).²⁶

Children as young as 3 years old had been found to execute people, as shown in a video recorded in an abandoned funfair in the city of Deir Azzour in Syria, released by the Islamic State which featured a boy shooting someone in the head while shouting “*Allahu Akbar*”. He and other children in the video belonged to the IS’s so-called “Cubs of the Caliphate”.²⁷ Three people were shown to be executed in this video, accused of spying for the Kurdistan Workers Party (PKK), which fights against the IS in Iraq and Syria.²⁸

According to various reports, including UNICEF and ICRC, manipulation, poverty, displacement and discrimination are risk factors for recruitment of children into armed groups.²⁹ ‘A.’ from the Democratic Republic of Congo stated:

*“I am 15 years old (2018). Before the conflict, I was going to school but now I am not going to school. [...] The soldiers were harassing people in our quarter, so the elders in our community convinced me and my friends to join the militia in order to fight against the military.”*³⁰

21 The Paris Principles. Principles and Guides on Children Associated with Armed Forces or Armed Groups. (February 2007). P. 7.

22 Articles 1 and 2 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

23 OSRSG CAAC. [The Gender Dimensions of Grave Violations Against Children In Armed Conflict](#).

24 Ibid.

25 General Assembly Security Council (6 May 2021). “[Children and armed conflict Report of the Secretary-General](#)”, S/2021/437.

26 Ibid.

27 “The Cubs of the Caliphate are the children who were exploited by ISIS during the armed conflicts in its quasi-state within Iraq and Syria. Created to serve one purpose, to ensure the continuity of the Caliphate and to convey ISIS ideology and message to future generations all over the world.” Sédrak. R. (2021) Nato Foundation. “The Cubs of the Caliphate Challenge vs Threat”. p.3.

28 Iraqi News. (9 January 2017). “[Islamic State film shows kids executing PKK informants](#).”

29 UNICEF. “[Children recruited by armed forces or armed groups Thousands of boys and girls are used as soldiers, cooks, spies and more in armed conflicts around the world](#).”

ICRC. (June 2017). “Children Associated with Armed Forces or Armed Groups” p.3

30 Omwenge.O. (2018). “[A former child soldier finds peace at World Vision's Child Friendly Space in Kasai Central](#)”, World Vision International.

Children are often used as combatants, human shields, forced to conduct executions, suicide bombers or made to transport explosives.³¹ In Nigeria, in 2015, a 12-year-old girl detonated a bomb at a bus station, killing seven people³². In April 2018, seven girls, aged between 11 and 17 years were used by Boko Haram as carriers of improvised explosive devices against a military outpost in Bille Shuwa, Borno State in Nigeria. There were over 100 casualties, including the girls.³³ Child soldiers had been reported as being involved in the commission of several massacres. For example, on 4 June 2021 in the Solhan Village (Yagha Province) in Burkina Faso, children between the ages of 12 and 14 perpetrated a massacre in which more than 130 people were killed.³⁴

There also are several reports of children being arrested by security forces, and after children endured torture to coerce confessions and were even executed. In December 2016 and January 2017, in Bosaso, Somalia, seven children accused of involvement in the murder of three senior Puntland officials were detained, tortured and five of them were subsequently executed after being tried by a military court.³⁵

Cartel Violence

Given their high level of sophistication, 'cartels' can be understood as organised crime organisations. The United Nations Convention Against Transnational Organized Crime (UNTOC) defines an "organized criminal group" as "a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit".³⁶ Most States are parties to the UNTOC and one of its supplementary instruments is the UN Firearms Protocol which requires States to make the illicit manufacture and trafficking of firearms, their ammunition and parts and components a serious criminal offence, especially when used for organised crime.

There is no exact data on the number of children recruited into drug cartels or other organised crime organisations. In 2018, the then designated Minister of Public Security, Alonso Durazo spoke of 460.000 children recruited in Mexico.³⁷ The first cartels who recruited children were the cartels of *Zetas*, *Golfo* and *Milenio*. The children are usually recruited to serve as spies or "*Halcones*" (Falcons) and hitmen or "*sicarios*".³⁸ According to Mexican government reports, the *Cartel Jalisco Nueva Generacion* recruited the highest number of underage children (CJNG).³⁹

Significant inequality, high levels of corruption, weak political institutions, insufficient state protection and lack of opportunities have greatly contributed to facilitating child recruitment, as well as abandonment, broken family ties, experience of abuse in early life.⁴⁰ A 2021 report published by '*Reinserta*' stated that recruited children understand affiliation to these groups as an opportunity to belong somewhere, making a living and earning respect and status.⁴¹ Such was the alleged case of 'J.'⁴² who was recruited at the age of 12.

31 Save the children. [Child Soldiers: The Tragic End of Childhood for Boys and Girls in Conflict](#).

32 United Nations. General Assembly. (9 December 2015). "Violations and abuses committed by Boko Haram and the impact on human rights in the countries affected" Report of the United Nations High Commissioner for Human Rights". P. 7.

33 Security Council (6 July 2020). "[Children and armed conflict in Nigeria Report of the Secretary-General](#)", S/2020/652.

34 Reuters (June 25, 2021). "[Child soldiers carried out Burkina Faso massacre, says government](#)."

35 Security Council. (November 9, 2018). "[Letter dated 7 November 2018 from the Chair of the Security Council Committee pursuant to resolutions 751 \(1992\) and 1907 \(2009\) concerning Somalia and Eritrea addressed to the President of the Security Council](#)" p. 39

36 United Nations Convention Against Transnational Organized Crime and The Protocols Thereto. Adopted on 15 November 2000.

37 Honduras360 (2018). "[460.000 niños han sido reclutados por el narcotráfico en México según equipo del Presidente electo publicado](#)".

38 La Vanguardia (13 September 2019). "[Las niñas del Cártel Jalisco Nueva Generación... ¿por qué 'El Mencho' recluta a menores para su organización criminal?](#)"

39 Infobae (23 January 2020). "[La generación desechable: niños y adolescentes al servicio del crimen organizado](#)."

40 Red por los Derechos de la Infancia en México (REDIM). "2da parte estudio "Reclutamiento y Utilización de niñas, niños y adolescentes por grupos delictivos", p. 98.

41 Reinserta (2021). "Niños y Ninas reclutados por la Delincuencia Organizada." P. 37.

42 Name changed by NGO 'Reinserta' who interviewed him in order to protect his identity.

"A neighbour asked me if I wanted to make money. Growing up in a home who could barely make it to the end of the month, I said yes. [...] as a teenager I was torturing members from rival groups to get information, killing them and cutting their bodies and dissolving them in acid in the outskirts of Mexico".⁴³

Cartels recruit children because of the low criminal penalties they can expect due to their young age. In Mexico, for instance minors are not criminally responsible below the age of 14, and until reaching the age of 18 years adolescents face low penalties.⁴⁴

Given the large number of children recruited, cartels often think of children as disposable, to the point that the cartels themselves would often murder the recruited children, given the possibility of easily replace them. This is done to avoid the underage recruits from turning into leaders or protected witnesses.⁴⁵ Children recruited by cartels are also at risk of being killed by rival criminal groups. In 2013, 13-year-old "J.A.M.L" was found murdered execution style. Prior to his death, "J.A.M.L" had acknowledged to have participated in at least 10 homicides for a Mexican drug cartel. He said to be "good at shooting with a high caliber weapon".⁴⁶ Peru has also experienced cases of children recruited by organised crime groups. In May 2015, 'O.R.C.' (29), known as 'Kissyfur', a member of the gang 'Los malditos de Bayóvar', was reportedly accused of recruiting young children of around twelve years of age to engage in criminal acts, including as hitmen.⁴⁷ In Colombia, there are cases of children performing roles of hitmen. In 2017, a boy of 17 years of age, alias 'El Frijolito' was arrested. According to the authorities, he had a history of extortions and homicides of more than 30 people, starting at the age of 12.⁴⁸

Girls also engage in similar acts, such as spying and 'hit killings'. However, they also are expected to perform traditional gender roles. 'M.C.', a 16-year-old girl, recounted how she came to work for "Los Zetas". Originally from Ciudad Victoria, Tamaulipas, she was allegedly recruited by friends and she received training on how to use AK-47, AR-15 and other heavy calibre assault rifles.⁴⁹ Testimonies of children recruited by these groups are heart-breaking. There are testimonies of acts of cannibalism as initiation into the CJNG. Two boys, one 16 and 17 years old, reported having tortured a victim and stored him in a refrigerator from where they took his arms and legs.⁵⁰

Gang Violence

The United States Department of Justice defines gangs as:

"...associations of three or more individuals who adopt a group identity in order to create an atmosphere of fear or intimidation. Gangs are typically organized upon racial, ethnic, or political lines and employ common names, slogans, aliases, symbols, tattoos, style of clothing, hairstyles, [...] The association's primary purpose is to engage in criminal activity and the use of violence or intimidation to further its criminal objectives and enhance or preserve the association's power, reputation, or economic resources."⁵¹

One of the main manifestations of criminal organisation in the northern triangle of Central America are the 'Maras'. When compared to cartels or other forms of organised crimes, these are "less organized, highly decentralized, they operate on a franchise model of neighbourhood-specific clicas ("cliques"), acting more

43 AP (14 October 2021). "El escalofriante testimonio de niños sicarios en México: No conozco otra forma de vivir que no sea matar gente."

44 Monitor Nacional. (February, 2022). ¿Por qué el narco recluta a niños en México? ¿Por qué el narco recluta a niños en México? — Monitor nacional

45 Barrera. K. (30 August, 2019). "Niños reclutados por cárteles son víctimas de una forma de esclavitud moderna: REDIM", SDP Noticias.

46 Romo.R. (4 March 2013). "13-year-old assassin murdered in Mexico", CNN. [13-year-old assassin murdered in Mexico - CNN](#).

47 El Comercio (25 May. 2015). "'Kissyfur': el acusado de reclutar a sicarios adolescentes", El Comercio. <https://elcomercio.pe/lima/kissyfur-acusado-reclutar-sicarios-adolescentes-366367-noticia/?ref=ecr>

48 El Espectador (4 February 2017). "Frijolito", el menor de 17 años señalado de cometer 30 homicidios."

49 Puntual Nacional (23 December, 2021). "Por 4 mil pesos, María Celeste de 16 años se convirtió en sicaria de los Zetas".

50 Infobae (16 September 2020). "CJNG: brutal video confirma actos de canibalismo entre los sicarios del Mencho".

51 The United States Department of Justice (April 3, 2021). "About Violent Gangs".

or less independently depending on geography”.⁵² The best-known gangs are “Mara Salvatrucha (MS-13)” and “Barrio 18”. Their origin can be traced back to the Salvadorian diaspora in Los Angeles. Large deportations from the United States have contributed to fuel affiliation to *Maras*.

Extreme poverty, political turmoil, weak family ties, and lack of state support put children in a vulnerable position for being recruited. In Kenya, closure of schools due to the COVID-pandemic has also contributed to facilitate child recruitment. In Haiti, the situation worsened after President Jovenel Moise’s July 2021 assassination.⁵³ In February 2022, in Haiti, a 17-year-old member of 400 Mawozo was arrested at *Croix-des-Bouquets*. The adolescent acknowledged having started his criminal career at age 10 with robberies. At the age of 17, he was given a 9mm pistol by ‘*Lanmò San jou*’ the caid of the 400 Mawozo. He claimed to have killed six people, including members of rival gangs.⁵⁴

In South Africa, children are often used to carry guns as shooters themselves or to deliver drugs and other illicit goods. In addition, they are left to be ‘sacrificed’ by rival gangs.⁵⁵ In 2012, it was reported that the MS-13 and Barrio 18 in the Honduran city of San Pedro Sula were recruiting children as young as six years old.⁵⁶ Recruited children are often used as messengers, to watch over kidnapped victims, as in Haiti, or to transport drugs as is the case of the *Maras* in the northern triangle. They are also charged with transporting firearms and extort business. *The Maras* in Guatemala and El Salvador also use young boys and girls to extort fellow students and teachers, infiltrating schools where they traffic drugs at a small scale.⁵⁷ In 2014, a 16-year-old girl, known as ‘*La Picachu*’ was arrested by Guatemalan authorities. She was a member of the “*Mara 18*” and suspected of extorting merchants and of murder. When arrested, she was found to have a 9mm pistol and 16 bullets.⁵⁸

Article 3, (c) of the “*C182 - Worst Forms of Child Labour Convention*”, defines as “one of the worst forms of child labour the use, procurement or offering of a child for illicit activities, in particular for the production and trafficking of drugs [...]”.⁵⁹ As a report developed by ‘*Reinserta*’ states, “criminal groups recruit children and adolescents for their availability and malleability, since they comply with orders properly, do not demand as much as an adult and easily transport and use the weapons and ammunition that are provided to them”.⁶⁰ Under Guatemalan law, children below the age of 18 are only sentenced for a maximum of six years for a homicide conviction.⁶¹ In El Salvador, imprisonment for minors between the ages of 15 and 18 cannot exceed 15 years and those younger than 12 years are not criminally liable.⁶² Similarly, in Haiti, children below the age of 13 are exempt from criminal liability.⁶³

52 Parlborg, M. “<https://www.migrationpolicy.org/article/complexities-gang-membership-central-america> Gang Membership in Central America: More Complex than Meets the Eye”.

53 Aljazeera (May 4, 2022). “[UN raises concern over Haitian gangs’ recruitment of children](#)”.

54 Leo, I. (March 25, 2022). “[Âgé de 17 ans, ce membre de gang 400 Mawozo a déjà tué 6 personnes!](#)”, Fernando Live News.

55 Global Initiative Against Transnational Organized Crime (2020). “[Gangs in Kenya and South Africa target children for recruitment during lockdown](#)”, Daily Maverick.

56 Rossi, Victoria. “[Honduran Maras Recruit Children in Kindergarten](#).”

57 Ranieri, M. “*En el Fuego Cruzado: El impacto de la violencia de maras y pandilla en el Triángulo Norte de Centroamérica*”. Save the Children. P.21

58 Prensalibre (2014). “[Child hitmen gain ground on streets of Guatemala City](#)”.

59 Convention C182 - Worst Forms of Child Labour Convention, 1999 (No. 182) (ilo.org)

60 Reinserta. (2021). “Ninas, Niños y Adolescentes Reclutados por la Delincuencia Organizada”. p.89

61 Prensalibre (23 August 2004). “[Niños sicarios ganan terreno en calles de la ciudad de Guatemala](#)”.

62 ILO (2018). Nuevas formas de trabajo infantil. Utilización y reclutamiento de niños, niñas y adolescentes para la realización de actividades ilícitas en las pandillas de El Salvador, P. 39.

63 Law & Armed Conflict Working Group (December 2008). “[Children Legal rights in Haiti](#)”. Faculty of Law, University of Toronto.

C. Remedies and Recommendations

1. *Socially reintegrate children who have experienced neglect, exploitation or violence*

Public authorities should not only to enforce appropriate and humane penalties through the juvenile judicial systems but should especially focus on the social reintegration of the juvenile perpetrators into society. As the Committee on the Rights of the Child states, children have a lesser culpability compared to adults given their difference in terms of physical and psychological development, and their emotional and educational needs.⁶⁴ Article 39 of the Convention on the Rights of the Child puts a broad obligation on States to promote and support the social reintegration of children in vulnerable situations. The Convention highlights that the social reintegration of children is a complex process which requires extensive efforts. Assistance should be given to all children who have experienced exploitation or violence, including in the context of armed conflict. Social reintegration programmes should include a variety of key measures:

- (a) Health and psychosocial recovery and support, especially the prevention of long-term impact of physical, psychological and social problems on the development of the child.
- (b) Educational and vocational opportunities: Programmes need to be mindful of the social and economic environment in which the reintegration is to take place. It should be conducive to healthy and respectful self-development.
- (c) Return to family and community life: Programmes not only have to address the needs of the children, but also those of the family and community.⁶⁵

2. *Make the recruitment of child soldiers a war crime*

Recruiting and using children under the age of 15 as soldiers is prohibited under international humanitarian law – treaty and custom – and is defined as a war crime by the International Criminal Court.⁶⁶ The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict to protect children from recruitment and use in hostilities, which entered into force in 2002 and has now been ratified by most States, is a commitment that:

- States will not recruit children under the age of 18 to send them to the battlefield
- States will not conscript soldiers below the age of 18
- States should take all possible measures to prevent such recruitment –including legislation to prohibit and criminalize the recruitment of children under 18 and involve them in hostilities
- States will demobilize anyone under 18 conscripted or used in hostilities and will provide physical, psychological recovery services and help their social reintegration
- Armed groups distinct from the armed forces of a country should not, under any circumstances, recruit or use in hostilities anyone under 18

Child soldiers need to be specially protected. There is an obligation to rehabilitate and reintegrate the children into society, which should be a priority for states.⁶⁷ When defining these programmes, a gender perspective must be taken into account.

⁶⁴ Penal Reform International. “The minimum age of criminal responsibility”. Justice for Children Briefing No. 4. P.2.

⁶⁵ UNODC (2017). Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: The Role of the Justice System p. 106.

⁶⁶ Office of the Special Representative of the Secretary General for Children and Armed Conflict.

⁶⁷ Grossmann. N. (Winter 2007). *Rehabilitation or Revenge: Prosecuting Child Soldiers for Human Rights Violations*. University of Baltimore School of Law.

3. Prevent school shootings

School safety researchers have proposed various measures which could prevent school shootings. These include:

- Support the tightening of age limits for gun ownership, from 18 to 21;
- Support universal background checks and a ban on assault-style weapons;
- Improve gun storage at home to make access to guns at home more difficult;
- The use of threat assessment model, where trained staff as well as a law enforcement representative work in unison to identify and help students in crisis before they hurt others;
- Improve social and emotional health. Resources should be devoted to halt bullying, discrimination and harassment.
- A change in culture of violence in which children are brought up is essential. Children need to learn to change patterns of behaviour linked to a “toxic masculinity”. It is relevant to promote positive role models and strengthened community ties and dialogue.

4. Prevent the proliferation of small arms and light weapons:

The proliferation of small arms and light weapons, and their ammunition, is a determining factor allowing children to have easy access to and use weapons. States need to tighten their gun control laws and take the necessary measures to prevent the diversion of SALW into the illicit market, which fuels organised crime.

In that regard,

- States should make it an absolute priority in their law and administrative procedures to avoid transferring SALW to countries in which there is a clear risk of such weapons and ammunition being used to commit crimes against children.
- States should commit to including this rule on transfers in the official Outcome Documents of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and in other regional and sub-regional instruments.

This paper was written by Yasmin Espinoza Goecke with research provided by Peter Danssaert and editorial work by Dr Brian Wood and Dr Markus Falhlbusch. It was designed by Emily Callsen.

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