

RESEARCHERS AT SINGAPORE'S *INSTITUTE OF SOUTHEAST ASIAN STUDIES* SHARE THEIR UNDERSTANDING OF CURRENT EVENTS

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## **Prospects for Ending Child Soldiering in Myanmar**

*By Su-Ann Oh\**

### EXECUTIVE SUMMARY

- The Myanmar military has been releasing child soldiers from its ranks since 2012 as part of the commitment it made when it signed a Joint Action Plan with the UN preventing the recruitment and use of under-aged recruits in the armed forces.
- While the military has moved forward in ending the service of some minors, it has been criticised for its limited cooperation with the UN and allied agencies regarding the identification and release of child soldiers.
- The incongruent actions of the Myanmar government and military with regards to the actualisation of the Joint Action Plan need to be considered in light of the expansion and role of the military and the way in which nationalism is articulated through militarism in Myanmar society.
- The prevalence of child soldiers is also attributed to the protracted ethnic conflicts that Myanmar has endured since independence. The example of Johnny and Luther Htoo, nine-year old twins who led a faction of the Karen National Liberation Army, highlights the circumstances surrounding child recruitment into ethnic armed groups.
- The social and economic conditions born of a conflict-ridden and long-stagnant economy have greatly contributed to under-aged recruitment into state and non-state armed groups.
- The Joint Action Plan is only one of many steps that need to be actualized to end child soldiering. At the same time, more attention needs to be given to the experiences and desires of current and former child soldiers regarding their recruitment, discharge and integration into society.

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\* **Su-Ann Oh** is visiting fellow at ISEAS from 15 July 2013 to 14 July 2014. She can be reached at: [suannoh@iseas.edu.sg](mailto:suannoh@iseas.edu.sg).

## INTRODUCTION

Since September 2012, the Myanmar state army—the *Tatmadaw*—has discharged a total of 176 people who were recruited as children. The release is part of the agreement that the Myanmar government made when it signed a Joint Action Plan with the United Nations (UN) in June 2012. This plan is aimed at preventing the recruitment and use of under-aged recruits by the Myanmar armed forces, and the identification, release and reintegration of children. The government has also agreed to facilitate processes that seek to end child recruitment by non-state armed groups.

However, the registration process is as yet far from complete and progress in releasing children from the army has been slow after more than a year since the plan was signed. In addition, the Myanmar government has been criticised for its limited cooperation in the identification of child recruits and its lack of progress in eradicating policies and practices that promote child soldiering. While the Joint Action Plan represents a significant step forward, this article argues that the phenomenon of child soldiers has to be understood in the context of the role of the *Tatmadaw* and several key features of Myanmar society: the articulation of nationalism through militarism, the long-drawn out ethnic conflicts and consequent militarisation, and the social and economic conditions born of a conflict-ridden and long-stagnant economy.

## THE NUMBER OF CHILD SOLDIERS IN MYANMAR

The total number of people who were recruited as child soldiers is unknown. The 2012 UN Secretary-General report on children and armed conflict obtained figures for underage recruitment from complaints that had been lodged with the ILO in Myanmar. This number rose from 194 in 2010 to 243 in 2011, and 237 up until November 2012, of which 21 children were recruited in that year.

However, this does not provide a complete picture: first, children may have been recruited without formal complaints being lodged; and second, it does not reflect the number of children who were recruited in the past. Gaining accurate numbers is a task that the military committed to in the Joint Action Plan but has yet to fulfil.

In 2002, using testimonies collected from former soldiers, Human Rights Watch estimated that 35 to 45 per cent of all new recruits were children. In addition, it was suggested that 70,000 or more children were recruited into the state army and armed groups. If this number is accurate, Myanmar would have the dubious honour of being the country with the highest number of children serving in armies at the time, according to the Coalition to Stop the Use of Child Soldiers.

It was believed that most of these 70,000 child soldiers had been recruited into the state army, while about 6000 to 7000 were serving in various ethnic armed groups.

According to Human Rights Watch in 2002, the United Wa State Army (UWSA) had the highest number of child soldiers, estimated at 2,000; while between 40 and 50 per cent of new recruits of the Democratic Karen Buddhist Army (DKBA) and 20 per cent of the Karenni Army (KA) were minors. The Shan State Army - South (or SSA-S) was suspected of having several hundred under-aged soldiers in its ranks.

These figures, while informative, come with caveats. First, they were based on estimates provided by respondents. Second, there is little information on how many children were forcibly recruited and how many volunteered. It is also interesting to note that subsequent reports on child soldiers in Myanmar by Human Rights Watch (2007) and by Child Soldiers International (2013) do not cite these numbers.

According to the 2012 UN Secretary-General annual report to the Security Council, the *Tatmadaw*, the Democratic Karen Buddhist Army (DKBA), the Kachin Independence Army (KIA), the Karen National Liberation Army (KNLA), the Karen National Liberation Army-Peace Council (KNLA PC), the KA, the SSA-S and the UWSA were listed as persistent perpetrators of the recruitment and use of children. They are considered persistent perpetrators because they have been listed in the report for more than five years.

## THE JOINT ACTION PLAN: ONE STEP FORWARD, TWO STEPS BACK

By November 2012, the government was to have identified and registered all minors in its forces and to release them from the armed forces within an 18-month period (i.e., by December 2013). While a UN Secretary-General's report to the Security Council on children and armed conflict in Myanmar released this year stated that some progress had been made by the military, it also highlighted that there had been limited cooperation.

Similarly, Child Soldiers International reported that the military has not been fully cooperative by refusing UN access to military installations to assess the presence of child soldiers. The *Tatmadaw* have also prohibited UN access to the Border Guard Forces and to groups that have recently signed ceasefire agreements with the government (KNLA and KA). In addition, systemic practices that encourage or facilitate the recruitment of children—e.g. the system of incentives and pressure from senior military officials to fulfil unit quotas and the forging or illegal acquisition of documentation for under-aged recruits—have not been abolished. In direct defiance of the Joint Action Plan, the authorities have attempted to institute an exemption to the enlistment age of 18 for 16-year-olds who have completed ten years of schooling.

Non-state armed groups have responded to international pressure in different ways. In the 2000s, some were reported to have taken steps to end their use of minors in their armies, while others denied having child soldiers or showed no concern regarding their use. The KNLA and KA were reported as being willing to stop the

practice of child soldiering. However, subsequent reports found that minors were still being recruited by the KNLA. In late July this year, the KNLA signed a commitment to protect children from armed conflict and to prevent the recruitment of child soldiers. It remains to be seen if the agreement will be enforced.

The government's incongruent actions since the signing of the Action Plan are consistent with past behaviour. Myanmar has legislation that outlaws child recruitment into the army, yet this practice continues. The armed forces are prohibited from recruiting under-18s under the provisions of Directive no. 13/73 (1974) of the Myanmar Defence Services and War Office Council. Additionally, Section 374 of the Myanmar Penal Code criminalises forced labour, which covers the crime of forced recruitment of children into the armed forces. Other laws relating to kidnapping, abduction, slavery, and forced labour were also passed. Nonetheless, it has been reported that such laws are easily undermined by the falsification of proof-of-age documents, as described earlier.

Two decades ago, in response to the UN Convention on the Rights of the Child, the government created the National Committee on the Rights of the Child to enact the Child Law to prevent the recruitment of minors. In 2004, the Myanmar junta established the Work Committee for Prevention of Recruiting Minors for Military Service which worked with the National Committee on the Rights of the Child to end child recruitment. However, it was criticised for not being effective and even accused of covering up legitimate civilian complaints about child recruitment. Nevertheless, the Myanmar government claimed that 141 children were released from the *Tatmadaw* between 2004 and 2007, and 213 between 2002 and 2005, although these could not be verified by independent observers.

## GROWTH OF THE *TATMADAW* AND MILITARISATION OF MYANMAR SOCIETY

The military's equivocation with regards to the identification and release of child soldiers can partly be explained by the country's preoccupation with the expansion of its armed forces. Since the mass demonstrations in 1988, the growth of the *Tatmadaw* has been a stated goal of the government and justified by appeals to national unity. Put another way, Myanmar's military growth has been fuelled by appealing to the fears of internal or external disruptions.

As a result, recruitment has become a prime objective, with direct implications on the recruitment of children. The dwindling numbers of willing adult recruits, the low pay and the quota requirements imposed on *Tatmadaw* officers encourage the forcible recruitment of children.

Other systematic methods of recruitment also exist. Roaming groups whose function is to recruit soldiers, both children and adult, target children in public places and

those living on the streets. Human Rights Watch in 2002 and 2007 reported that groups linked to the military were directly involved in forcibly recruiting children as well as adults. *Pyithu Sit* (People's Army), an arbitrarily recruited militia controlled by the army, forcibly recruit civilian men and boys to assist in its operations in remote areas close to armed conflict with ethnic resistance groups. *Ye Nyunt* (Brave Sprouts), an organisation that recruits young boys with the goal to incorporate them into the state armed forces, accomplish this in a number of ways, which include abduction from families.

The ideological drive behind the expansion of the *Tatmadaw* and its role in Myanmar society are the result of a series of events that are rooted in history. First, British colonial rule relied on military intervention as the means to control, a model that continues to prevail in present-day Myanmar. Second, nationalist aspirations and independence were expressed through strong-arm tactics employed by nationalist agitators who formed 'rebel gangs' and *tats* (armies that were mostly unarmed) affiliated to nationalist, religious and youth groups.

The militaristic nature of Burmese nationalism took root during the colonial period and continued to grow during the Japanese occupation. The Burma Independence Army, created when the Japanese occupied the country, became an institution that played a significant role in developing state-building practices through the fostering of citizenship ideals and comradeship. In addition, nationalism and warfare became entwined in the experiences and minds of soldiers as well as civilians. In particular, a shared national identity and sense of unity through similar military expressions of nationalism were fostered in armed groups affiliated with ethnic, religious or political organisations. As a result, the armed forces and armed groups came to be viewed by nationalists as a means to independence and national unity.

## LONG-DRAWN OUT ETHNIC CONFLICTS

Colonial rule also left the legacy of politicised ethnicity which, combined with the model of armed groups formed under nationalist and other aspirations, led to long-standing armed ethnic conflicts. This exacerbated the militarisation of Myanmar society and contributed to the recruitment of minors. It is worth noting that when a conflict is prolonged, armed forces and groups are more likely to recruit children to replenish their ranks. Myanmar is no exception to this trend.

In addition to groups linked to the *Tatmadaw*, many non-state armed groups have also recruited children (and adults) with and without the use of force. Ethnic armies that signed ceasefire agreements with the state before the 2011 elections—and which are now part of the Border Guard Force (the UWSA, DKBA and SSA-S)—had the highest number of child soldiers as reported by Human Rights Watch in 2002.

Besides coercion, a family quota system was used to recruit minors. Both KNLA and KA stated that they accepted minors who volunteered. Revenge for the abuse suffered under the *Tatmadaw* and its proxies appears to be one of the major reasons that under-aged males enlisted voluntarily in the KNLA and the KA.

The most well-known case of child soldiers in Myanmar is that of Johnny and Luther Htoo, nine year-old Karen twins who led the God's Army, a faction of the KNLA at the time. The group was formed in 1997 after the Htoo brothers led a successful counter-attack against a *Tatmadaw* battalion that had previously raided a Karen village. It was active for over three years, and was made up of child and adult soldiers of between 150 and 300 people. The two most high-profile attacks orchestrated by the group occurred on Thai ground. In October 1999, it seized the Myanmar embassy in Bangkok; and in 2000, 10 members of the group held 700-800 people hostage in a hospital in Ratchaburi for 22 hours.

The twins acquired a mystical reputation of legendary proportions. They were purported to have magical powers such as being immune to bullets and mines, being able to kill telepathically, and to change form. These legends encouraged many other children from the refugee camps and in the Karen state to enlist. However, in an interview reported by the Bangkok Post in August this year, Luther—who is now 25 years old—dispelled the myths and revealed that the only reason they had been singled out as leaders was because they were twins. In another interview, Luther also revealed that senior military officials made all the plans, which were then delivered to the rest of the army by the twins. They were, in reality, the figureheads of the armed group.

Although in some respects the experience of the Htoo twins is not representative of most child soldiers in Myanmar—they did not occupy the lowest rungs in the armed groups and were treated as mythical icons—they share many similarities with child soldiers recruited into ethnic armed groups: the motivation for revenge against the *Tatmadaw* and freedom for the ethnic Karen minority. In addition, prolonged conflict, internal displacement due to structural conflict inflicted by the *Tatmadaw* and its proxies, and poverty are recurring themes tightly interwoven into the fabric of the twins' lives and those of many other children in war-torn ethnic areas.

Now in its third year of reform, Myanmar's government is seeking a nation-wide ceasefire accord with the country's armed ethnic groups. Although the KA and KNLA recently signed ceasefire agreements with the Myanmar government, the ceasefire has proven tenuous and the pervasive militarisation has not diminished.

## ECONOMIC AND SOCIAL CONDITIONS

The dire economic conditions faced by Myanmar since the Second World War, coupled with long-drawn out conflicts and the consequent breakdown of social

institutions and infrastructure, have significantly contributed to the voluntary and forced recruitment of child soldiers.

In March this year, the Myanmar Union Parliament approved the allocation of one-fifth of the country's annual budget to the military, making it the largest recipient of public funds. In contrast, only 4.4 per cent and 3.9 per cent of the budget were allocated to education and health care respectively. Part of the total amount spent on the military goes to health care, education, and other services for military staff and their families. Given the straitened economic circumstances faced by ordinary Myanmar citizens, and the neglect of public health care and education, joining the army either voluntarily or through coercion represents the best chances of earning an income, having a career and obtaining access to basic services. Enlisting is also a socially approved way of rising up the social ladder. It affords many young men the possibilities of building a career, entering politics and becoming a civil servant – opportunities that are scarce in other sectors.

The same can be said of the remote border regions where government neglect, structural violence and poor economic conditions make joining an ethnic minority army relatively attractive. Young boys turn to the army for protection, food and support despite the dangerous work, harsh conditions and sometimes brutal treatment meted out to them. In addition, it is common that families are affiliated to ethnic armed groups, and in such cases joining an army may be viewed as a family tradition. The army also provides opportunities that may not be available to young men living as internally displaced persons or in refugee camps where further education and work opportunities are limited and often non-existent. Moreover, young boys may join armed groups to fill the familial vacuum that is caused by the breakdown of social institutions and the break-up of families brought upon by conflict.

## CONCLUSION

The Joint Action Plan has succeeded in galvanizing the release of 176 people from the *Tatmadaw*. However, a combination of economic, political and social factors in Myanmar need to be addressed before under-aged recruitment can be fully eradicated: the deeply entrenched role of the military in society, the expression of nationalism through militarism and warfare, the inclination to resolve political and ethnic tensions through conflict, and the economic and social breakdown of a conflict-ridden society. These factors, together with ideological and practical considerations, influence the nature and extent of under-aged recruitment.

In addition, more attention has been paid to the release of child soldiers than to what awaits them after being discharged from the army. We know little of the 176 young men who were released from the *Tatmadaw*: what were the circumstances of their recruitment and did they want to be discharged? What do they think about the

social and economic conditions they now find themselves in? The answers to these questions would provide us with a more nuanced and individualized approach to helping current and former child soldiers deal with the circumstances they presently face, as well as the formulation of a strategy that would take account of both structural constraints and individual agency.

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Institute of Southeast Asian Studies  
30, Heng Mui Keng Terrace  
Pasir Panjang, Singapore 119614  
Main Tel: (65) 6778 0955  
Main Fax: (65) 6778 1735

Homepage: [www.iseas.edu.sg](http://www.iseas.edu.sg)

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