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INSTITUTION EVOLUTION: INTERNATIONAL LAW AND GLOBAL ORDER

— Roméo Dallaire and Shelly Whitman

As an international community, we have asked ourselves how to prevent and respond to grave injustices. We have answered this question by creating laws and institutions that set guidelines for what is and is not acceptable, and the mechanisms for response. On paper, it would seem we have come a long way, but in reality, we have not managed to keep up with the rapid evolution of armed conflict. International law is not yet robust enough to hold accountable all offenders, and institutions are continuously prevented from achieving their mandates by the national interests of member states. As we work to improve these systems in an increasingly interconnected world, we must understand that injustices—no matter where or against whom—are not only a moral problem, but one of global peace and security.

The shortcomings of our international institutions were made all too evident during my time as Force Commander of UNAMIR, the peacekeeping mission for Rwanda, when the UN Security Council refused to give us a mandate to act. Alongside the Rwandan people, my troops and I witnessed one of humanity's darkest hours, and I have grappled ever since with how we can better protect society's most vulnerable in conflict, including, and most especially, children.

The world failed Rwanda in 1994, and since then we have gone on to fail in Bosnia, Sudan, Iraq and so many others. Institutions like the United Nations will continue to fail in their mandates *if there is not the political will to act*, and so the priority should not be on changing procedure, but changing attitudes to realize the global implications of inaction, indifference, and self-interest.

The International Criminal Tribunal for Rwanda (ICTR) proved how far International Law has come, delivering the first verdicts in relation to genocide, rape as a weapon of war, and media as a means of inciting genocide. However, the ICTR did not convict anyone for using children as a weapon of war, a crime that was glaringly apparent to my troops and me. The first conviction for the crime of recruiting and using child soldiers only came in 2007 at the Special Court for Sierra Leone.

The UN Convention on the Rights of the Child (UNCRC) is a framework for ensuring governments have an obligation to protect children from abuse and exploitation, but it still fails to tackle the entire issue of the recruitment and use of child soldiers. The UNCRC has no power over non-state actors, who far too often recruit and use children, and play a huge role in global instability. The UNCRC also allows armed forces to enlist children between the ages of 16-18, so long as they have “volunteered”, with consent of their legal guardian.

We have come too far to still be allowing children to be horrifyingly abused in adult wars, and this must be addressed. While International Law is critical, and must continue to be improved and adhered to, law alone cannot effectively solve such egregious issues because it is inevitably reactive. Even with iron-clad laws there will always be individuals who will choose to break them, so holding these people accountable is essential.

And so, we must ask ourselves: Why are people recruiting and using children in conflict? Why do they see it as advantageous to their cause? By asking these questions our team at the Roméo Dallaire Child Soldiers Initiative has been able to

work with nations like Sierra Leone and Rwanda—that have seen too many of their young people bear the burden and scars of war—and learn from them how to not repeat the past. Sierra Leoneans and Rwandans have responded to the suffering they endured in part by championing our prevention-based approach—working with security sector actors and community stakeholders to change the way they think about children, and it is resonating: soldiers are now seeing how, when, and where children become vulnerable to recruitment. They are working to stop this practice, as communities are prioritizing children’s education and are listening to their children’s calls for peace.

At the Dallaire Initiative, we have seen how international laws and institutions must be complemented by a preventative, security sector response that has the adequate tools, tactics, techniques and procedures to protect children and reduce risk. The recruitment and use of children has proven repeatedly to be an early warning indicator of mass atrocities, and the international community must now act with foresight.

If we step in to prevent violence today, and give children the chance to flourish, they will become tomorrow’s leaders and learn from this example. Every decision we make, especially concerning security, must consider the effect on children, because that is what will determine our future. We must ask ourselves: what kinds of leaders do we want to create within our own borders and around the world? Peace and security discussions must put children’s rights upfront, or we will be perpetually doomed to repeat our mistakes of the past.

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