

CHILDREN AFFECTED BY ARMED CONFLICT IN SOUTH ASIA:

A REVIEW OF TRENDS AND ISSUES IDENTIFIED THROUGH SECONDARY
RESEARCH



Young Mujahideen landmine amputee
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**A discussion paper prepared for
UNICEF Regional Office South Asia**



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GLOSSARY

CAAC	Children Affected by Armed Conflict
CHT	Chittagong Hill Tracts (Bangladesh)
CRC	Convention on the Rights of the Child
DFID	Department for International Development (UK)
FATA	Federally Administered Tribal Areas (Pakistan)
GDP	Gross Domestic Product
GOSL	Government of Sri Lanka
IDP	Internally Displaced Person
ISI	Inter Services Intelligence (Pakistan)
LTTE	Liberation Tigers of Tamil Elam (Sri Lanka)
NE	North-East (India)
NWFP	North West Frontier Province (Pakistan)
PDPA	People's Democratic Party of Afghanistan
SIPRI	Stockholm International Peace Research Institute
SLA	Sri Lankan Army
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

BACKGROUND TO THE PROJECT

Recent decades have witnessed a significant increase in the number of armed confrontations internationally, ranging from outright warfare and mass violence to sporadic civil unrest and long-term unstable post-conflict situations. Engagement by trained armed forces is but one facet of modern warfare: the elimination or incapacitation of civilians through killings, torture and disappearances, psychological terror, forced migration, starvation and the destruction of social institutions, being a major feature of many struggles. Consequently, civilian casualties rose dramatically as a proportion of the total over the course of the 20th century and into the 21st century.

Conflict has its greatest impact on the poorest communities in the poorest countries, and children and adolescents under age 18 are among the most severely affected in these communities. According to the United Nations, some 20 million people have been killed in over 150 armed conflicts in developing countries since the Second World War, the majority being women and children. More than half of the world's 22.4 million displaced people are children and adolescents: one in every 230 persons in the world is a child or adolescent who has been forced to flee his or her home. The impacts on children may be direct and apparent, as in the case of death, wounding, family separation, or dislocation, but they are frequently far less obvious, as with economic impoverishment, hazardous labour, early marriage, or the loss of opportunities for education and health.

The Convention on the Rights of the Child (CRC) provides a global charter for children's survival, protection, development and well-being. Armed conflict creates conditions under which many of the rights laid out in the CRC are undermined. As the 1996 Graça Machel report to the United Nations on War Affected Children pointed out, war greatly increases the threats to children and clearly contravenes the mandate for their protection provided by the CRC.

The international community therefore has a special duty of care and protection with regard to children exposed to armed conflict, civil strife and displacement. This duty requires agencies involved in preventative and emergency efforts to understand how children are affected by such adversities and to develop measures that mitigate the impact on children. Acknowledging the urgent need to improve child-focused emergency responses in the context of conflict, the Department for International Development (DfID) of the UK Government has provided financial support to UNICEF internationally, through the global emergency capacity building project. This project comprises three elements, one of which directly addresses children affected by armed conflict and aims to:¹

- raise awareness of and political commitment to the concept of children as 'zones of peace';
- enhance UNICEF capacity to advocate for the protection of children affected by armed conflict;

- increase UNICEF capabilities to develop co-ordinated policy and programme approaches to mitigate the impact of armed conflict on children;
- strengthen UNICEF capacity to implement better targeted programmes for protection of, and psychosocial support to, children affected by armed conflict;
- improve UNICEF knowledge-base for the protection of children in situations of armed conflict.

Within the context of the overall global project, UNICEF's Regional Office for South Asia has developed the **Capacity Building Project for Children Affected by Armed Conflict**. Among other components, this project entails the conduct of secondary and primary research on war-affected children within the region, as follows:

Stage 1: Secondary Research (November 2000– July 2001). A survey of the impacts of conflict on children in South Asia, undertaken by a team of researchers attached to the Refugee Studies Centre, University of Oxford, UK. This research was intended to identify existing information on war-affected and displaced children in the region as well as organisations that are working on these issues. In addition, it facilitated the identification of questions, themes and field sites for the primary research to be conducted in Stage 2. The results of Stage 1 will be used also to establish priority areas for capacity-building and programmatic intervention, and key issues for policy and advocacy. The work of stage 1 involved:

- A situation analysis of war-affected and displaced children, secondary data collection;
- A survey of institutions in South Asia that conduct research and/or run programmes with war-affected and displaced children;
- Two regional workshops, the objectives of which were to disseminate the findings from phase one of the research among academic institutions, programme personnel and policy-makers within South Asia and plan stage two of the research.

Stage 2: (commencing January 2002) Primary Research and Capacity building. Phase two of the project involves two components: primary research in case study countries/communities and capacity building in relation to the issues affecting children exposed to armed conflict in research, programmatic action, policy development and advocacy within UNICEF and among partner implementing organisations. Most of the work in Stage 2 will be conducted at country level with national and sub-national institutions, with technical assistance and other forms of support from the UNICEF Regional Office for South Asia.

The aims of conducting primary research in Stage 2 are:

- to address the knowledge gaps identified in Stage 1 of the project;
- to learn more about children's understandings and experiences of and responses to, conflict;

- to develop the skills of listening to and working directly with affected children an operational agencies working in conflict settings;

This discussion document is a summary of the trends and issues identified through the research conducted in Stage 1. It is a synthesis of eight country specific reports. Together these reports provide a review of existing information on war-affected children in Afghanistan, Sri Lanka, Pakistan, India, Nepal, Bhutan, Cox's Bazaar, Bangladesh and the Chittagong Hill Tracts, Bangladesh respectively. They contain analysis on both the macro conditions that contribute to political violence as well as the micro level impacts of these conflicts on children. They also point to knowledge gaps and methodological shortcomings¹, as well as to further information needs. These latter are summarised in the conclusion and recommendations to the present report.

¹ See appendix 1

1. THE NATURE OF ARMED CONFLICT IN SOUTH ASIA

‘Armed conflict’ is defined in this report as the use of armed violence to resolve local, national and/or international disputes between individuals and groups that have a political, economic, cultural and/or social (as opposed to inter-personal or criminal) origin. Armed conflict is a mechanism of social transformation that may originate either in competing claims over resources or power or in conflicting cultural or social values, and is often aggravated by low levels of human security. The term ‘armed conflict’ is preferred to that of ‘war’ because its usage commonly encompasses a far broader range of circumstances and conditions, from violent political protest or insurgency, to violence enacted by trained and organised military units and to genocide. Certain characteristics are common to many, or most, of the armed conflicts in South Asia, as follows:

1.1. Complexity of conflict

Many of the countries in the region experience multiple forms and levels of conflict concurrently. Sometimes armed violence begins at the local level with a minor dispute that spirals out of control, and sometimes it involves the opposing forces of nation states. In India, armed violence is of many types, including the international dispute with Pakistan (a fellow nuclear power) over Kashmir; communal rioting along caste and religious lines; the low intensity violence of insurgency in the North East and the local level victimisation of minority groups everywhere. NE India alone is home to over 300 different ethnic or linguistic groups, many of whom have distinct political interests and claims and are in conflict both with each other and with the national government. This area has been marked by both intra-tribal fighting and anti-state insurgency.

The dispute between Pakistan and India over control of Kashmir has twice escalated into war, with a further near war in 1999. Pakistan is at the same time involved in the Afghan crisis, which some commentators regard as a proxy war by Pakistan to further her interests in the region. There are also links between Pakistani based interest groups and other international conflicts. These groups have been accused of fostering conflict within Indian-held Kashmir, the Punjab, NE India, Tajikistan and Chechnya. Intra-ethnic tensions, which often erupt into violence, are severe in Pakistan, especially in the ‘Federally Administered Tribal Areas’ (FATAs) while in the North West Frontier Province (NWFP) the presence of up to 2 million Afghan refugees has arguably placed a great strain on the local infrastructure and created tensions with the local population. Internal armed conflicts involving the military wings of ethnically based political parties have dogged the province of Sindh. Finally, there have been an increasing number of incidents of sectarian violence across the country, as well as an escalation of conflict related to the activities of criminal gangs operating especially in urban areas.

1.2. Low-intensity and episodic conflict

In most affected areas (other than Afghanistan), armed conflict is not continuous but sporadic, and shifts from one area and one community to another. In Sri Lanka, the conflict has been characterised by ongoing violence involving separate incidents of guerrilla-type activity, small-scale combat on land and sea, incidences of aerial bombardment by the Sri Lanka Air Force, and regular but limited shelling by both

sides. However, during the entire period of the conflict in this country - now almost two decades old - full-scale battles between the parties have been few and periods of calm frequent, if short-lived. Only the most dramatic of events – such as the LTTE attack on Colombo Airport in July 2001 – attract attention from the international media.

The level of conflict in other countries of the region, aside from Afghanistan, has generally been of a similar kind to Sri Lanka in that full-scale warfare has figured rarely if at all. Clearly the current situation in Kashmir has the potential for war, as happened in 1965 and 1971. This is a particularly alarming prospect given the fact that India and Pakistan both possess nuclear weapons. For the most part, however, the conflicts in South Asia may fairly be described as low-intensity, involving the use of unsophisticated weaponry – small arms and explosives that are often home-made.

This kind of conflict may continue for many years and yet produce comparatively few casualties. It is therefore assumed to present minimal risk to children. Indeed, the stereotypic view of war seldom encompasses such situations. Nevertheless, even when exposure to actual armed violence is limited, the effects in terms of repression, loss of security, income and service access, displacement, military harassment, and other such phenomena are considerable. If we consider that the imposition of security checks, patrols, curfews, restrictions on access to farmlands and other resources, discriminatory employment practices, closure of schools and other facilities, enforced use of identity cards, and so on, are all a critical part of military strategy in many areas of South Asia, it is clear that low-level conflict may have an immense impact on the lives of children and their families.

Quite apart from their political effects, such measures have adverse economic, social, emotional and psychological consequences for children and result in a range of rights violations. This is the case in the Chittagong Hill Tracts of Bangladesh. While the actual numbers of conflict-related deaths may have been relatively small, the impact on the daily lives of the local inhabitants has been immense. Throughout the more than 20 years of fighting between tribal insurgents and Bangladeshi security forces, the region was effectively cut off from the rest of the country (and the world at large) due to an information blackout imposed by the government. Approximately one-third of all government forces were stationed in the Hill Tracts to protect the 400,000 Bengali settlers who had been transferred to the region, and to enforce counter-insurgency measures, which amounted in practice to widespread human rights violations and atrocities against the inhabitants. Freedom of movement was heavily restricted across the 3 districts, and the disruption to daily routines, such as tending fields or going to school, was acute. In the mid-1980s, the threat to their security from massacres, rape and persecution forced around 80,000 tribal refugees into the neighbouring Indian state of Tripura. Even after a Peace Accord was negotiated in 1997, tribal populations continue to suffer displacement, economic marginalisation and communal violence.

1.3. The prevalence of ‘intra-state’ conflicts

Armed conflicts in South Asia are mostly defined as ‘intra-state’. In certain respects, however, this term is a misnomer since few conflicts in South Asia originate, or are contained, within national boundaries. For example, Taliban youth were trained in military techniques in refugee camps in Pakistan; drug traffickers from Myanmar

provide one of the income sources for the purchase of weapons used in NE India; and the Chakma people are in conflict with national government in both India and Bangladesh. Similarly, funding for the LTTE in Sri Lanka currently comes from two main external sources: expatriate Tamils (principally in North America, Australia and the UK²), and the profits from a large business that includes international drug-trafficking and smuggling.

In many cases, intra-state conflict is related to security threats from neighbouring countries, with the result that governments frequently give armies inordinate powers to 'protect the nation'. This kind of situation results in the resolution of internal disputes through militarised security operations, rather than through dialogue in an atmosphere of accountability. High levels of repression by the military of specific civilian groups, in turn, incites retaliatory action and may lead to open, armed, intra-state conflict.

1.4. The continuity of political conflict with other forms of violence

Levels of violence of all forms - political, criminal, inter-personal and domestic - are extremely high in many parts of South Asia, and personal security is often sorely lacking. The availability of arms means that local and comparatively minor disputes frequently result in the use of lethal weapons. In this volatile climate, local incidents aggravate underlying tensions and can result in widespread conflict. Thus, for example, the Pathan-Mujahir fighting of the 1980s in Karachi started with a road accident involving a Pathan taxi driver and Mujahir passengers.³ In Nepal disputes between villagers are now often subsumed within the larger conflict between the Maoist insurgents and the Nepali police. As a consequence such events are far more likely to involve the use of violence. Furthermore, there have been numerous incidents of ordinary criminals assuming the guise of Maoist revolutionaries in order to add weight to their own efforts at extortion and banditry. These so-called 'fake Maoists' provide one example of the blurred distinction between politically-motivated conflict and criminal activities that commonly develops in conflict-affected countries in the region.

1.5. The concentration of conflict by social group/and or region

Except in Afghanistan, where conflict has affected practically all populations directly, whether or not you are exposed to armed violence is determined to a large extent not only by who you are (i.e. your social, religious or ethnic status), but also by where you live. Outside Afghanistan, the populations at greatest apparent risk in South Asia are those living in the North and East of Sri Lanka, Kashmir, NE India, Western Nepal, the 'Federally Administered Tribal Areas' and Sindh province in Pakistan, South Bhutan and the Chittagong Hill Tracts of Bangladesh.

1.6. Physical destruction

In many cases, armed conflict results in the destruction of private and public property, of communications systems, food stocks, natural resources, livestock, water supplies, sanitation systems and practically all manufactured and natural resources. The outlay on rehabilitation and reconstruction of physical capital damaged or destroyed by fighting is often considerable, although seldom properly calculated. For the period 1983-1998 the total cost of damages of the war in Sri Lanka was estimated at 137.1 billion Rupees (c.\$1.53 billion).⁴ Events since 1998, including the LTTE offensive on

Elephant Pass and the Jaffna Peninsula in 2000 and the attack on Colombo Airport in 2001, have surely added immensely to the damage and consequent costs.

More than any other country, the war in Afghanistan has led to widespread, in some cases total, destruction of population centres and infrastructure. In 1978, the principal communist organisation in Afghanistan, the People's Democratic Party of Afghanistan (PDPA), took power. From the outset the PDPA response to the anti-communist resistance was heavy and in 1979, Herat, a centre of the rebellion, was bombed. Several thousand were killed and the movement of refugees to Pakistan and Iran began. Fighting in Afghanistan has been characterised by high levels of destruction ever since this time. An estimated 22,000 villages were completely destroyed or heavily damaged during the operations of the Soviet and Afghan government forces in the 1980s. Some 3,000 irrigation systems were demolished as part of the deliberate strategy to disable the local economy in areas thought to be harbouring mujahideen and an estimated 10 million landmines were laid. Rural schools and health centres were major targets as they were often used as barracks for combatants.

1.7. Forced Migration

Forced migration, both internal and international, is a common feature of armed conflict in South Asia, affecting countless individuals, families and communities. Displacement is fundamental to the crisis in Afghanistan which has produced the greatest number of forced migrants in the history of modern warfare. Every new offensive pushes more people to leave the country and seek refuge outside. In 2000 for instance, 30,000 refugees crossed to Pakistan as a direct result of fighting.⁵ Others flee in the face of persecution by the Taliban.⁶

Internal displacement within Afghanistan is also widespread. In 1999 there were an estimated one million internally displaced persons, mostly settled in towns. Over half of the population of Kabul is thought to be displaced. More recently, the level of displacement within Afghanistan rose rapidly as a consequence of drought. By April 2001 an estimated 700,000 people had left their homes and moved to camps and towns in the search for food, another 170,000 had crossed to Pakistan and 100,000 to Iran and numbers continue to grow.⁷ Today Afghanistan faces a humanitarian crisis on an unprecedented scale.⁸ Yet more drought affected families, who lack the resources to move, remain on their lands and face starvation.⁹

The social and economic consequences of displacement for families are severe. The vast majority of displaced peoples live from their own devices, often in extreme poverty and economic insecurity, in constant fear of discovery and banishment. They also generally lack any effective voice to advocate for their protection and assistance, nationally and internationally.¹⁰ Only a small proportion of those who are displaced are officially registered and in receipt of humanitarian assistance. This is the case, for example, with the Rohingya, 25,000 of whom remain in official camps in Cox's Bazar, with a further 150,000 estimated to be living illegally in the same region.

Amongst several factors, non-acknowledgement of professional skills, language difficulties, lack of social networks, and deliberate obstruction by local and national authorities hinder the ability of refugee and displaced populations to access regular employment. As a consequence they tend to occupy the most menial and poorly paid

jobs, in which the opportunities for collective organisation, self-representation and self-advocacy are few and the dangers of exploitation and abuse great. The concentration of such a population group in an area also affects host communities, swamping health facilities, contributing to the spread of disease and overburdening the labour market. The exodus of large numbers of people from war-affected communities has an impact on those who remain. In Afghanistan it has undermined productive capacity, community networks and structures, causing fragmentation, impoverishment and dispersal. It has also been to the detriment of health and educational services, since many professionals have fled.

1.8. Destabilising effects of displacement

Some of the countries in the region (notably Pakistan, Bangladesh, and Nepal) are host to refugee and displaced populations from neighbouring states, a circumstance that in itself merits attention since it has the potential to cause major political unrest. The flight of large displaced populations across borders can transform instability within a nation into a matter of international concern.

Internal displacement can be equally as threatening to national development and integration, and South Asia has an exceptionally large population of IDPs, very few of whom are in receipt of any assistance. According to recent figures, three countries in the region are amongst the ten nations of the world with the largest numbers of IDPs: Afghanistan, Sri Lanka & Bangladesh, each of which has 750,000 – 1 million.¹¹ The numbers of people thus affected are also growing in India, Pakistan and Nepal.

1.9. National Impact of Local Conflict

Even the more isolated and apparently localised conflicts have the potential to destabilise fragile national polities. The economic and social effects may also be felt nationally, with special implications for children's wellbeing. This is revealed through the diversion of investment away from the social sector towards military expenditure; use of politicised, often racist, literature in schools; compulsory conscription; discrimination in the job market; revenue foregone due to the decline in tourism and foreign investment; and many other such phenomena. Deaths, casualties and emigration need also to be taken into account, as does the productivity lost due to the multiple displacement of hundreds of thousands of people, many of whom would ordinarily be engaged in productive activities in agriculture, fishing, commerce or industry.¹²

1.10. Longevity of Conflict

Many of the conflicts in the region, for example those in Afghanistan, North-East India, Sri Lanka, Pakistan and Bangladesh, have extremely long histories, originating as they do in colonial and post-colonial political formations. This makes easy resolution in the short or medium term extremely unlikely. The dispute between India and Pakistan for control of Kashmir, for instance, is one of the longest running unresolved armed conflicts in the world, persisting since 1947.

1.11. Conflict in South Asia: country by country overview

1.11.1. Afghanistan

The young in Afghanistan are massively affected by decades of political instability, armed conflict, drought and displacement. Even though open

warfare has all but ceased in most areas, the crisis in Afghanistan remains profound, with low levels of physical reconstruction, the continued presence of landmines in many communities, a lack of central government planning and policy in the social sector and other crucial areas of governance, and tremendous shortages of public sector funds. The crisis threatens to deepen in the near future due to the recent drought, which is causing renewed displacement and famine. In practically all parts of the country, Afghan children experience poor health and nutrition, gender discrimination, low education access, repression, military recruitment, hazardous work and many other associated problems.

1.11.2. Sri Lanka and Nepal

Significant proportions of the child populations of Sri Lanka and Nepal are affected by armed conflict and displacement. CAAC issues should therefore be a priority concern for agencies operating in these countries. The conflict between the LTTE and the government of Sri Lanka has lasted for almost twenty years, cost an estimated 60-100,000 lives¹³, and caused the current displacement of around 800,000 people¹⁴. Although the outbreak of conflict in Nepal is far more recent, many districts in the west have been targeted by Maoist insurgency, government authorities currently maintaining their authority in towns only. In addition, through their network of supporters, which includes a highly active and well-organised student wing, the Maoist sphere of influence now extends to virtually all parts of the country.

1.11.3. India, Pakistan and Bangladesh

There are children affected by armed conflict in all of the other countries studied. However, those most affected live mainly in specific, often quite localised, areas. Since these areas are not necessarily the poorest (e.g. Kashmir) nationally, or because governments maintain that peace accords are effective (e.g. Chittagong Hill Tracts), or the affected population is small in national terms, they have not been given priority by the aid community. The research reveals, however, that in such areas conflict undermines children's rights in numerous ways. Moreover, claims over the small percentages of a total population involved can be misleading, simply because overall population sizes are so great in the region. Thus, the number of children who experience the effects of conflict in India is a significant proportion of all war-affected children globally. The combined population of those states suffering insurgency (Jammu Kashmir, Assam, Nagaland, Mizoram, Tripura, Arunchal Pradesh, Manipur, Meghalaya) is more than the combined population of Sierra Leone, Sudan and Afghanistan, countries where CAAC issues have a high profile. Similarly, the deployment of 350 - 450,000 armed police and soldiers in Jammu Kashmir makes it the highest concentration of security forces per capita in the world.

1.11.4. Bhutan

The consequences of an earlier period of intense repression remain. In 1990, the government responded to popular demonstrations, sometimes violent in nature, by the minority Nepali-speaking population of the south, with great physical force and political subjugation. This resulted in the exodus of around 90,000 people. The majority settled in Nepal and have yet to be repatriated.

For those who stayed behind, the government has continued to use the threat of force to enact measures that effectively violate the rights of children and their families, including the denial of access to education and enforced labour.

The future in Bhutan might also involve political conflict. A potentially explosive situation is developing involving Assamese separatist groups from India who have established bases in southern Bhutan. Some of the groups, most notably the Bodo Liberation Tiger Force (BLTF) and the United Liberation Front of Assam (ULFA), have allegedly carried out attacks on Bhutanese civilians passing through Assam. According to all reports, the Bhutanese authorities are preparing for military engagement aimed at the expulsion of the militants.

2. FACTORS THAT CONTRIBUTE TO CONFLICT IN SOUTH ASIA

This section contains discussion of causal factors grouped into three main thematic areas:

- Governance
- Economy
- Social-Structural and Cultural Factors

To an extent such division is arbitrary, since within each area there are factors which are clearly cross-cutting. Furthermore, it is important to note that several of the causal factors identified are also certain consequences of conflict in South Asia. Thus, for example, not only does the emergence of identity politics serve as an exacerbating factor of conflict, contributing to the fracture of existing communities and polities, but the circumstances of conflict often provide cues for the assertion of rigidly-defined group identities.

2.1. Governance

Governments of conflict-affected countries frequently hold non-state players, such as political activists from ethnic or religious minorities, to be the prime agents of violence. Certainly it is true that insurgency is more prevalent in minority communities, which generally lack the resources and power to use democratic means to bring about social justice and change in a peaceful manner. However, the research has found that in many cases poor governance at the national and sub-national levels also plays a major part. This is manifest in a range of ways:

2.1.1. Poor representation

In South Asia the participation of all sections of the population in local and national governance is generally very little. Government in South Asia is characterised by the hegemony of indigenous élites and the effective exclusion of large numbers of ethnic or religious minorities and members of the social underclass. Even in those countries which currently have democratically-elected governments – Bangladesh, India, Nepal and Sri Lanka – large numbers of the citizenry have little or no influence over the decision-making processes that directly affect their lives. In Nepal, for example, the popular enthusiasm for the restoration of multi-party democracy in 1990 gradually turned to frustration as it became clear that the same elite groups retained control over government and continued to enjoy an inequitable access to the nation's resources. This frustration has, in turn, been effectively harnessed by the Maoist dissidents in their self-declared "People's War" upon the government and its forces.

In Sri Lanka, the institution of multi-party democracy, following independence in 1948, made insufficient provision for the safeguarding of minority interests, notably those of the country's large Tamil population. Instead, the rural Sinhalese population, who constitute the largest section of the island's inhabitants, have used their numerical strength to ensure that politicians enact measures that are experienced as highly discriminatory by Tamils.

2.1.2. Lack of accountability

Although all governments have ratified at least some of the major instruments of international human rights and humanitarian law, overall the region experiences very low levels of political accountability. The current standing of the region in relation to the ratification of those international treaties covering human rights and conflict-related matters is as follows:

Figure 1. Ratification of International Conventions / Treaties as of 16 July, 2001

	Refugee Convention	CESCR	CCPR	CEDAW	CRC	CRC-OP-AC	CAT	CERD	Ottawa Landmine Treaty
Afghanistan*	NO	YES	YES	YES	YES	NO	YES	YES	NO
Bangladesh	NO	YES	YES	YES	YES	YES	YES	YES	YES
Bhutan	NO	NO	NO	YES	YES	NO	NO	Sign.	NO
India	NO	YES	YES	YES	YES	NO	Sign.	YES	NO
Nepal	NO	YES	YES	YES	YES	Sign.	YES	YES	NO
Pakistan	NO	YES	YES	YES	YES	NO	NO	YES	NO
Sri Lanka	NO	YES	YES	YES	YES	YES	YES	YES	NO

Sources: UNHCHR, UNHCR, Landmine Monitor

* Ratification occurred prior to the emergence of the Taliban as the de facto government of Afghanistan.

Key:

CESCR – International Covenant on Economic, Social and Cultural Rights

CCPR – International Covenant on Civil and Political Rights

CEDAW – Convention on the Elimination of all forms of Discrimination Against Women

CRC – Convention on the Rights of the Child

CRC-OP-AC – CRC Optional Protocol on the involvement of children in Armed Conflict

CAT – Convention Against Torture and all other Cruel, Inhuman or Degrading Treatment or Punishment

CERD – International Convention on the Elimination of all forms of Racial Discrimination

‘Sign.’ : - indicates that the state party is a signatory but has not yet moved to full ratification

It is the general case that a culture of impunity surrounds the activities of governments in the region and the work of their officials at national and local levels. This applies even in those countries that are states parties to international treaties and is a consequence both of shortcomings in the judicial system and of corruption in government, on the one hand, and an insufficiently-developed knowledge of rights and of the means to address abuses amongst ordinary citizens on the other. Where challenges to abuse by government do occur these tend to focus on a particular case rather than on the underlying system that allows such abuse to happen in the first place.

The ability of governments and their agents to act with impunity is commonly augmented through the introduction of emergency measures at the onset of conflict. When these measures are directed at minority, dissident or insurgent

populations, they have the potential to incite further conflict. In 1981 the Bangladesh government introduced the 'Disturbed Areas Bill', which gave the lowest ranking security official in the Chittagong Hill Tracts the power to shoot anyone 'suspected of anti-state activity'. In Pakistan it has been reported that law-enforcement agencies committed 350 extra-legal killings in 1999, with cases of torture in custody and illegal arrest. The track record of enquiries into these incidents is poor.¹⁵ Sometimes, high levels of corruption in the police force and the collusion of security forces result in perpetrators of violence being given impunity.

2.1.3. Lack of ethos of public service

Throughout the region there are long-standing traditions of social and economic organisation on the basis of family, caste /class, tribal, and communal ties. In such a context, the creation of government administration staffed by officials who operate in a neutral manner with a strong ethos of public service has proven hard to achieve. The tendency, instead, has been for national and local officers to use their position for the betterment of people with whom they share relationships of mutual obligation while overlooking the needs of strangers. India - a country where the role of national and state government is great but the ethos of public service is often very weak – provides one clear example of this problem. Inevitably, such behaviour by government officials fuels feelings of alienation and disempowerment amongst those who do not enjoy the right connections.

2.1.4. Nationalism

In many cases, armed conflict is directly related to nationalist politics. It is significant that many of the conflict regions in India and Pakistan today are those where the project of nation building under colonialism was problematic. This is the case for Kashmir, the Punjab, Nagaland, Assam, and the Federally Administered Tribal Areas of Pakistan. All were accorded special status due to their anomalous history or minority ethnic composition. After independence these areas were left with a tenuous relationship to the new state. Tensions were exacerbated by the process of partition, which involved dividing formerly integrated areas, as in the Punjab or in Kashmir, and mass population movement causing local ethnic tensions, as in NE India. In recent years these areas have witnessed the use of violence in the struggle for autonomy and/or a lack of state control over law and order.

The continued contribution of nation building efforts to political conflict is very apparent in the case of Bhutan, a country surrounded by powerful neighbours that has forged and sustained its identity as a sovereign state at the expense of its ethnic minorities. Here a policy of enforcing 'Driglam Namzha' ('national values'), which involves the wearing of the traditional costume of the elite ethnic group and the use of the Dzongkha language by all of the population (regardless of ethnic / linguistic background), has been followed since the early 1980s. Similarly, the Bangladeshi government proceeds in its efforts to construct a national identity around Bengali Islamic values, thus alienating the predominantly Buddhist tribal minority groups of the Chittagong Hill Tracts. In both of these cases, the government has sought to create homogeneity and conformity by measures that are often repressive. This

has led, predictably, to great resentment amongst minority groups which perceive their cultural, social and economic interests to be threatened.

2.1.5. The role of local ‘big men’

Another trend, evident in many parts of the region and associated with the limited reach of the state, is control of law and order by local power brokers, such as landowners, warlords, or criminal fraternities. Often this circumstance is tolerated by or has the tacit support of central government. The consequences for local populations, in terms of extortion, exploitation and violence can be grave. In the case of Afghanistan, the Taliban forces relied on local warlords in order to gain control of the south and their loyalty was purchased with bribes paid for with drugs’ revenue. The Sri Lankan government has provided open support for Tamil militias in areas of the north and east. These groups, armed by the government, are reputedly responsible for systematic abuses of the local population and regular acts of extortion. In Pakistan, state control is severely limited in areas such as the FATA, urban slums and ‘dacoit’ strongholds of Sindh province, where clan leaders, criminal bosses and landlords have been known to incite violence.

2.1.6. Poor standards of policing

Nepal provides one clear example of a country where the practices of police deployed in local communities have directly fuelled support for armed insurgency. Extortion, harassment, physical and sexual abuse by the police have all been mentioned by villagers across the country to account for their endorsement of the Maoists who offer protection from such abuse. Whether such behaviour by the police is accepted practice or the result of poor systems of command and lack of discipline is not clear.

2.1.7. Rigged elections

Although hard to prove, strong anecdotal evidence suggests that elections held in many of the region’s democratic states are commonly prey to some form of illicit tampering. Whether or not this is actually the case, the common perception of election rigging in countries such as Sri Lanka and India, is a factor that inevitably heightens feelings of alienation and marginalisation amongst minority groups. Offering the promise of democratic participation while, in practice, denying this may, indeed, engender greater resentment than a system of unambiguous autocratic rule.

2.1.8. Discrimination

Government discrimination towards specific population groups is widespread in South Asia and manifests in a range of ways. In Sri Lanka it has been apparent in the introduction of measures aimed at the ‘Sinhalisation’ of society which have effectively handicapped native Tamil speakers, creating obstacles for economic, educational and social advancement. In southern Bhutan it is alleged that children from the Nepali-speaking population are being systematically denied access to schooling while the limited places available are given to the children of security personnel and newly-settled citizens both of which come mainly from the country’s dominant ethnic group.

The roots of the Naxalite movements, whose violence is most manifest in the Indian state of Bihar, lie in the discrimination and abuses faced by the Dalit (untouchable) communities. With the exception of a minority who have benefited from India's policy of quotas in education and government jobs, Dalits generally live in conditions of extreme poverty and exploitation. Although political parties have long courted the Dalit vote, this rarely translates into practical reforms for their rights and dignity. Lacking access to mainstream political organisations and increasingly frustrated with the pace of reforms, Dalits have begun to resist subjugation and discrimination through both peaceful protest and armed struggle.

2.1.9. Distortions in Government Spending

Social sector development has particular implications for children, who generally have greater need of services than adults. However, governments in the region have a poor record in this regard, service access among children being low in many areas. Progress in the field of education, for example, has been slow – 40% of the 150 million children currently enrolled in the region continue to drop out before completing primary school, and 220 million of today's girls and women will be illiterate in 2015. In populations with an awareness of the benefits of schooling, lack of education and literacy has been found to cause frustration and unrest. Furthermore, education is a fundamental means by which people can access systems of information, justice, media and political representation. The absence of education and literacy and the social confidence that these impart seriously disempowers a population, increasing the likelihood of resort to violent means in order to address grievances.

Priority in government spending has generally been given to security and defence above the basic wellbeing of national populations. In the most extreme case, Pakistan, an average 30% of annual Central Government expenditure goes on defence – ten times more than the 3% accorded for development in the social sector. The diversion of national resources away from social services and efforts to address the basic survival needs of the populace and towards the military and public security has implications for the exacerbation of tensions that may lead to conflict. With this in mind the high level of military expenditure in South Asia should be a matter of great concern. As Figure 2 below illustrates, on average the governments of the region spend a higher proportion of GDP on the military than other regions of the South. At the same time, spending on health and education generally remains very low. Figure 3 offers a comparison between these three areas of expenditure and shows that South Asia, as a region, fares considerably worse than everywhere else.¹⁶ Indeed, only one other region – East Asia and Pacific – also spends more on defence than on health and education combined but here the gap between social and military spending is small by comparison.

Figure 2. Comparison of Military Expenditure by Region

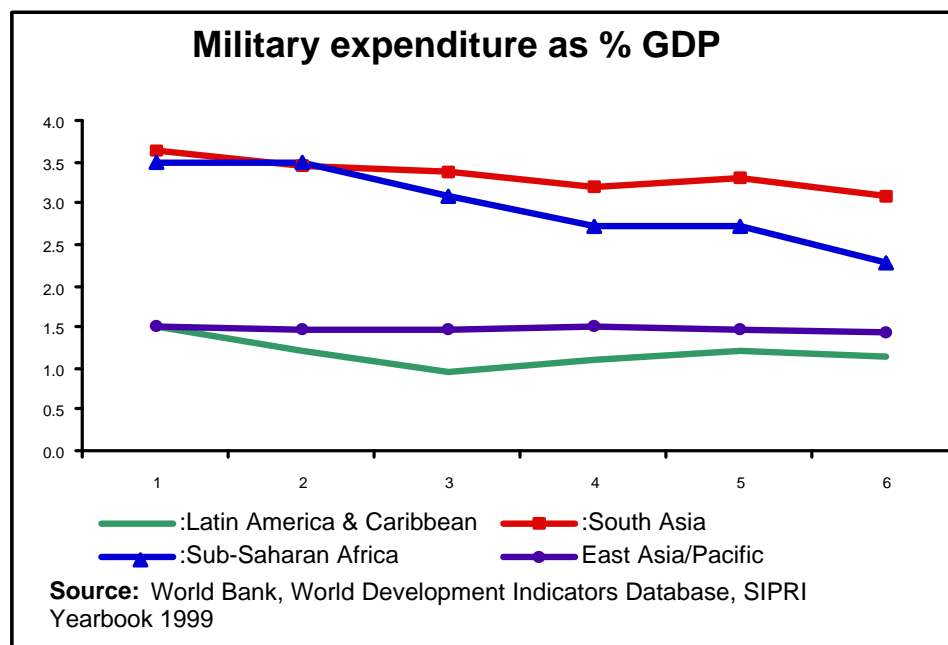


Figure 3. Central Government Expenditure by Region (% of total)

	Health	Education	Defence
South Asia	2	4	17
Sub-Saharan Africa	5	14	10
Middle East & N. Africa	5	14	19
East Asia & Pacific	2	11	14
L. America & Caribbean	6	11	5
CEE / CIS & Baltic States	5	6	8
Industrialised Countries	13	4	9
World	11	6	9

Source: UNICEF: *State of the World's Children 2000*

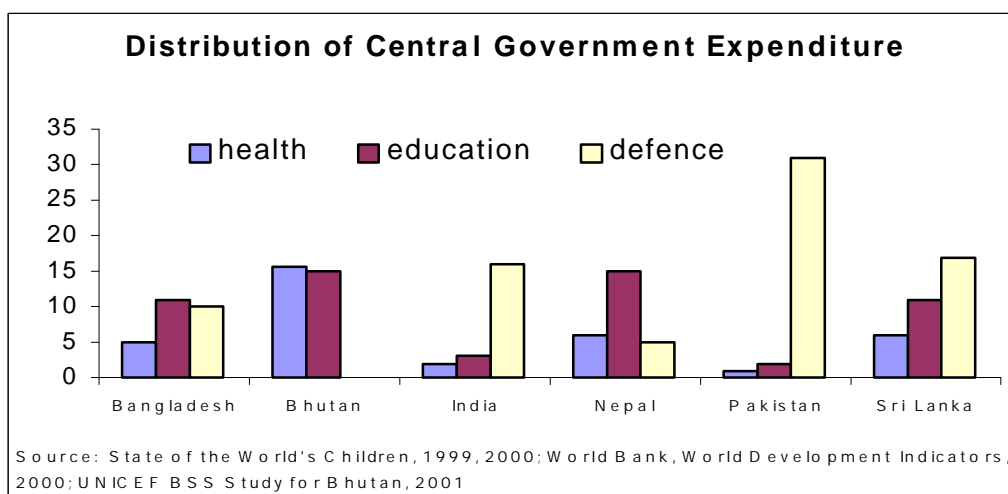
Once military conflict has broken out, the economic costs of maintaining the armed forces as well as bolstering systems of public security inevitably increase exponentially. Figure 4 below shows the immense rises in government spending in Sri Lanka since just prior to the start of the war until 2000. Over this same period the percentage of GDP allocated to defence has grown from 0.5% of GDP in 1982 to 3.11% in 1992 and 5.3% in 2000.¹⁷ This, in turn, has caused a further drain upon resources needed for the provision of basic government services and for the development of the economy and the country's infrastructure. Figure 5 indicates the disparity between defence and social spending by the Sri Lankan government. Yet, the gap here still pales by comparison with Pakistan and, to a lesser extent, India, the two nuclear powers in the region.

Figure 4. GoSL Defence and Public Order Spending, 1982-2000

	Defence	Public Order & Safety
1982	480 million SLR/ \$5.33 million	415 million SLR/ \$4.6 million
1992	13.23 billion SLR/ \$147 million	4.47 billion SLR / \$49.75 million
2000	65.4 billion SLR/ \$726 million	12 billion SLR/ \$133 million

Source: National Peace Council (Sri Lanka) / MARGA Institute, 2001

Figure 5. Central Government Expenditure by Country (% of total)



2.1.10. Resettlement schemes

One of the measures used by governments to stake a claim over marginal communities that are poorly integrated into the national polity and have a propensity for insurgency is to settle their own supporters into the area. This policy also allows government to garner support with voters and relieve population pressure in government stronghold areas. Resettlement has been employed in several countries and at various times over the past fifty years or so, often with very direct consequences in terms of political conflict. In Sri Lanka successive governments during the 1950s and 1960s pursued a policy of resettling Sinhalese farmers into areas of the north and east, where Tamils traditionally were in the majority. The sudden influx of thousands of Sinhalese was perceived by many Tamils as a deliberate attempt on the part of the government to ensure Sinhalese hegemony over the whole of the island. This served to increase distrust and resentment between the two population groups and further alienated Tamils from the state.

Often, resettlement is used consciously to prevent people who have fled from a war zone from returning. The Bhutanese government, for example, has recently pursued a policy of resettling citizens from other parts of the country on the lands once occupied by refugees now in Nepal. This raises questions

about the government's intention towards the refugees and their aspirations for return to original homes.

2.1.11. The power of corporate actors

Large, international business interests represent a growing threat to the authority of national and local government in the region. An obvious recent example is that of Enron – a Houston-based power company – which has been involved in the construction of the world's largest electricity generating plant in Maharashtra State in India.¹⁸ Protests by local villagers and activist groups concerned about the economic and environmental costs of the project have been met with wide-scale abuses from both Enron's own privately-contracted security personnel and from the national police force. The adamant opposition of the newly-elected state government in 1995 to the project appears to have been overcome by the dispensing of bribes. This project, considered by academics, environmental activists, trade unions and local people to be highly injurious to the interests of Maharashtra's citizenry, has thus proceeded through the imposition of economic, physical and political power. This case provides a potent symbol of the might of large corporations to override normal democratic mechanisms in pursuit of profit and to enlist governments to do their bidding. To date, the protests against the electricity plant have been predominantly peaceful. However, such situations clearly have enormous potential to engender resentment and violent conflict.

2.1.12. Regional Imperialism

In addition to the economic and political might of large corporations, governments of smaller countries in the region are also susceptible to the dictates of more powerful neighbours. In some cases foreign and domestic policy may be strongly influenced by the enticements and coercive power of neighbouring governments. India, as the region's largest and most powerful nation, is most commonly the object of accusations of 'regional imperialism'. In Bhutan the Indian government has played a strong role in leading the king and his advisors to adopt a more belligerent stance towards the Assamese militants encamped on Bhutanese territory, potentially to the extent of open warfare.

In Nepal the common resentment of India's power and influence has been harnessed successfully by the Maoists. It has also fuelled riots and acts of violence targeted against Indian immigrants.

2.2. Economy

Economic hardship commonly contributes to the development of conflict. This is inevitably the case in South Asia where half a billion people - including some 250 million children - live in poverty on less than \$1 per day. Such a level of poverty contributes significantly to other social problems, including poor health and nutrition, exploitative child labour, HIV/AIDS transmission, trafficking of women and children, and violations of basic human rights. Although advances have been made in terms of commitments by the region's governments to addressing these problems, some countries/states and provinces have remained stagnant in many key indicators, and various multi-level conflicts across the region have substantially hindered the achievement of targeted goals.¹⁹

Nevertheless, the relationship between economic status and conflict is far from clear cut. It is important, for example, to consider not only absolute poverty but also relative poverty: the disparity between different sections of society and the resentment that these can create. In addition, the effects of globalised media, migration and the ever-growing reach of multi-national producers upon the expectations and aspirations of the region's citizens must also be weighed.

2.2.1. Absolute poverty

In some countries the emergence of armed conflict can be clearly traced to those districts in which people struggle hardest for basic survival. This appears the case, for example, in Nepal where the Maoists have built their support amongst the rural poor who eke out a tenuous existence in areas poorly served by the government. In Pakistan poverty has led many families to send their sons to privately-run madrassas to be educated. In many cases the boys receive not only free food and accommodation but are also encouraged to engage as combatants with Islamist groups fighting in Afghanistan and Kashmir. In Sri Lanka, dire economic circumstances must be seen as one reason for the military recruitment by both the government and the Tamil Tigers. In the latter case, it may also account, in part, for the recruitment of children who are, at the very least, assured of regular food by the LTTE.

2.2.2. Relative poverty

The issue of economic disparity amongst a nation's population has received increased recognition in recent years.²⁰ Such disparity is exacerbated by the spending choices of governments in South Asia which typically accord only around 5% of their expenditure to the social sector.

Disparity is one of the main obstacles to socio-economic progress in South Asia, not only across states and districts, but also between rural and urban communities, social classes and between majority and minority groups. In some parts of the region conflict has emerged amongst populations whose circumstances are not nearly so bleak. Assam in India, Sindh in Pakistan and Jaffna in Sri Lanka are areas where, at the outset of conflict, the local population generally enjoyed a reasonable standard of living. However, resentment at what appeared to be discrimination by the state in the distribution of national resources fired separatist movements and eventually led to armed conflict.

In other places conflict has developed largely due to economic disparities amongst the population at the local level. In NE India, for example, widespread grievance that opportunities for land holding, education and jobs go to non-indigenous Bengali immigrants over and above local people has fuelled armed violence. The influx of more than 400,000 Bengali settlers into the Chittagong Hill Tracts between 1980-84 similarly created an acute competition for resources and led to a position of economic dependency for many of the local tribal peoples. This engendered a highly volatile relationship between the two groups, where the smallest incidents have quickly led to communal violence, house-burning and beatings.

National and global economic developments have created a situation in some countries of the region where large numbers of ordinary citizens are steadily becoming worse off economically. This is an issue not only of absolute poverty –with greater numbers struggling for survival – but also of relative poverty as people find themselves poorer than ever before, whilst fellow nationals appear to grow richer. Structural adjustment programmes, introduced by the World Bank in the 1980s, have been one cause of such disparities. In many countries of the region, heavily in debt, the effect of these measures has been to cause stagnation in government spending on basic services. A general increase in poverty due to soaring prices of essential commodities and a fall in wages in real terms have also been common results of structural adjustment. In Nepal, for example, real wage rates in both the agricultural and industrial sectors remained stagnant between 1987 – 1996. The government has also recently introduced a price hike of up to 40% on essential daily goods.²¹ At the same time, the Nepali elites appear to enjoy ever greater standards of living.

2.2.3. Globalisation and Local Aspirations

Events in the wider world beyond South Asia have had a major effect on domestic attitudes and perceptions and have in this sense been contributory to conflict. The spread of information technology, the media and the global market, together with high levels of labour migration to countries outside the region, have raised awareness of the different value systems, levels of wealth and political participation that prevail in other parts of the world. Added to this, the collapse of the Soviet Empire in 1989 and the apparent triumph of liberal democracy provided a source of inspiration to many citizens of the region, raising hopes of greater democratic involvement and prosperity. Global forces exacerbate conflict, however, when governments fail to meet expectations and deliver change. A clear example of this is Nepal.

2.2.4. Development induced displacement

Ill-conceived development projects are a major factor in conflict and displacement in South Asia. For example, in the hilly and fragile ecology of the Chittagong Hill Tracts injudicious resource exploitation on a massive scale has been the single main factor in conflict. This process began with the construction in 1953 of what was to become the largest paper mill in Asia. Supported by foreign funds, including a loan of US\$4.2 million from the World Bank, the mill at Chandraghona was to become a major cause of deforestation in the region and pollution in the Karnaphuli river. Nine years later came the completion of another enormous project in the area, the Kaptai dam, which alone submerged 40% of the arable land in the CHT and displaced 100,000 tribal people. India is the country where development-induced displacement is most marked. In fact, at a conservative estimate of 33 million, India has the largest population of development-induced displaced peoples of any country in the world. A study by the Indian Institute of Public Administration estimates that for every large dam (of which there are 3,300 in India) 44,182 people are displaced.²² A huge proportion of the displaced are tribal people (57.6 % in the case of the Sardar Sarovar Dam). When Dalits are included, the figure rises to about 60% according to the Commissioner for Scheduled Castes and Tribes. Given that tribal people account for only 8% of India's population and the Dalits, 15%, the disproportionate burden born by

minority communities is more than evident. The displaced often gravitate to urban centres, placing extra pressure on already over-burdened infrastructure. This may increase local tensions and conflict.

2.2.5. HIV/AIDS

There are several forces that have the potential to further exacerbate poverty and destabilise civilian life in South Asia. Among these is the impact of HIV/AIDS. At the end of 1999, more than 4 million people were already living with HIV/AIDS in South Asia, most of them in India. Now amongst the 45 “highly affected countries of the world” in which a prevalence rate of 2% or above was recorded in 1999,²³ the incidence of death from AIDS in India is becoming a growing cause of poverty and family disruption. According to UN figures, in the period 1995-2000 nearly 1 million Indians died as a result of AIDS. This represents a 2% excess on the total number of expected deaths. Estimates for 2000-2005 suggest a significant rise in the number of AIDS deaths to 1.6 million, which equates to a 4% excess on the expected deaths in that country. While some countries, such as Bangladesh, still experience low prevalence rates of the disease, it is worth remembering that in a region where countries have such large populations, even low prevalence means that significant numbers of people live with the virus. Children and young people are at particular risk: indications from India suggest that over 50% of all new HIV infections take place among young people below the age of 29 years. The social conditions associated with conflict commonly result in increased rates of HIV transmission. Mass displacement and widespread disruption to public services frequently resulting from conflict also undermine people’s ability to cope with or protect themselves against the disease.

2.2.6. Pressure on Land and other Natural Resources

Another exacerbating factor in impoverishment and political destabilisation is the extreme and growing pressure on land and other natural resources. Many of the areas that are prone to conflict also experience severe environmental problems in the form of soil erosion and degradation, deforestation and overall resource depletion. This is commonly due to intensive agricultural production, excessive population growth and associated urbanisation and over-exploitation of natural resources. Areas subject to such processes, for example NE India, also become highly vulnerable to natural disasters, particularly land slides and flash floods. These pressures contribute to inter-tribal and communal tension and to open hostilities, especially towards immigrants. In the Chittagong Hill Tracts, afflicted by such circumstances, conflict over land and other resources is likely to persist for a long time to come, despite, in this case, the political settlement and the Peace Accord.

Numerous commentators predict that in South Asia, as in other regions of the world such as the Middle East, conflict is likely to increase as a direct consequence of competition over dwindling water resources. Such scarcity is already a serious problem in many parts of Nepal, for example.

2.3. Socio-Structural & Cultural Factors

Most of the factors discussed above concern the role of government, directly or indirectly. However, it is also the case that conflict emerges and is exacerbated due to

various factors at the societal level. The tremendous upheavals witnessed at the level of family and community throughout the region, which are themselves intricately related to ideological, economic and technological developments at the global level, have inevitably played a role in fuelling the tensions that may lead to armed conflict.

2.3.1. Population Size and Growth

Throughout most of South Asia the size of population and the rate of population growth are issues with profound implications for the creation of conflict. According to the most recent figures issued by the UN, in the year 2000 three countries in the region – India, Pakistan and Bangladesh – were amongst the ten most populous countries in the world. Their positions in this league table are predicted to rise over the next half century, with India set to overtake China as the nation with the largest population. Most significantly, all of the countries, with the exception of Sri Lanka, still have very high total fertility rates and annual population growth rates which are well above the world average – the figures are indicated in Figure 6 below. As this table also illustrates, most of these same six countries have a far larger percentage of 0-14 year olds within their total population than the average of 30%.

Figure 6: Population Statistics by Country (1995-2000)

	Total Fertility Rate (Average number of children per woman)	Annual Population Growth Rate	% of Population in Age Group 0-14
Afghanistan	6.90	2.64	43.5
Bangladesh	3.80	2.12	38.7
Bhutan	5.50	2.60	42.7
India	3.32	1.69	33.5
Nepal	4.83	2.40	41.0
Pakistan	5.48	2.66	41.8
Sri Lanka	2.10	0.96	26.3
World Average	2.82	1.35	30.0

Source: *World Population Prospects: the 2000 Revision* Population Division, UN Department of Social and Economic Affairs, New York

The potential implications of such large, fast growing and young populations for the emergence and spread of conflict are numerous. These include the additional strain placed upon existing natural resources of water and land and, within cities, the social problems associated with overcrowding and rapid urbanisation. The high percentage of children within the total population places strain upon structures of care, social control and discipline already threatened by processes of family and community dispersal (discussed in 2.3.2. below). Not least the economic burden upon families and the state of providing for so many young people – their education, health and general welfare – can only add to the competition, fears and resentments that may fuel violent conflict.

2.3.2. Family and Community Dispersal

Conflict, in some form or other, is not a new phenomenon in South Asian societies. Neither are indigenous mechanisms for the management of tensions

and the resolution of conflict. Many of these mechanisms are well-established at the level of family and community. However, economic and social pressures have led to the disruption and dispersal of what were customarily the basic units of society and, as a consequence, such mechanisms have often become obsolete.

Throughout the region rural-urban migration has increased rapidly in recent decades. Even where this migration involves the whole household, family cohesion often becomes much harder to maintain within the city. Unlike rural life, where the family commonly works as a cooperative group, within cities members must often seek an income as individuals. In addition, links with extended family and with former neighbours are likely to weaken. For the many people, including children, who come to cities alone, isolation and a strong sense of alienation appear to be common problems. In such circumstances, mass mobilisation towards a political end becomes relatively easy as people seek out new networks and solidarities.

Migration also affects the communities left behind. In some villages in rural Nepal, for example, adult men are all but absent for most of the year. Their departure in pursuit of work opportunities in the larger towns of Nepal, in India or further afield, can create particular vulnerabilities for the women, children and the elderly left behind. Customs which enable social interaction, family and community integrity may be abandoned, while the level of protection against hostile outside forces declines.

AIDS, in India at least, looks set to become an increasingly significant cause of disruption and destabilisation of families and communities. This is particularly the case since those dying from AIDS are, as in Africa, likely to be young and to be family members, often breadwinners.

2.3.3. Oppressive Hierarchies

Societies throughout the region are commonly typified by rigid and long-established hierarchies of, amongst others, age, gender, caste / class and occupation. In the customary scheme of things, such hierarchies provide the basis for the orientation of individual behaviour and personal aspirations. However, in recent years both the hierarchies and the values that sustain them have been seriously questioned. The emergence of the feminist and green movements; the spread of leftist ideology; the development of youth culture fed by global media; and the growth of religious fundamentalism are just some of the sources of this questioning witnessed throughout the region. A key characteristic of many of these disparate phenomena is impatience with the existing system and a rejection of the structures that prevent the speedy realisation of personal or communal aspirations.

In some places, the frustrated aspirations of particular sections of society have fed directly into conflict. In Nepal exclusion from education and from a full role in public life is commonly cited by women as a reason for their endorsement and support of the Maoists, even to the point of taking up arms themselves. The JVP uprising against the Sri Lankan government in the late 1980s, in which around 60,000 died, was largely conducted by disaffected

youth in the south of the country who sought to challenge their economic and political marginality. In India various conflicts have taken on a caste dimension as 'untouchable' Dalits take up arms in an effort to overcome the immense obstacles to their social and economic betterment. This is the case, for example, with the Naxalite movement in Bihar State.

2.3.4. Gender Socialisation

It is significant that South Asia is still one of the most inequitable regions in the world in terms of gender, with discrimination against women widespread. It may begin at, or even before, birth, and continues at various levels and dimensions in the spheres of education, health, mobility, control of resources and - most significantly in situations of conflict - in the realm of protection issues such as gender-based violence, rape and sexual harassment. As noted in 2.3.3. above, the global women's movement has, in recent decades, encouraged many South Asian women, individually and in groups, to challenge customary gender roles. In spite of this challenge, the fundamental values to which males and females are socialised remain largely in tact. Thus it is still commonly the case in many societies in the region that boys are brought up to see the use of violent or aggressive behaviour as a legitimate means to resolve disputes and to defend the position of self, family and community. At the same time, girls are generally not encouraged to take an active part in public life or to intervene in situations of family, intra or inter-community discord. Rather, they are socialised to offer unconditional, non-critical support to men within their roles as daughters, sisters, wives and mothers. In this way, the potential of women to question and to counter the violent means to which men may choose to resort is often stifled.

2.3.5. Identity Politics

Many of the conflicts in South Asia exhibit some element of the politics of identity. The conflicts in Jammu Kashmir, the Punjab and NE India involve the mobilisation of distinct communal identities as rallying points of opposition to the state or to perceived local enemies. Grievances stated in the name of collective affiliation have particular potency: they become emotional issues, highly motivating to those concerned.

Communal identity based on a religious ideology which is of a fundamentalist and exclusivist nature appears to have particular power to capture imaginations and fire conflict. This is most pronounced amongst the Taliban in Afghanistan. In other cases, communities are identified by reference to cultural, linguistic, geographical, class / caste and other factors. Although some of the 'ethnic' groups that are involved in conflicts in the region have long existed, in many cases the awareness of such communal identity has developed in tandem with the growth of conflict itself. However, 'ethnic difference', in itself a vague notion, rapidly comes to seem primordial and a justification in itself for enmity and antagonism.

In Nepal, the increasing mobilisation around issues of ethnicity-caste and religion witnessed in recent years has been effectively utilised by the Maoists who have appealed to the frustrations and aspirations of potentially separatist groups. However, the contradictions between a revolutionary proletarian

agenda and that of ethnic separatism seem likely to emerge in the long-run, suggesting new schisms and further conflict.

The presentation to children of rigid communal identities and negative stereotypes has worrying implications for the extension of conflict over generations. School curricula, cultural and religious activities, everyday social practices and the media can all become means by which the young are encouraged to see themselves as members of distinct and exclusive groups threatened by, or unable to co-exist with, others. In this way, opposition and antagonism towards the members of other communities can come to appear as natural, even necessary. Several examples of this phenomenon exist in South Asia. Amongst tribal groups living in the CHT, it has been observed that mothers sing lullabies to their children in which Bengalis feature as ‘bogeymen’, while it remains common for the misbehaviour of youngsters to be criticised as “typically Bengali”.²⁴ On the other hand, children attending government schools study curricula that make little recognition of the tribal population of the country, instead identifying the Bangladeshi nation with the Islamic, Bengali-speaking section of the population.

2.3.6. Drugs

In South Asia there is a growing problem with the production, trafficking and consumption of drugs and with the violence and social and political instability that are associated with this trade. Afghanistan is the one country in the region that produces drugs (and indeed, until recently was the world’s largest exporter of heroin), and with the collapse of effective central government, opportunities for large-scale profit have been taken up by unregulated non-state actors. Many other communities in conflict-affected areas in Pakistan, Nepal and NE India are involved in the trafficking and consumption of drugs not merely from Afghanistan but also Myanmar’s Golden Triangle.

The drug trade contributes to armed conflict in several ways, the most important being the funds it provides for arms purchase. In some cases, traffickers make deals with insurgent groups and/or the armed forces in which the military provide physical protection in return for arms or funds. There is also evidence from several areas of conflict that disaffected and disenfranchised youth are becoming involved in muggings, extortion and other forms of violence as a means of funding their addiction. It is reported that the Bangladeshi military have encouraged drug use amongst tribal youth in the CHT to propagate an image of them as a dissolute underclass. Anecdotal evidence indicates that children are involved in trafficking, production and consumption in the region.

Drug addiction and alcoholism, both of which are social concerns throughout South Asia, have had a profound effect upon family and community life. Not only have they contributed to domestic and intra-community violence but the financial costs of feeding addiction have wreaked havoc upon the economic conditions of already poor households. In this way the cohesion and integrity of families and communities is seriously threatened.

2.3.7. Low Levels of Legal Literacy

The ability of governments to act in a corrupt manner with impunity is enabled, in part, by the fact that ordinary citizens often have little or no knowledge of their own rights and of legal provisions and systems which might be utilised to challenge injustices. Although the enormous difficulty of taking on local or national government in the courts should not be underestimated, the potential of ordinary citizens to organise themselves in order to do so remains largely unexplored due to a basic lack of awareness. This being the case, the resort to violent means in order to seek redress for communal grievances may appear the most obvious option.

2.3.8. Media bias and censorship

Television, radio and newspapers exercise immense power to influence populations in South Asia. For this reason the bias and subjectivity by reporters who have their own personal agendas regarding conflict, or who are themselves controlled by higher authorities is a matter of great concern. In Sri Lanka, the media is entirely polarised according to Sinhalese and Tamil loyalties, making it very difficult to get an impartial account of events relating to the conflict. Both sides also abuse their media to demonise and incite mistrust towards the other, greatly reducing the chances for peaceful settlement.

In Bangladesh, the press is “free but not fair... every newspaper is for or against one or other political party, and actively involved in jockeying for power.”²⁵ State advertising is a major source of revenue for papers and periodicals in Bangladesh and other countries in South Asia, and governments have been known to withhold advertising and newsprint from publications it deems confrontational, causing many papers to exercise self-censorship. Radio and television stations are also frequently owned and controlled by government divisions, usually omitting reportage that is not biased in its favour. This is the case in Bhutan, where the only existing forum for national news and discussion is a single weekly newspaper, which amounts to little more than a mouthpiece for official state policy.

In the mainstream national newspapers of India, which are mostly the domain of Delhi-based journalists, the only reportage that emerges in relation to NE India is concerned with the destruction, bombings and casualties produced by the various insurgent groups. While statistics quoted in these reports are questionable in themselves, what is unfortunate is the way this narrow focus has encouraged the widespread perception that all problems in the NE region are due to this insurgency. This effectively masks the underlying structural problems of poor governance, unemployment and lack of investment in the social sector, which, as elsewhere in the region, are significant causes of conflict.

2.3.9. The Prevalence of Arms

The ready availability of arms in many parts of South Asia is a major contributory factor in conflict, facilitating resort to weaponry in the resolution of grievances and the escalation of local disputes to a larger scale. The prevalence of small arms increases the likelihood of children becoming

involved in conflict because they can handle, carry and load such weapons with comparative ease. Purchasers include non-state actors such as criminal gangs, feudal and tribal landlords, and businessmen - many of whom buy weapons in bulk - as well as law enforcement agents. As an indication of the fast-growing prevalence of small arms, one commentator claims that in the period 1980-2000, the numbers of AK-47s in the possession of states and non state actors in South Asia has gone from virtually nil to nearly 8 million.²⁶

It is the common view that of all the countries in the region, Pakistan is the most affected by the existence of small arms. It is also referred to as the 'arms bazaar' of South Asia with the heart of weapon manufacture and trafficking occurring in this country and neighbouring Afghanistan. According to recent estimates, there are nearly 2 million licensed weapons in the NWFP of Pakistan alone.²⁷ The sources of arms in Pakistan are:

- **Domestic production.** The NWFP, NATA and Baluchistan have a long tradition of cottage industry production of small arms. Domestic production increased dramatically following the Soviet invasion of Afghanistan when local producers started producing copies of Kalashnikovs, bazookas and rocket launchers.²⁸ This production is outside state supervision and licensing and is free from taxation.²⁹ This makes small arms cheap and easy to acquire.

- **The Afghan 'Pipeline'.** The single most important factor in the prevalence of small arms in Pakistan, and indeed throughout South Asia, was the arming of the mujahideen in Afghanistan by the U.S. both through and with Pakistan. America initiated a hands-off policy on the supplies, preferring to channel them through the ISI. Extremely poor accountability on this 'pipeline' meant that the opportunities for leakage into the black market were rife. An estimated 70% of the arms were siphoned off by ISI and Afghan leaders and field commanders and found their way into commercial channels.³⁰

- **Stocks from Afghanistan.** Arms flowed into and out of Afghanistan throughout the conflict. Supplies captured from the Soviets often ended up on sale in the NWFP.

- **Legal sources.** Pakistan has 14 public sector weapons manufacturing enterprises and other private businesses, all of which operate under legal registration. Although accountability in this arena is apparently strict, clients include non-state actors and legal supplies have reportedly found their way into the hands of militant groups in Kashmir.

Pakistan and Afghanistan are not the only countries afflicted by a heavy presence of small arms. Bangladesh has also witnessed an immense proliferation in the possession and use of small arms by civilians in recent years. Although there is no significant armed conflict in the country at present, the existence of large numbers of such weapons is a seriously destabilising factor since it encourages the use of violence to resolve inter-personal disputes. In such an environment, where the trafficking and illegal trade in

small arms feeds the growing demand for weapons, the emergence of large-scale armed conflict would appear ever more possible.

Studies undertaken in Nepal reveal a socio-cultural dimension to the use of small arms. Customarily the possession of guns in this country has been narrowly confined to small numbers of people who use their weapons only within specific situations, such as wedding celebrations or for hunting. In recent years, however, the availability of small arms has greatly increased due, principally, to cross-border trafficking from India and increases in indigenous production. With this increased availability, social conventions have been all but abandoned. The possession of small arms by all sorts of people, including the young, has become commonplace and the use of these in criminal activity and in the effort to settle grievances appears an unstoppable phenomenon.³¹ Such developments suggest how easily traditional constraints can be lost as armed violence becomes a feature of everyday life.

2.3.10. Militarisation

The militarisation of society is both a cause and an obvious effect of the emergence of armed conflict. In terms of a nation's economy it involves not only a shift in governmental spending away from the social sector but also, inevitably, profound changes to everyday economic activity. The creation of large numbers of jobs, either directly within the military or in some support role, such as in the manufacture of weaponry, is an issue of great concern. When people's livelihoods become dependent on military activity then the outbreak of conflict can come to represent a financial opportunity. Conversely, the resolution of tensions and conflict and the demobilisation of military forces signals an end to regular income and, for that reason, may be unwelcome.

A second dimension of the militarisation of society is the size of security forces (both in absolute and per capita terms) and their widespread deployment within civilian communities. A notable case of very heavy militarisation is Jammu Kashmir, where estimates suggest there are 350-450,000 Indian police and army troops stationed. According to current census figures this equates with a ratio of security personnel to civilians of between 1:22 and 1:29 – one of the highest in the world.

Even in situations of low-intensity conflict the scale of military presence at the local level can be overwhelming for the civilian population. The deployment of so many military personnel among civilians has many adverse implications, including elevated levels of physical and sexual violence, prostitution, exploitation, substance abuse, and harassment. In 1998/9 for example the National Human Rights Commission of India reported 942 investigations by the army into human rights violations by its personnel stationed in Kashmir.³² The tensions and resentments that such a presence fuels can only reinforce the underlying dynamics of conflict at the local level.

Even in cases where conflict is generally considered to be over, a heavy military presence may remain. In Bangladesh, for example, the government has so far withdrawn only 32 of over 500 military camps installed in the CHT

during the insurgency, despite the Peace Accord requiring the removal of all temporary camps. The remaining force acts as both a permanent reminder of past abuses and a contemporary intimidatory presence, ready for active deployment at any time. A large amount of land that was to be returned to tribal refugees who fled to India during the conflict is also still occupied for military purposes. It is even believed by many that the military are to some extent secretly encouraging unrest in the region in order to justify their continued presence.

2.3.11. Historical and Cultural Factors

Societies in the region vary in the extent to which participation in armed conflict figures in their history. This is an issue not only for nations as a whole but also at the local level. Within Nepal, for example, there are ethnic and tribal groups with long histories of military activity whilst others have experienced relatively little such discord. In the mid-West region a tradition of supplying young men for the Gorkha regiment of the British Army stretches back to the eighteenth century. At least until the 1970s, boys under the age of 18 were regularly recruited and sent abroad for training and service.³³ It is interesting to note that the districts from which these recruits came are now the heartland of the Maoist “People’s War”. In these same districts a new generation of boys and girls are engaging in military activity, just as their forefathers had done.

In addition to historical precedent, population groups may also be encouraged (or opposed) to involvement in armed conflict due to cultural factors. Local ideological and value systems are sometimes utilised by those who wish to mobilise their fellow citizens. Organised religion offers a particularly powerful resource for calling people to arms. Not only are places of worship generally ideal settings in which to address and persuade large numbers of the local community but religious imagery and doctrine themselves provide a powerfully emotive resource for warmongers. This is as true in South Asia as elsewhere, it would seem. The particular use of Islamic teaching by the Taliban in Afghanistan to justify violence is one obvious example of this phenomenon. Another comes from Sri Lanka, where Buddhist monks have provided religious justification for an aggressive response to Tamil separatists.

More generally, it is possible to speak of a “culture of violence” existing in certain societies in the region. This does not necessarily manifest in the form of armed conflict. However, the lack of respect for human life demonstrated in sexual and physical abuse at all levels of society, violent criminality, and, as in Sri Lanka, in high suicide rates, contribute to an environment in which descent into armed conflict may be a relatively easy option. A lack of awareness about human rights, including child rights, adds to this problem.

Furthermore, the experience of conflict over a prolonged period by a particular community may lead to an increased propensity to turn to violence in order to solve problems. This is the case in the CHT where more than 20 years of insurgency with constant military harassment of the local population has contributed to the creation of a noticeable “culture of violence” in which, according to Amnesty International, “years of armed confrontation has

allowed human rights violations to be committed in the majority of cases with impunity”.³⁴ It seems reasonable to suggest that, in such an environment, the likelihood of new conflicts emerging is greatly heightened.

3. CHILDREN'S EXPERIENCES OF CONFLICT

Armed conflict entails many transformations and hazards at the macro, mezo and micro levels, with major implications for children's survival, development, health and overall wellbeing. In this report the many impacts on children have been grouped as follows:

- Social Disruption;
- Loss of service access;
- Impoverishment;
- Civil and political violations;
- Threats to the physical integrity of the child;
- Transformations in children's roles and responsibilities;
- Differentials in children's vulnerabilities.

In a subsequent section the psycho-social aspects of children's experience of armed conflict are considered separately.

3.1. Social Disruption.

Some of the environmental threats to children commonly associated with conflict include displacement from homeland, family dispersal, separation and discord, destitution, loss of service access and social interaction, and the intimidatory presence of military personnel. While there does not exist a great deal of information on these issues, the research revealed the following:

3.1.1. Displacement

Displaced communities emerge by definition out of crisis. They are frequently made up of individuals and families that do not share common origins and have no prior connection with each other, who come together more by accident than design. Sometimes political activists and combatants are housed in camps alongside civilians who may have little or no interest in their cause. A significant percentage of conflict-displaced populations in South Asia have been forced to flee several times. Often displaced communities must contend with the continual threat of forced repatriation. Many (including children) flee alone, or become separated from their families during flight.

Situations of displacement create particular challenges for the young. For children displacement invariably has very direct impacts upon their schooling, nutrition and health. It is also likely to disturb the coherence of familiar networks of community, friends and family, which provide a basis of consistency and security for the young. The economic effects of displacement are also likely to be severe, with particular pressures for children to engage in some form of labour in support of themselves and their families. In many cases of long term displacement, children have only ever known camp life, with all of its constraints and difficulties.

In many cases, families have been split up and some have been reconstituted, taking in new members, such as orphans or step-parents and siblings. Often

displaced families are dispersed, with children taking employment in communities distant from their parents. In Sri Lanka, for instance, girls and young women from refugee communities may be trafficked to the Gulf States, their remitted income making an important contribution to refugee survival. In Afghan refugee populations, boys are at greater risk of family separation than girls because religious taboos prohibit girls from leaving the home or community.

There are reports from refugee communities in several countries within the region of very poor personal security and, linked to this, high levels of rape, abduction and trafficking of both girls and boys. In Afghanistan, young children from drought-affected IDP populations appear particularly vulnerable to death from chronic food shortages, to disease spreading through the camps and – in the winter months – from the cold. Drought related deaths amongst children in the north have reportedly hit emergency proportions.³⁵ Yet, the situation of those who have tried to stay on their land and not move to the camps may in fact be worse. Displacement in this country may also entail severe risks for children as they seek to contribute to the livelihoods of their families. For example, IDPs staying in a desolate army barracks outside Mazar-I-Sharif reported that wolves had killed two young boys as they went to look for firewood in unfamiliar land. Children can face resentment from the local population as they seek work, and they may be unaware of mine fields in new areas.

In the worst situations of fighting, displaced communities live in constant insecurity. For example, when the conflict in the Chittagong Hill Tracts was at its peak in the late 1980s and early 1990s, thousands of families hid in forest and woodland, surviving on meagre supplies of berries and natural roots, some for years at a time, before finding a place to resettle. During this period they had no access to basic services such as health and education, and lived in a continuous state of acute physical and mental exhaustion.

In contrast to the chronic and ongoing insecurity of those unofficially displaced, a refugee camp or welfare centre may appear a great improvement. However, as the experience of camp-dwelling communities in countries across the region demonstrates, life in such an environment entails its own risks and difficulties. Simply by being crowded together in a clearly identified place, camp residents are vulnerable to a range of malevolent forces, they may become the target for military action or be used as human shields. As with the Bhutanese camps in Nepal, traffickers seeking out girls for their trade and militant groups looking for disaffected youth to enlist are often attracted by the large concentration of desperate people. Furthermore, the very presence of a sizeable population of refugees in receipt of some form of aid or assistance can give rise to great resentment amongst the local population, struggling themselves with poverty and government indifference. This is reportedly the case for the areas around the Bhutanese camps in Nepal and in the areas of the NWFP of Pakistan where large numbers of Afghan refugees reside.

For the Rohingya in the camps of Bangladesh freedom of movement and employment are both denied. They are deliberately contained by the

government within conditions of high insecurity designed to encourage repatriation. Stateless, landless and denied the means or opportunities to build independent lives, the Rohingya refugees are, therefore, already heavily disadvantaged even before they confront all the other social and economic challenges within Bangladesh as a whole.

Among both the Rohingya and Bhutanese refugees, ration distribution is not differentiated according to age or sex, and this may encourage a view of children as commodities with considerable value. Babies and young children receive adult-sized portions (despite having smaller quantitative needs), so having a large number of children can become a strategy of ensuring a greater influx of food into the family circle, as well as increasing bargaining power in terms of trading rations for non-food items.

Given this range of adverse effects, the scale of displacement in South Asia is cause for great concern. It is generally the case that displaced populations in South Asia are in great need of advocacy efforts by UN and other agencies. Commonly without a voice of their own and rendered particularly vulnerable by the physical precariousness of their situation, their protection needs are often overlooked by government authorities. It should be pointed out that none of the countries in the region have ratified the UN Convention on Refugees (1951 & 1967), and the Guiding Principles on Internal Displacement – introduced into the United Nations in 1998 – have yet to be widely disseminated and understood.

3.1.2. Disruption to family life

The family is the core social unit for the care, nurture, socialisation and emotional support of children. This is a point emphasised within the CRC. However, the coherence of many families in situations of conflict is seriously threatened, while the incidence of domestic abuse and neglect commonly appears to rise. As well as the death and injury of members, conflict creates challenges to the family unit through displacement, dispersal, and intense economic, psycho-emotional and social pressures. Families and households commonly scatter, possibly forever, leaving children orphaned and/or as household heads. On the other hand, new configurations of family emerge as orphans, stepparents and isolated extended relatives are absorbed. It may prove difficult for children to adjust to these truncated and revised family relations.

Frequently, the loss of a family member starts a chain reaction that drastically affects the lives of children in very practical ways. The death, disappearance or desertion of male breadwinners creates the need for women to find viable employment. Where women find work locally, girls are often required to abandon schooling in order to take on extra domestic responsibilities. The involvement of boys in income generating activities to support the family also becomes likely. When widowed mothers are obliged to travel further afield, as many Tamil women have done in search of work as domestic servants in the Gulf, the children left behind may be taken in by extended family. However, the extended family may be severely stretched in order to provide proper care for existing offspring, let alone additional members. Not only are the physical

needs of adopted children thus not adequately met but their particular psychological and emotional requirements are ignored.

Families that manage to remain together may still find that the conflict situation presents serious challenges to their normal functioning. In some cases, the power of parents and older relatives to offer protection is disproved through children's personal experiences of harassment, arrest and punishment by military forces, which family members are totally unable to prevent. Such occurrences, it is believed, cause children to question the structure of the family unit and the authority of parents and other adult figures, including teachers.³⁶ This may lead into a deeper questioning of the value system of the wider society. Residents of Jaffna, for example, commonly express anxiety that the conflict has created doubt amongst the young about moral codes which, in turn, is leading to an increase in anti-social behaviour and in crimes such as robbery and sexual abuse.

3.1.3. Female-Headed Households

The situation of female headed households and their children is of great concern, partly because of the sheer numbers involved, and partly because such families appear to face particular hardships. In societies where the public domain is exclusively in the hands of men and where there is significant social stigma attached to widows, the conditions for female-headed households are especially difficult. In Afghanistan the problem is on a massive scale, with an estimated 700,000 war-widows. Currently between 1% and 5% of households appear to have no adult male above the age of 15 years.³⁷ Impoverishment has weakened the ability of the extended family to cater for such women and their offspring. The adversities for female-headed households have been deepened by Taliban edicts forbidding women from working outside the home, other than in the health sector. This has obviously curtailed women's access to waged labour. At the same time the loss of female staff from NGOs has also undermined the number of projects supporting women, forcing many into begging.³⁸

In Pakistan (Sindh Province), and in India (Kashmir and the Punjab) cultural and religious restrictions have also limited the coping abilities of widows.³⁹ On top of this, in the case that their late husbands had militant associations, friends and relatives may avoid associating with them for fear of suspicion and police attention.

Many widows in this situation of social stigma rely heavily upon the labour of their children. Agency personnel working in Karachi, for example, have noticed a link between families impoverished through political violence and their increased reliance on the income of adolescent boys.

Conflict-created widows can be under considerable pressure to re-marry, which has implications for the children of their first marriage. In the Punjab, for example, if a woman remarries she often places her existing children into an orphanage. This is particularly the case if the children are female, since they are not considered to be family heirs. A widow with a son, on the other hand, is under an obligation to care for him under the eyes of her late

husband's parents. In Afghanistan, in contrast, boys are more likely to be placed in orphanages, since the domestic labour of girls is valued by new step-fathers. Other women who remarry leave their children with grandparents or distant relatives. Yet this does not guarantee protection for the children. One report from the Punjab found that orphanages were full of children who had fled from violent, abusive and exploitative relationships with distant family members who took them in after the loss of their parents.⁴⁰

Evidence from the Rohingya refugee camps in Bangladesh suggests that the inhabitants of female-headed households may be especially vulnerable to malnutrition. This is a point taken up in 3.3.4. below.

3.1.4. Children separated from their families

The factors that lead to the separation of children from their families - such as poverty, death of key members, discord and so on - all become more commonplace during conflict. Often unnoticed and unsupported by governmental and non-governmental agencies, children are left to run households of younger siblings or simply to fend for themselves on the streets of larger towns. Those associated with the 'enemy' - possibly due to the military or political involvement of parents or other relatives - may be especially vulnerable. Fear of discovery by government authorities can act as a strong deterrent for these children to access basic services. Concern about such situations has been raised with respect to children displaced by the conflict between the Maoist insurgents and the government forces in Nepal.

Orphanages seeking to accommodate children who have lost the care of their families due to conflict have become commonplace in some countries, notably Sri Lanka. In the best of these children enjoy a safe, loving environment, good nutrition and health care, and are enabled in their education. However, in some cases residence in such institutions can expose children to new risks. For example, rumours abound that certain orphanages in the Vanni area of Sri Lanka are effectively training establishments for the LTTE. There are also concerns that children in some of the homes run by Christian organisations are subjected to indoctrination and forced conversion. More generally, reports of cruelty and neglect in a few institutions have led to complaints about the lack of effective monitoring mechanisms which allow unscrupulous businesspeople to make profits from the desperate circumstances of a growing number of vulnerable children. The experiences of children living in children's homes in the CHT during the period of insurgency reveal a more basic problem, namely that orphanages themselves may become targets for attack by military forces.

3.1.5. Early Marriage

One issue that merits further careful consideration, supported by empirical research, is the potential link between conflict and early marriage. Evidence suggests that the particular pressures of life in IDP and refugee camps may contribute to an increased incidence of early marriage. The Rohingya refugee camps in Bangladesh provide a useful case study in this respect. Effectively contained as a 'captive' population within the camps, the limitations that are imposed upon the Rohingya appear to have significant consequences in terms

of when and how they deal with traditional life stages such as marriage. Firstly, circumstances in the camps offer scant opportunity for girls to contribute in any way other than domestically, which rarely requires more than one daughter per household. Additionally, there is a significant threat of rape by locals and other refugees. Those girls who are raped generally find it harder to get a husband due to the social stigma that attaches to them. Thus, by marrying girls off early this danger may be averted. In any event, the conditions of overcrowding; the lack of educational and recreational opportunities and the consequent boredom are all believed to be important factors accounting for the noted prevalence of sexual activity amongst unmarried adolescents. In the context of a socially conservative Islamic community, early marriage becomes a means of ensuring that the honour of the girl (and her family) is safeguarded.⁴¹

All of these factors lead parents in the camp to arrange matches at increasingly early ages. According to the Camp-in-charge of Kutupalong, as of March 2001, there was not a single girl over the age of 16 in the camp who was not already married, and the vast majority of these child-brides were already expecting their second child. Although most of the authorities simply attributed this to 'Rohingya cultural norms', it is far more likely that, as has been shown in other refugee case studies around the world, it is the numerous particular pressures that are placed on the Rohingya community by virtue of their displacement that have encouraged such a high level of child-marriage.

Marriage at such an early age can impact very heavily upon the psycho-emotional, educational and physical development of girls. With wedlock generally comes strong family and societal expectations for children. Amongst the Rohingya it is apparently commonplace for girls as young as 12 to be married and pregnant. Since women in this setting often give birth every year, it is not uncommon to find girls in their late teens expecting a third or fourth child with all that this implies for intense physical strain and loss of educational and social opportunities.

3.2. Service Access

3.2.1. Education

UNICEF, many NGOs and mental health professionals have argued strongly that the maintenance of education services is crucial for children's psycho-social well-being during periods of conflict and upheaval. Many of the areas of South Asia that are affected by conflict have only established systems of formal schooling comparatively recently and, in most cases, conflict has had a seriously adverse effect on access. For example, an estimated 2,000 schools were damaged between 1978 and 1986 in Afghanistan and the enrolment rate of boys in primary school dropped from 30% to 18% in the same period.⁴² In Kashmir a total of 891 schools have been deliberately attacked or destroyed in the course of exchanges. Under half of these have been reconstructed.⁴³ Security forces have used other school buildings as barracks, thus putting them out of bounds. 2997 adult and non-formal education centres have closed in the region since 1990 due to financial constraints and staff shortages.⁴⁴ 10,000 registered Hindu teachers have left since the troubles began. Teachers who

remain are wary of travelling long distances to schools and colleges and non-attendance amongst them is high.⁴⁵ Strikes, security threats, bomb blasts, arrests of teachers and absenteeism have taken their toll on educational performance. In 1989 students attended an average of 210 school days a year, in 1993 this had dropped to 60.⁴⁶ Educational achievements show a marked decline: the pass percentage of the Class 10 Matriculation exams decreased from 33.0% in 1986 to 24% in 1994. The pass percentage of the Class 12 Higher Secondary Exams declined from 49.7% in 1986 to 26.5% in 1994.⁴⁷ Schools and colleges that still function have a backlog of exams. Students in Kashmir University report that on average their courses have been extended for a year waiting for exam papers to be finalised and exam dates to be re-scheduled.⁴⁸

Problems of safety while travelling to and from school and during class are also common in conflict-affected areas. In Sri Lanka, children in such areas contend with immense challenges in order to attend school on a regular basis. These include the lack of local facilities as a result of destruction, very poor infrastructure and a non-existent public transport service which obliges many children, especially in the Vanni, to walk for several hours each day in order to study. In addition, many parents claim that the numerous 'hidden' costs of educating a child are prohibitive. This is particularly a problem for families living in camps where the opportunities for employment are scarce and poverty endemic.

In so-called 'grey' areas, such as exist in the east of Sri Lanka, there are fears that children will be stopped and interrogated by government forces for their knowledge of LTTE movements.⁴⁹ In Vavuniya Town and in Jaffna, both of which have a heavy presence of Sri Lankan soldiers, children must pass through several checkpoints to reach school. For displaced children in the welfare centres of Vavuniya this is especially disconcerting given the frequent reports of harassment. Furthermore, from the age of ten, young people in both locations are required to carry ID cards, the absence or loss of which can create serious problems for the child and his or her parents. Where such concerns about harassment by the military are uppermost, it is reportedly girls more than boys who still venture to school. Although there are often fears of sexual abuse, it would appear that girls are considered to be less at risk of being stopped and of being subject to physical harm.

Displacement inevitably takes its toll on children's education. Most obviously there is the problem of disruption and of loss of access to schools. However, this is not the only challenge. In NE India, for example, some families who are not officially registered as displaced prefer not to send their children to school for fear of drawing attention to themselves.⁵⁰ It is often due to bureaucratic procedures that displaced children, in particular, are denied access to educational facilities. In Sri Lanka the most common cause is the lack of a birth certificate (often lost in displacement) which is used by head teachers as an excuse to deny children entry or to prevent them from participating in public examinations and sports competitions.

3.2.2. Health Care

The maintenance of properly-functioning health facilities in conflict-affected zones is wrought with immense obstacles. As with educational establishments, health centres may be deliberately looted or bombed. The situation in Afghanistan appears particularly serious. Even before the war, health services were estimated to reach only 25% of the population. Furthermore, massive inequity in distribution meant that health facilities seldom reached the rural poor at all. Services were clinically based and mostly concentrated in Kabul.⁵¹ Yet even there it was estimated that 30% of those suffering ill health received no medical care.⁵² The war has only served to compound these inadequacies. Hospital services are now in a dire state, with crumbling facilities, insufficient trained staff and outdated or inadequate equipment.

Staffing is invariably a severe problem. Health care professionals are often reluctant to remain in conflict-affected areas and, given their skills, generally have few problems in relocating. The recruitment of new staff for these areas is difficult, particularly without additional financial inducement from the government. The lack of staff in north and east Sri Lanka provides a clear example of both 'brain drain' and the problems of recruitment. Increasingly trained professionals are being replaced by volunteers with little formal training.⁵³

Within conflict zones in South Asia, the input of INGOs and local NGOs has, therefore, become crucial for the maintenance of basic health provision, including routine surgery. It often falls to the non-governmental sector to try and ensure that pre- and post-natal care and immunisation programmes do not collapse and to maintain supplies of basic medicines. "Additional services" made necessary by the conflict, such as prosthesis for landmine victims, have generally fallen entirely to the non-governmental sector to provide.⁵⁴

Embargoes, curfews, the damage and destruction of facilities and the departure of many fellow health professionals all impact on the health of the young. Senior staff at one of the main hospitals in the Vanni in Sri Lanka provided a picture of current circumstances in the delivery of health services to the local population. They claimed that the hospital is often left without vaccines for months on end and that when these do arrive there are no proper refrigeration facilities to keep them. Overall, health workers reported a high incidence of death due to maladies such as malaria, tuberculosis, anaemia and snakebite for which preventative measures and routine treatments are often unavailable. Pregnancy and childbirth are also particularly hazardous due to a severe shortage of trained midwives.

For recognised refugee and displaced populations in the region, health care of a reasonable standard is commonly provided by local and international agencies.⁵⁵ However, forced migrants who do not enjoy such recognition often have particular difficulties in obtaining access to health services. Fear of discovery and deportation amongst 'unofficial' Rohingya refugees in Bangladesh is known to prevent many from approaching government facilities. Instead they are compelled to rely on poorly qualified doctors for third-rate treatment. A recent survey discovered that none of the unofficial

Rohingya children under five in the area of Cox's Bazar had been immunized. Seemingly there were several cases of children with polio, and malnutrition was widespread.⁵⁶

Simple discrimination by health officials may also adversely affect the ability of children to access basic services. In more remote areas of the CHT, where tensions between the Bengalis and members of tribal groups continue long after the signing of a peace accord, it is reported that doctors and pharmacists from the Bengali communities offer a poor service, overprescribe drugs and charge extortionate prices to their patients from the tribal communities.⁵⁷

3.3. Impoverishment

Due to information shortcomings, it is difficult to ascertain with any precision the link between conflict and economic status. Therefore, analyses of the links between conflict and impoverishment tend to rely heavily on impression and anecdotal evidence backed up by such statistics as exist regarding basic health, literacy levels and life expectancy pre- post- and during conflict.

3.3.1. Reduction of capital, income and employment

With these limitations in mind it is, nonetheless, possible to make the general observation that conflict appears to marginalise further those who are already vulnerable economically. The most obvious way in which this occurs is through the loss or drastic reduction of capital, income and employment. This is associated with a range of factors, including physical destruction of agricultural resources and industrial plant, reduced investment, and mass displacement. Additional factors include the loss of breadwinners due to death, conscription, injury, disappearance or imprisonment; curfews and other mobility restrictions; the planting of landmines on farming land; the closure of factories and other sources of employment; economic embargoes and the demise of local markets. The loss of livestock and collapse of credit and essential services, such as agricultural extension, are also common, as is the interruption of commercial food and other shipments, and withdrawal of private investment.

As a consequence of these and other factors, individuals or whole families may be compelled to leave rural areas and seek a livelihood either in nearby cities or abroad. In this way, they may come to be seen simply as 'economic migrants' and the particular challenges which they face are thus ignored.

3.3.2. Economic consequences of living in a 'grey zone'

Moreover, households that are just managing to survive economically may be rendered destitute by the demands of military forces stationed in their immediate vicinity. Particularly unfortunate are those living in 'grey zones' – over which none of the warring parties have complete control – who may be subject to extortion by both sides. This is reportedly the case in many villages in Nepal and Kashmir. It was also true for many of the tribal population of the CHT who were forced to provide material support to both the government forces and the Shanti Bahini insurgents.

3.3.3. Effects on children

The impoverishment of families impacts upon children in a number of ways. It increases the pressures on the young to work, possibly at the expense of their schooling. It also leads to under-nourishment and malnutrition; to the inability of parents to pay for the basic necessities of a school education, such as uniform and writing materials; and to a child's withdrawal from religious, social and cultural events, including temple festivals, for which some offering is necessary.

3.3.4. Effects on family and social life

Impoverishment also affects family structures. In Kashmir, the Hanji community has been particularly affected by the loss of revenue from tourism due to the conflict. Increasing numbers of men and boys from the Hanji community are becoming migrant labourers. This entails family separation. Social life is also affected. Young Bhutanese refugees note that they are not able to celebrate weddings in the proper manner. This loss of socio-economic status compounds the sense of alienation from their homeland.

3.3.5. War economies

While conflict generally means severe impoverishment for the majority of civilians, it has also produced flourishing 'war economies' in certain areas that are based largely on the production, transport and marketing of valuable commodities, both legal and illicit. The tendency is for a small minority of people in these regions to grow extremely rich through the marketing of gems, arms, drugs and other goods, or in servicing the local military camps, while a far larger number become caught up in deeply exploitative working practices. Many Afghan poppy farmers, for example, receive a tiny fraction of the profits that are made by opium and heroin traders.⁵⁸ Children are vulnerable to engagement in the sort of illegal or hazardous economic activities that tend to flourish in times of conflict – a point discussed in 3.4.2. below.

3.4. Civil & Political Violations

The close presence of large numbers of security personnel often leads to human rights abuses, and much more besides: it entails the militarisation of society, the strain of life under constant vigilance, restriction of movement and frequent harassment and intimidation. Check-points, surveillance operations, interrogations, searches of homes and places of work, restrictions on the press and activists all undermine normal interaction and community life in many conflict regions.

3.4.1. Violations against children

In many parts of north and east Sri Lanka, the army has set up checkpoints and camps close to educational facilities and has even commandeered all or part of some school buildings. This creates a threatening atmosphere for students and teachers alike, particularly for females who fear sexual harassment. In Kashmir, which is overrun by military personnel, civilians resent the fact that they have to carry IDs with them at all times and that failure to do so results in intimidation and threats by the security forces. They are also angry that the army can decide to change laws arbitrarily, and that counter-insurgency operations intrude into every aspect of their daily lives, creating a sense of menace.⁵⁹

Children's right to citizenship and nationality are infringed in many conflict-affected communities within South Asia. Although States Parties to the CRC are obliged to uphold the rights of all children resident on their sovereign territory, in practice the denial of citizenship and nationality renders them vulnerable with respect to all other rights. In Bhutan many members of the Nepali-speaking population who did not leave the country in the early 1990s under alleged threat from government forces, have been effectively denied citizenship status. As a consequence their children have lost their entitlement to free school provision. For those 98,000 Nepali-speakers who have taken refuge in camps in South East Nepal there now exists the challenge of proving their right to Bhutanese citizenship and thus return. In the meantime, their status in Nepal is highly ambiguous. No national child rights or child-focussed organisation within the country currently works to assure their protection, which is left to UNHCR.

3.4.2. Violations in 'grey zones'

Civilians living in 'grey zones' usually face the greatest threats to their civil and political rights. In Kashmir, families regularly have to negotiate financial demands from both security forces and militants. Yet, complying with either party increases their risk of being targeted by the other side. Similarly, in Nepal, villagers in areas where the Maoists and the Nepali police are present experience exploitation by both sides. They are visited by police during the daytime calling for food and alcohol, and at night by the Maoists, who make further demands. Overall, the impoverishment that such demands can create has contributed to the migration of villagers from rural districts. In addition, service provision is generally worse in such grey zones in Nepal than in places where one or other side has clear control – professional health workers and teachers are less likely to remain in their posts, funding is often blocked and the delivery of materials erratic or non-existent. In Sri Lanka, areas of the east are effectively 'grey zones' which may be controlled by different forces at different times of the day. This has caused immense insecurity leading to daily displacement as villagers go into the jungle to sleep and return to their homes in the morning, sometimes finding them looted.

Children living in grey zones are themselves vulnerable to exploitation from both sides. In Nepal they are liable to recruitment by the Maoists and, under suspicion of this, victimised by the police. Seemingly this has led parents to send their children, particularly boys, away from the area, normally to the largest towns where they may end up on the streets or working in exploitative conditions.

3.5. Threats to the physical integrity of children

3.5.1. Child Casualties

Many conflicts in South Asia are now being fought with a combination of high-tech hardware and traditional weaponry. The variety of combat activities enabled by this mix of weaponry leads to the injury and death of child civilians in a wide range of situations. Some of the most common are as follows:

- Bystander injury

The sudden outbreak of gun battles between opposed forces may cause injury to children caught up in crossfire. This is a particular problem in Sri Lanka due to the fact, already noted, that many army checkpoints and camps, which are obvious targets of military attack, are situated very close to schools.

- Bombing & shelling

The increasingly sophisticated weaponry involved in the launching of shells and in bombs which are both dropped and planted in civilian locations pose an unavoidable threat to children and their families. Not only are the numbers of casualties from a single incident often great, the unpredictable nature of such military activity contributes to an atmosphere of fear and anxiety.

- In combat

In Afghanistan and Sri Lanka, particularly, children are reported to have been killed in direct military action. The age of these combatants does not appear to discourage either their superiors or their enemies from treating them just as any other soldiers.

- Communal massacres

In Sri Lanka and Afghanistan both sides in the conflict have been responsible for the massacre of civilians. Whole villages have been slain by military and paramilitary forces as well as by armed civilian groups caught up in a cycle of inter-communal reprisal killings.

- Landmines

Bangladesh and the Maldives are the only countries in the region that have signed and ratified the (Ottawa) Mine Ban Treaty on the production, transfer, stockpiling, and use of landmines. Of the remaining countries, Bhutan alone is considered to be free of mines and other explosive devices—UXOs and IEDs (Improvised Explosive Devices).⁶⁰

Unlike other weapons, such as guns, which are for use against specific targets, landmines are usually laid indiscriminately, thereby increasing the risk to civilians going about their everyday business. Also, while other weapons have an instantaneous effect, mines and explosive devices can linger for many years, continuing to create dangers for civilians long after the conflict has ended. This is the case, for example, in the Federally Administered Tribal Areas (FATA) of Pakistan which border Afghanistan. Large numbers of mines were laid here by the Soviets in the 1980s as a means to undermine the support, supply routes and arms bases for the mujahideen. These devices continue to kill and maim the population of this area. An estimated 600 people have lost their lives, of which 27% are under the age of 18.⁶¹

A particularly disturbing phenomenon has been the growing production and use of IEDs by Non State Actors, notably in Kashmir and NE India, by various separatist groups, and by the Maoists in Nepal. Seemingly the ease of manufacture - using everyday items such as pressure cookers, milk churns and bottles - has enabled even poorly financed militant groups to acquire large

arsenals of deadly explosives. Furthermore, mines and IEDs have become weapons in very localised disputes, such as intra-ethnic violence in the NWFP of Pakistan.

Children are particularly vulnerable to the use of impact-activated (as opposed to remote-controlled) landmines and IEDs, as well as to UXOs. Due to their generally smaller stature and the proximity of vital organs to the body surface, devices that are intended to injure and maim adults cause death to the young. In addition, the domestic activities in which the young may typically engage, such as collecting firewood and water, often expose them to particular danger. Amongst younger children especially, casualties sometimes occur when playing with explosive objects that appear strange, shiny and interesting. Gender differences appear to affect the likelihood of casualty – boys' greater freedom of movement outside the home puts them at a much greater risk of injury than girls. This appears the case in Afghanistan and also in Jaffna, where there have been three times more boys injured and killed than girls.

However, even when the young are made aware of the risks through special programmes and learn the location of mines, there are still great dangers. Due to floods or melting snows explosive devices may be carried away from their original locations. In addition, due to the absence of alternatives, children may have no choice but to enter minefields to collect water and firewood or to harvest crops.

Ultimately, only thorough de-mining and an effective ban on further deployment will ensure children's safety. At present these seem distant dreams in countries such as Afghanistan and Sri Lanka. For those who continue to be injured and their families there is little support offered by the governments and non-state actors that employ such devices. Such assistance is generally left to the NGOs and UN agencies to provide.

3.5.2. Physical Violations

Children in communities affected by conflict are at constant risk of being subjected to violations by both state and non-state military and law enforcement bodies. These violations include harassment, sexual violence, extortion, torture, extra-judicial detention and killing. Many children disappear and remain missing and unaccounted for after conflict has ceased.

Emergency legislation often leads to children being detained, frequently without charge, and to interrogations, commonly without the presence of a legal representative and/or parent. Both during arrest and in detention there is an extremely high risk of sexual abuse, torture and other forms of ill treatment. A June 2001 study of the situation of children in Afghanistan, prepared for UNICEF, notes that in Taliban-controlled areas there have been reports of children being detained under suspicion that they are allied to opposition forces.⁶² Apparently, an ICRC survey of 72 prisons and detention centres, conducted in 2000, found 32 girls and 587 boys under eighteen years of age, the girls representing 23% of the total female population in detention and the boys, 9%. In terms of trends, it appears that there was a consistent increase in the number of juvenile males in detention in Afghanistan between 1995 and

2000. A survey of all the prisons in Pakistan (with the exception of those in the interior of Sindh, where access was denied) conducted by SPARC in 1997, revealed 4,000 juveniles, with a particularly high concentration in the Punjab. Neither study provided information on the reasons for detention, although it is likely that in both countries a significant proportion of juveniles are held for their actual or supposed political activities.

Even without the special powers granted to security forces at times of conflict, children in South Asia are vulnerable to arrest due to the very low age of criminal responsibility in most countries in the region. In Bangladesh, India and Pakistan this is set at seven years, for example.⁶³

3.5.3. Sexual Violence

In situations of armed conflict, levels of rape, sexual exploitation and others forms of sexual violence rise. Women and girls are the most frequent targets, although men and boys can also be very vulnerable at times. Often sexual violence is associated with the general level of lawlessness and climate of impunity that prevails in conflict-affected communities. It also reflects the desperation of impoverished and vulnerable families that find themselves forced to sell daughters to traffickers, or offer them to military personnel as protection against attack, extortion and other abuses.

Increasingly, however, it is becoming clear that sexual violence during conflict is far more than an arbitrary side effect of the break down of law, order and social custom. Rather, it has become an instrument of terror with the rights of girls and women systematically violated as a deliberate policy. Frequently it takes the form of multiple rape and may be accompanied by torture, sexual slavery, forced marriage and forced maternity. Such violations are particularly common in the context of ethnic cleansing, tribal conflict and boundary disputes, where they are used explicitly both to humiliate and demoralise individuals, and to undermine the psyche of the community as a whole.

In 1990, information from one of the tribal refugee camps in India housing refugees from the Chittagong Hill Tracts indicated that 1 in every 10 of the total tribal female population in the CHT had been a victim of rape. Over 94% of the alleged assaults were by 'security forces', and of these, over 40% of the women raped were girls under the age of 18.⁶⁴ In Afghanistan, there is also evidence that the Taliban have used sexual violence against ethnic minorities. It has been reported that when they took over territory in the north and centre many Hazara and Tajik women and girls were abducted and sexually violated. These women have not returned and were apparently trafficked to Jalalabad, Kandahar and Pakistan.⁶⁵

3.5.4. Health & Nutrition

The high incidence of children's death and injury from guns, landmines, shells and aerial bombardment is cause for anxiety in many parts of South Asia. However, in order to understand the full impact of conflict upon children's physical well-being we must also consider their everyday health and the nutrition they receive. Indeed, it likely that children's health is damaged to a broader and more long-term extent in this indirect way than directly through

violence. For example, illnesses such as malaria, diarrhoea and respiratory infection - all of which may be easily cured with the appropriate medication - often become more prevalent and likely to lead to death in situations of conflict for a range of reasons. However, these are generally not recorded as conflict-related casualties.

Aside from illness, conflict impacts on children's health through poor nutrition over long periods of time. This is notably the case with refugee populations kept artificially dependent on rations, such as the Rohingya. While nutritional indicators across Bangladesh are generally acknowledged as being very poor, child refugees within the camps appear to be at particular risk of malnutrition. Statistics and research have suggested that although children born in the camps begin their lives with a relatively clean bill of health (most likely due to the extra care afforded to pregnant and lactating mothers), their nutritional status quickly deteriorates. According to WFP, over 50% of children who are born relatively healthy and without problems then go on to exhibit wasting between the ages of 18 and 23 months old, and this gives an indication of how severely – and quickly - camp conditions affect these new lives. Comparison with indicators for children in surrounding areas, such as Cox's Bazar, underscores the particular nutritional problems of the Rohingya refugee children. Furthermore, their general health is adversely affected by the unsanitary and overcrowded conditions that prevail in the camps.

To be clear, malnutrition does not simply or only result from food shortages. Particularly for younger children there is also an important issue of care. Breastfeeding and food preparation take time. In situations where primary care givers are also struggling to earn an income or to fulfil other essential tasks, the chances that children will go hungry on a regular basis appear to increase. This problem may, at least in part, account for the comparatively high incidence of malnutrition in female-headed households, as recorded amongst the Rohingya.⁶⁶ Certainly, further research is needed into the connection between the loss of care due to the circumstances created by conflict and child malnutrition.

3.5.5. Disability

Levels of disability tend to rise sharply in communities affected by conflict, due both to the violence and to disruptions to nutrition and health care. Given the common breakdown in service provision as a consequence of conflict, it is often the case that the needs of children with disabilities are seriously overlooked. The struggle simply to maintain basic healthcare and education for the majority of children in conflict-affected areas generally leads to the low prioritisation of the particular additional needs of a minority. In the Vanni area of Sri Lanka, schools and hospitals are unable to offer even minimal services to children with sight or hearing impairment, physical disability, mental or emotional problems. In the provision of prosthetics to landmine victims there is a severe shortage of necessary materials due, in large part, to government-imposed controls on imports into LTTE-held areas. At the same time, the conflict has inevitably increased the numbers of children with special needs who require supplementary assistance.

3.5.6. HIV/AIDS

The Graça Machel report emphasises the strong link between armed conflict, the prevalence of sexual violence and exploitation and high levels of transmission and incidence of HIV/AIDS. However, due to a number of constraints on information gathering, there is very little evidence on these issues for the South Asia region. In some countries the government is reluctant to admit to the problem, making research very difficult. There is the added difficulty that even when data are available, there have been very few studies that make an explicit link with conflict.

One study in Cox's Bazar, where refugee and illegally displaced Rohingya are concentrated, shows that HIV/AIDS is present. This may be a result of the proximity of the area to Myanmar, a country that is quite seriously affected by the disease. Another reason for risk in this population is the consistent trafficking of girls from the refugee camps into prostitution. Substance abuse, including intravenous drug use—a major route of transmission in most parts of the world—is extensive in some of the conflict-prone regions in South Asia. Risk of infection is likely to be high in such areas. This has emerged in a study of Manipur State, for example, which showed that the prevalence among intravenous drug users rose from 9% in 1989 to 85% in 1993.⁶⁷ Another source of risk is the high level of promiscuity and unprotected sex among combatants and other groups affected by conflict. For example, conflict-induced displacement and the associated increase in urban populations and presence of military personnel have been cited as factors aggravating HIV transmission and AIDS in Manipur. Similarly, it has been noted that militant political groups in Assam which consist mainly of young, extremely mobile, men—presumed to be sexually active and relatively free of prevailing sexual prohibitions—are exposed to serious risk. Although there has been no research on the topic, Kashmir is likely to be another affected area due to the sheer numbers of military forces in the area and the consequent emergence of 'rest and recreation' business.

3.6. Transformations in children's roles and responsibilities

During conflict, the survival and productive options of families and communities are transformed, and in most cases drastically reduced. This has a very direct impact on the roles and responsibilities of children, normally increasing the social and economic burdens of those in middle childhood and adolescence in particular.

3.6.1. Recruitment

Significant numbers of adolescents and even younger children—mostly boys, but also girls—are directly embroiled in armed struggle in both government and rebel forces and amongst political activist groups. Discussion of the scale and nature of child recruitment in any given conflict is vexed for the following main reasons:

- the propaganda value of the subject which encourages warring parties to play up the recruitment practices of their enemies and conceal their own;
- the difficulty of assessing the numbers of children involved and the types of activities (combatant, ancillary) in which they are engaged;

- determining the ages of military personnel, particularly in the absence of authoritative documentation such as birth certificates;
- the processes by which children are recruited are extremely varied and often complex;
- the lack of consensus on the application of a single, clear universal standard governing recruitment (CRC optional protocol notwithstanding).

Young conscripts tend to perform ancillary tasks, as porters (carrying arms, ammunition and loot), messengers, intelligence gatherers, cooks and weapon-cleaners to support the military enterprise. Some occupy combat functions, as soldiers, guards or political agitators, and are responsible for patrolling and manning checkpoints, the laying, detection and clearing of land mines and bearing arms in battle. Children are drawn into combat through many routes. Since the young tend to be particularly obedient and loyal and have a special talent for escaping surveillance, their recruitment is an overt strategy of many armed forces. Some children are abducted and forced to fight, and others join up through a range of processes and due to a number of factors. Children sometimes equate armed violence with power. Enlistment may also be linked to political commitment, ethnic loyalties, peer pressure, hunger and the opportunity to engage in looting. Acknowledging the fact that children may thus, to some extent, 'choose' to enlist does not imply endorsement, nor does it detract from the clear aim of UNICEF and many other agencies to end all child involvement with military forces. However, it does suggest the need for a far better understanding, based upon the views and experiences of children themselves, of the reasons for recruitment.

The risks associated with direct engagement in hostilities are likely to be greater for children than for adults because they are regarded as more expendable and required to undertake the most dangerous tasks and are often less well trained and equipped.

In Afghanistan boys under the age of 18 have served in armed forces throughout the war.⁶⁸ Under Soviet occupation boys were trained to be spies, and to identify and lead Soviet troops to the homes of mujahideen leaders.⁶⁹ During the civil war thousands of orphaned boys reportedly joined mujahideen groups for employment, food, shelter, protection and economic opportunity such as looting.⁷⁰ The Taliban have long depended upon cohorts of youth. When they first formed they recruited heavily in the madrassas amongst refugees in Pakistan.⁷¹ In mid-1997 another heavy recruitment drive in madrassas saw many teenaged Afghan and Pakistani boys join the Taliban forces. In 1999 there were reports of a rise in Taliban conscription in the southern provinces. Witnesses stated that each land-owning family had to provide one young man and \$500 in expenses. In August of that year 5000 students aged between 15 and 35 left madrassas in Pakistan to join the Taliban.⁷²

There is still uncertainty about the proportion of under-eighteens currently serving with the Taliban.⁷³ Emphasis on military aptitude and training may mitigate against the recruitment of minors for active combat. In addition, in

1998 Mullah Omar decreed that boys who were too young to grow a beard should not fight. Yet there are reports of some boys leaving the country or being sent away by their families in order to avoid recruitment, suggesting that the risk is widespread.⁷⁴

In Sri Lanka, former child soldiers have become a more visible issue in the wake of an horrendous massacre in 2000 at a military-run 'rehabilitation' centre in the south of the country in which 27 Tamil males between 14 and 23 years of age were hacked to death by local villagers. As well as exposing the lack of proper security, this event generated discussion regarding the appropriate care and reintegration of former child members of the LTTE. As one author has written:

*The current approach of treating them like criminal offenders needing re-education and correction will have to be changed. After all they were altruistic youth who left to help their society in their hour of need. ..The militants themselves should be given due respect for their sacrifice and adequate opportunity structures created for them in society. Their rehabilitation should not be in the hands of the military but come under the civilian authority...*⁷⁵

The survivors of the Bindunuwewa massacre were allegedly chained to beds in a secure military unit for several weeks after their ordeal, suggesting that this message has so far not been heeded.

3.6.2. Exploitative and hazardous child work

When families undergo times of deprivation and material loss it is unsurprising that they may turn to their children as an economic resource. This is true in many places but particularly so in a conflict situation when regular breadwinners are absent, killed or injured. The likelihood of hazardous work increases in conflict because of the reduction in normal economic opportunities and the prevailing climate of lawlessness and impunity. It will also depend on local cultural factors which, for example, may create few obstacles to the employment of boys but ensure that girls are largely prevented from pursuing any public economic activity.

In Afghanistan the majority of the population is involved in the task of day to day survival. Here children and adolescents have assumed greater productive and domestic responsibilities. Yet in a country where landmines and UXOs still abound, there is considerable hazard to children. There is also increasing reliance on children's remunerated work as a source of household income. This exposes children to risks such as long working hours and exploitative conditions. The kinds of work in which children engage vary greatly and may well include street begging: a survey of 289 beggars interviewed in Kabul in 2000 found that 29.3% were children.⁷⁶

In Kashmir, as well as encouraging sons to migrate for work, the Hanji community are increasingly relying on the earning capacity of their children in carpet weaving. Some families have become so indebted that they have committed their children in bonded labour to the owners of carpet factories.⁷⁷

Children may also be sold into hazardous forms of employment as an economic coping strategy of their family. In Sri Lanka, entering children into the LTTE and other militant groups may provide a reward in the form of food for the children themselves and strengthen the family's ability to access rations controlled by these groups. Particularly amongst displaced families, such as the Rohingya, and the Assamese displaced by Bodo militia, the trafficking of children, especially girls, is a growing concern. In the Bhutanese refugee camps in Nepal networks are reported to have been active in trafficking girls for work in the brothels of Indian cities.

In considering hazardous labour, it is important to acknowledge that various armed forces in the region employ children not simply as combatants but in a range of activities, many of which entail particular risks. For example, the Maoists in Nepal are believed to use children in messenger and intelligence gathering roles. There are reports of them being sent into towns in order to lure specific enemies out to Maoist-controlled territory in the rural hinterlands.

3.6.3. Education

It is a widely accepted fact that schooling is vital for children's social and cognitive development. In the conflict situation regular school attendance imparts the additional benefit of providing consistency in young lives otherwise severely disrupted. Nevertheless, receiving a formal education may entail considerable risks for students. These include not only the physical dangers associated with getting to school and remaining in a space that is potentially a military target but also includes emotional, psychological and social consequences. Education is an important source of value-formation in children and can be manipulated as an instrument of propaganda, promoting chauvinistic and racist ideas that undermine cultural plurality and encourage discrimination and prejudice.

The madrassa system in the North West Frontier Province of Pakistan provides an example of education used for very particular, ideological ends that may have strong implications for the reinforcement of conflict. Madrassas are privately funded educational establishments, often with a strongly political and sectarian foundation. Many, although certainly not all, have a militant character and have been behind the training of fighters for the Afghan and Kashmir conflicts: they proliferated amongst Afghan refugees and provided the bulwark of mujahideen and Taliban war-training. Even today the Coalition Against the Use of Child Soldiers states that: "the situation of children educated in many of Pakistan's Islamic schools is a matter of concern."⁷⁸

Amongst parents in the Vanni and in some parts of the eastern districts of Sri Lanka fears abound that their children will be recruited by the LTTE on their way to or at school. There are numerous reports that schools are being used by this organisation to conduct propaganda, recruitment and cultural / ideological activities. In one well-known incident, parents in the Vanni burned down the local school in order to prevent it being used for the recruitment of their children.⁷⁹

With such points in mind, it becomes clear that in the situation of conflict, being a student may entail much more than the ideal imagined by aid workers and educationalists.

3.6.4. Leisure & Play

The importance of recreation to children is acknowledged in Article 31 of the CRC. The obstacles to freedom of movement created by conflict not only prevent children from gaining access to schooling and health facilities. They also hinder the ability of the young to enjoy leisure and play activities in the company of their peers. An obvious example of this is in Jaffna where the daily curfew, which in March 2001 lasted from 8pm until early morning, severely restricts the ability of children to play outside with neighbourhood friends.⁸⁰ According to one group of children, if there was no curfew they and their peers would be able to participate in sports meetings and to meet more freely for study and play. They particularly missed the opportunity to attend temple festivals that traditionally occur at night. As it is, the conditions created by curfew lead to feelings of isolation, loneliness and boredom. In Kashmir families particularly lament the curtailing of wedding festivities, the ability to relax or visit friends, and the loss of their sense of freedom.⁸¹

Conflict also affects children's relationships. One study from NE India showed a distinct change in children's friendship patterns before and after communal violence. After the rioting parents were much less likely to allow their children to mix with friends from other ethnic groups. Similarly, in areas of eastern Sri Lanka with mixed populations living in close proximity to each other, children reported that they do not feel able to socialise with peers of different backgrounds. Aside from difficulties of language, a Tamil boy or girl attempting to socialise with a Sinhalese child would invite the suspicion of the community that he or she is "pro-government". In addition, some Tamil children reported that if they spent too much time visiting friends in neighbouring Tamil villages they might be identified by the Sri Lankan security forces as LTTE members.

Boys in one village, which lacked any open space for play, explained that they generally chose to spend their free time in the nearby jungle. This often led to punishment from parents who were generally fearful of the snakes and other dangerous animals living there. However, in the boys' estimation such creatures were less of a threat than the Sri Lankan soldiers who harassed them when they played in open areas.

3.6.5. Post-conflict challenges for children

The effects of conflict clearly do not end with peace settlements and the cessation of hostilities. In fact, in certain respects the problems may become worse, not least because the financial and technical support of foreign donors and organisations may be withdrawn in the belief that help is no longer needed once the conflict is officially over. On the most obvious level, many of the weapons used in the pursuit of conflict often still remain. Landmines and UXOs continue to pose a serious risk to children as they conduct their daily lives but the support for awareness programmes may disappear. As is evident from the CHT, conflict may lead to a great increase in the possession of small

arms that are not simply abandoned once ‘peace’ is declared. In this particular case, interpersonal violence has become a big problem.

Inevitably many children, particularly those who become displaced, suffer serious disruption to their schooling during conflict. The problems of reintegrating them within the regular school cycle are great but, here again, the necessary support may no longer be available. As in the case of Bhutanese refugees in Nepal, the humiliation of attending a class with children considerably younger may lead some young people to drop out altogether.

Ultimately, children’s lives can be best built anew when the society as a whole is able to function effectively. This requires the rebuilding of damaged economies, which can require drastic measures in order to curtail the criminal activities that may well have developed. It also involves the rebuilding of trust within and between communities – something from which children will not only benefit greatly but to which they are well able to contribute, given the proper encouragement and support.

3.7. Differentials in children’s vulnerabilities.

The threats to children during conflict vary markedly according to gender, age, social, religious or ethnic status and position within the family. Due to the dearth of child-focused studies in South Asia in war-affected communities, it is virtually impossible at this point to discern the specific risks experienced by different groups and categories of children. This is, therefore, a vital area for further investigation. However, as indicated, even in the absence of systematic research, it is very apparent that children from ethnic or religious minorities are far more likely than other groups of children to become impoverished by conflict, and casualties of, or directly involved in, combat.⁸²

3.7.1. Intra-household differences

Differences in exposure to risk are not just a matter of social, political, or economic status, , for political violence often accentuates disparities between the various children within a family in terms of the demands made on them or the protection they receive. Gender plays a major role in this regard. Thus, in Kabul, boys are more likely to be outside their homes than girls, whether for work or play. A 1997 survey found that 71.5% of all unexploded ordnance victims and 52.6% of all mine victims were male and under 18 years of age, the rates for girls being just 10.2% and 5.3% respectively.⁸³ In rural Afghanistan males over 15 were found to be far more prone to mine-related injuries than younger boys, because of the tasks they were involved in—which included canal cleaning, irrigation of land, cultivation and driving.⁸⁴

These kinds of differences may be due to family survival strategies and the perception that some children within the family, for physical, social or cultural reasons, are more resilient or even more expendable than others.⁸⁵ Whether through abandonment, sale, or militarisation, some children may be expelled from the household to reduce the economic burden, generate income, or create political alliances that are critical for the security of the domestic unit. For instance, families may place an elder son in the military as a safeguard against extortion, rape, intimidation, or theft.

3.7.2. Gender distinctions

Teenage daughters, on the other hand, are susceptible to trafficking, with domestic labour and prostitution being important sources of remitted income during periods of severe economic hardship and crisis. Although in some places conflict situations may actually lead to an increase in the school enrolment of girls, as is reported for Maoist-held areas of Nepal, several conflict-related factors may also prevent them from gaining a school education. The death or incapacity of either parent is likely to lead girls to take on additional domestic responsibilities, often to the detriment of their education. There may also be fears amongst parents for the safety of their daughters travelling to school in areas of heavy military presence where sexual harassment and abuse are known to occur.

In areas where girls are not subject to mobility restrictions outside the home, the fulfilment of regular domestic duties, such as the collection of water or firewood may put girls at special risk. This has been noted, for example, amongst the Rohingya refugees where incidents of rape and attempted rape of girls venturing outside the camp in search of firewood are apparently commonplace. In Sri Lanka girls have been enlisted as ‘Black Tigers’ by the LTTE for use in suicide bombings to a notably greater extent than boys, possibly because they are better able to pass into high-security areas without arousing suspicion.

Anecdotal evidence also suggests that, in some places, adolescent girls may be particularly prone to malnutrition in the form of micronutrient deficiency. This has been noted amongst both the Bhutanese refugees in Nepal and the Rohingya in Bangladesh. The reasons for this phenomenon are not clear, but there are suggestions that this may involve culture- or community-specific notions about entitlement which operate to the detriment of young women.

3.7.3. Age-related risks

The nature and degree of risk varies also with age. Younger children in particular clearly lack the ability to act independently or the experience and social power to ensure their own protection. They also have certain physical susceptibilities. Due to a break down in health supplies and services, or overcrowding in hastily established refugee settlements, poor hygiene, sanitation and nutrition are a major threat to infants and very young children who have not acquired the immunities necessary to overcome infection. In the very young in particular, high mortality is often linked to the severe hardships faced by women during warfare. On the other hand, children between the ages of 3 and 7—who, while unable to keep up are still too heavy to be carried—are at greater risk than infants of becoming separated from adults during flight from war zones.

Older children and adolescents may be more resilient physically and have greater capacity to manage risk, but they are still the most liable to sexual violence and other assaults, military recruitment and forced labour.⁸⁶ Simply because they are more mobile and independent, older children are more likely than younger ones to experience the hostilities that are part of daily routine in

a war zone. In their roles as carers of younger siblings or incapacitated household members, or as income earners, they may be deprived of sleep, recreation or safety. As noted, they are often required to pasture animals, collect water, or gather firewood and wild foods in areas laid with landmines, prone to sniper attacks or bombing. Some scavenge mines and unexploded ordnance to sell as scrap metal, as in Afghanistan.

4. PSYCHO-SOCIAL RESPONSES

4.1. The significance of psycho-social intervention

The programmatic and research focus on psycho-social issues among conflict-affected children in the region is limited principally to the protracted conflicts in Afghanistan and Sri Lanka. However, even here the main concern has been with the physical impact of conflict on children rather than their psychological, emotional and social lives. When we consider the scale of psycho-social programming in other countries, such as Bosnia, where, at one time, an estimated 150 projects were in existence⁸⁷, the relative lack of attention to these issues in the South Asia region becomes clear.

The experience of conflict in terms of physical violence, displacement, the death and disappearance of loved ones and the militarisation of the environment pose major threats to the mental health of children in many areas of South Asia, not just Afghanistan and Sri Lanka. In the immediate aftermath of exposure to violence children may endure a range of distressing physiological symptoms directly connected with extreme shock. Other longer term and highly pervasive reactions include depression, anxiety, inability to concentrate at school and reluctance to interact socially with peers.

The research suggested that there is a need to consider the effects upon children in a holistic manner that embraces the family, the community and local cultural conditions. In particular, there is evidence to indicate the following as issues that call for further inquiry:

- The role of family & community in mediating & mitigating stresses upon the young;
- The effects of conflict upon intra-family and intra-community dynamics;
- The role of children in self healing and in healing the psycho-emotional suffering of family & community members;
- Local understandings of misfortune, unease and distress caused by conflict, and local responses to address the perceived problems;
- The relationship between children's experience of conflict and their attitudes towards violence as a means of resolving problems.

In Sri Lanka a central aim of many projects has been to protect the coherence of the family as the best place for a child to receive care and to heal. Through the family it may be possible for children to find meaning for their suffering: a crucial process which is also enabled by local initiatives such as charismatic and other religious rituals, community arts activities, and so on. However, it is clear that many children live with relatives who are themselves overwhelmed by the economic, physical and psycho-emotional strains of conflict.

4.2. Conflict and Dysfunctional Behaviour.

The conflict in Sri Lanka has evidently created challenges to the basic structures of family and community. Several local observers, particularly in Jaffna, voice concern about the effects of heavy militarisation upon children's perception of family member's roles and relative authority. They note, for example, the humiliation of parents, particularly fathers, at army check points which is witnessed by their offspring on an everyday basis. Obligated to descend from their bicycles and walk with

their heads bowed, grown men, who otherwise assume a strongly authoritative role in the family, appear weak and powerless before heavily-armed young soldiers. In the Chittagong Hill Tracts of Bangladesh, village chiefs, who traditionally played a respected central role in community decisions, have since been overshadowed by the military, who have effectively become the figures of power for children.

There are legitimate concerns that long-term exposure to conflict and the challenges to structures of family and community here described may cause children to develop distorted values, in which violence is accepted as an appropriate means to resolve social and political problems. However, this may not be inevitable, as the results from a national survey of the attitudes of nearly 3,000 Sri Lankans in the age range 15-29, conducted in 1999, suggest. The authors of this study found very little difference between Sinhalese and Tamil youth nationwide in response to questions about the legitimacy of violence (roughly 30% thought violence “proper”).⁸⁸ Furthermore, in the specific areas most affected by the conflict - the northern and eastern districts - the young people who participated in the survey were below the national average in terms of the number who saw violence as legitimate.

A clear relationship of causality between the experience of conflict and dysfunctional behaviour is also rendered questionable by examples of young people engaged in activities of a highly constructive and socially responsible nature. It is also worth highlighting that assuming an active role, in itself, is known to have beneficial psychological effect in children who have been exposed to conflict. Both of these observations are demonstrated in the work of a youth group formed in Trincomalee District of Sri Lanka with the assistance of ZOA Refugee Care, a Dutch organisation. The inhabitants of this Tamil village had been displaced 3 or 4 times, with loss of land each time. As a consequence of this and other effects of the conflict, many of the villagers were suffering from depression and lack of motivation, and alcoholism was becoming a big issue. The youth group, composed of 12-25 year olds, was formed for the specific purpose of addressing these and other problems. Initially they were involved in the creation of pre-school care, but then moved on to address local brewing activities which were fuelling the heavy drinking within the community. They also encourage the village elders to think about ways of introducing other positive changes. From such concerted involvement, these young people are reportedly benefiting greatly in psycho-emotional terms whilst offering hope and encouragement to adults.

At the same time, it must be recognised that children’s experiences and the impact of these on their psycho-emotional state may be a factor in the decision to participate in military activity. For example, during discussions in a border village in east Sri Lanka, a group of mothers revealed that 15 of their children had, as they put it, “gone to the other side”. By this they meant that the youngsters had chosen to leave the village by night and cross over to the area controlled by the LTTE in order to enlist. There was no suggestion that this had been forced. Rather, the mothers expressed the view that family problems and frustration at life in the community had added to the pressures of poverty in encouraging the young to take this course of action. The fact that their children had left for this reason had seemingly added to the sense of despair amongst villagers, thereby fuelling a vicious cycle within their community. The implications of this extend far beyond this one small village to the conflict as a whole.

CONCLUSION & RECOMMENDATIONS

South Asia is a region profoundly affected by armed conflict and forced migration, with grave implications for the survival, development and wellbeing of children. Yet, it is noticeable that many of the situations of conflict covered by the research project do not have an international profile, in large part due to government-imposed constraints on investigation and reporting. In Pakistan, Bhutan, India and Bangladesh, governments do not openly acknowledge conflict-related problems within their borders. Access is often denied to international and national monitoring groups such as the press and human rights organisations. Those who attempt to probe regions of disturbance can face threats and coercion. Such reluctance to admit to political instability stems in part from the strong ideology of national sovereignty prevailing in South Asia, where international interference in internal affairs is met with deep suspicion.

It also relates to the fact that those affected by conflict commonly belong to marginal, minority groups who do not have strong representation in systems of government. As indicated, political power in countries of the region is effected either through multi-party democracy dogged by corruption, or through the rule of an unelected leader or elite. In both cases certain ethnic or class-based groups dominate the political scene. There is often little opportunity for the concerns of minorities to be voiced or addressed.

That said, in recent years an extensive network of child-focused non-governmental organisations, sub-national, national and international, has emerged in South Asia. Most of these agencies invoke the CRC as their guiding policy framework and many concern themselves with the promotion and protection of the rights of children who are socially, economically and / or politically marginalised. However, often for reasons of security, few child-focused aid agencies are actually present in many of the areas affected by conflict, and few have a recognised expertise in this field, or are familiar even with the relevant instruments of international law.

Consequently, little is known about how children in the region are affected by armed conflict, or what legal and practical means exist to aid and support them. Indeed, the present survey of expert knowledge and literature on war-affected children has revealed a number of major information gaps. This has serious ramifications for policy and programmatic intervention in this important field, since effective measures require a full understanding of both the overall situation with respect to armed political struggles and the specific circumstances of children caught up in these struggles. It is true to say that, overall, with the exception of parts of Afghanistan and Sri Lanka, the plight of war-affected and displaced children is seriously neglected in South Asia.

What little information there is concerning armed political violence in the region and its effects on civilians is provided by a small body of human rights groups (both international and national), scholars and journalists. Quite often these bodies and individuals are well informed about many critical treaties in international law and about the specific circumstances of civilians in a given area, but are not sensitised to the special rights of children and are unfamiliar with the CRC in particular. Hence,

they tend not to monitor violations of children's rights, in many cases failing even to disaggregate their case loads to take age into account.

Moreover, despite the fact that human rights groups may have considerable expertise in monitoring, it is not generally within their mandate to engage in direct implementation. Thus, while information about the situation built from a case by case basis may exist there is little application of this into programming. Links between human rights groups who know about a situation, and implementation agencies who might be better able to act on this information, are generally weak. This is particularly the case for child-focused agencies.

Recommendations

The development of understanding about the situation of children affected by armed conflict in South Asia necessitates the following activities :

- Further analysis of the underlying causes of conflict within the region. This will aid the development of more effective preventative and advocacy strategies.
- Examination of the situation of children affected by armed political struggle in areas like Nagaland, Assam, Kashmir, Manipur and the Chittagong Hill Tracts and in countries such as Bhutan, Nepal and Pakistan that, to date, have been little reported on. This will help raise awareness of the true extent and effects of armed conflict within the South Asia region.
- Building within interested organisations the analytical, assessment and reporting skills necessary to better foresee conflict, identify correlative phenomena, understand factors affecting children's vulnerability and resilience and gauge the impacts on children.
- Building capacity in child-focused participatory research and implementing pilot programmes of primary research with children in selected communities and areas affected by conflict.
- Creating ongoing monitoring systems at national level in countries affected by conflict, with a view to assessing the extent of the problem, trends, nature of impact and so on.

Monitoring and primary research in selected areas throughout the region are essential if we are to gain a better insight into the populations affected by conflict and displacement, the precise ways in which they are affected, the coping and survival mechanisms they employ, their perceived needs and the critical issues and trends. Such monitoring and primary research require, in turn, the development of new methods of information gathering and analysis. The research undertaken for this report strongly validated the view that children are competent social actors who make a meaningful contribution to their families and communities, and not merely the passive victims of conflict. This being the case, it is imperative that the young are involved in all activities relating to baseline assessment, problem identification, monitoring and evaluation. Furthermore, their involvement should be on a sustained

and genuinely dialogic basis that goes beyond the current vogue for one-off and tokenistic participation.

In terms of the issues to be explored through research which involves children, the following have been identified as priority concerns requiring further investigation and understanding:

- The impacts of armed conflict on the family, especially the dispersal and separation of members, and the emergence of child-headed households;
- The factors causing children to become separated from their families, and the care and support of such children;
- The protection, survival and coping mechanisms of displaced communities and families;
- Attitudes towards and treatment and care of children disabled by armed violence;
- Effects of long-term and multiple forms and episodes of displacement on children's development and social integration;
- The relationship between armed conflict and the exploitation of children through hazardous work, trafficking and other violations;
- The economic and political roles that children assume during conflict and the reasons for children's direct involvement in armed violence;
- The effect of armed conflict upon children's psycho-social wellbeing and the factors, including the strategies of children and traditional mechanisms, that promote coping and resilience;
- The relationship between armed conflict and gender in such areas as gender-based violence, the division of labour, changing gender roles, and so on;
- The factors that enable structures and systems of accountability, and which encourage good governance and the development of local leadership in these matters.

Given the extent, severity, sensitivity and complexity of the issues, effort should be made to build a more adequate institutional base for undertaking monitoring, research, advocacy and programmatic intervention in relation to war affected and displaced children in South Asia. This will require the formation of networks and alliances involving a range of local, national and international organisations with complementary roles and mandates. In order to provide adequate coverage of all the fields of intervention, and to build on their comparative advantages, different organisations will need to assume different roles in relation to this work.

Support should be made available for the formation of national monitoring bodies responsible for gathering, verifying and reporting information on children affected by conflict to government and other relevant parties. These bodies should consist of

representatives from the human rights, aid, academic and journalist communities, every effort being made to ensure neutrality and rigor in the work. Given that this is, in many respects, a new field of work in the context of South Asia, such bodies may need a certain amount of technical assistance during the early stages from organisations and/or individuals in other parts of the world.

Initiative must be taken to ensure the creation of institutional alliances for research, monitoring and operational programmes, dissemination of the research to date and development of a commitment to future collaboration in this field. To this end, it is recommended that country level dissemination and planning workshops be organised throughout the region with the support of UNICEF. These should involve a broad constituency of agencies and individuals with an interest in the issues and should be used as an opportunity to develop country specific priorities and work plans.

Monitoring, research and analysis offer a basis for the development of programmatic and policy measures in areas and with groups of children that at present receive no practical support. However, an increase in programmatic intervention and the forging of new civil society alliances for the protection of children are not in themselves sufficient to make a real difference to human security and well being in South Asia. Also needed are new programmatic strategies, approaches and methods, including less reliance on service and welfare provision and greater support to local development and protective mechanisms and to interventions in which children play an active part. This implies the need for capacity building in a range of conceptual, legal, organisational and operational issues. The following programme areas and activities are a priority in terms of capacity building:

- Baseline assessment, monitoring and evaluation;
- Reporting and advocacy;
- International human rights, humanitarian and refugee law;
- Peace building;
- Humanitarian protection (psychosocial well being, strengthening the coping and healing of families, communities and institutions, security, children's participation, education and health care, protecting children uprooted by war, provision for child soldiers and separated children/ child headed households, protection against gender-based violence and sexual exploitation, landmines, small arms and adolescents).

Building the capacity of organisations to respond more effectively to war-affected children requires the development of new training approaches that enhance both individual learning and institutional memory. Current training practices tend to rely on 'training events' and the production of manuals, and these are not necessarily the most effective way of meeting the objective of change in practice and policy. There is a necessity to develop approaches that are tailored far more directly to both individual learning needs and schedules and to the specific mandates and capabilities of interested organisations. Capacity building programmes should incorporate interactive and distance learning methods aimed at individual staff, including learning modules

and materials made available through CD Rom and the internet, together with measures that allow for broader organisational reflection and change. Organisational and policy development may in some cases require changes not merely in systems, structures, and procedures but in an organisation's mission and mandate.

For any advances to be made in South Asia in the prevention of armed conflict and displacement, or the protection and care of children thereby affected, considerable effort must be made to engage directly with governments, specifically in the following matters:

- They must be encouraged to acknowledge conflict where it exists and helped to understand the full consequences nationally and locally and for children in particular.
- They must be convinced of the importance of ratifying and implementing all the relevant instruments of international law, which, in turn, implies the need for much improvement in leadership, governance and accountability to the citizenry.
- They should be reminded of their obligation under international law to ensure agreed standards of child protection and equitable access to services, development and other measures for all sectors of the population, including those in conflict zones.
- Greater equity in the division of resources and power is a major priority, implying the introduction of a range of redistributive mechanisms and the monitoring and assessment of economic and development policies for their impact on minority communities.

This is not to suggest that the state should be expected to cover all the needs of war-affected populations. It does mean, however, that greater effort should be made than at present to convince governments to allocate funds to the social sector and to civilian protection rather than to issues of national security. It also implies that non-governmental bodies must be given unimpeded access to all civilian groups, regardless of ethnic, religious or other social status. Finally, given that the widespread impunity enjoyed by perpetrators of violence of many forms in South Asia is a major factor in the perpetuation and escalation of conflict, effort must be made to bring this situation to an end. Considerable effort is needed to encourage governments to improve systems of law enforcement and justice and bring an end to impunity for the perpetrators of violence generally and violations of children's rights more specifically.

Appendix 1: Current Knowledge About CAAC in South Asia

Partly due to the political nature of the issues and the practical difficulties of conducting research in a war zone, and partly because of a general lack of prioritisation of CAAC in South Asia, there is a grave shortage of reliable information on the subject. Data on the impacts of armed conflict on children and their families are particularly weak, much of the existing research having focused on political and military events, macro-level impacts and other such topics. Additional reasons for data shortcomings include:

Lack of official acknowledgement of conflict. In some countries, government has refused to admit to the problem of conflict, because they may be unwilling to expose their own internal instabilities, which would court the attention of the international community. This makes any investigation of the subject extremely difficult.

Data bias. There have been some studies of war-affected children, particularly in Afghanistan and Sri Lanka. However, while these may provide information on war-casualties, with a few exceptions, most other topics and issues concerning children are very poorly reported. Many of the effects of conflict are little understood (for example, the link with early marriage or trafficking of both boys and girls). Consequently, research information tends to concentrate on topics such as child recruitment that are better known, thus seriously distorting knowledge and hence policy and programme priorities in relation to CAAC.

Lack of disaggregation. In some countries, such as Afghanistan, national systems of data collection are simply not in existence. Elsewhere in South Asia, national social and economic statistics are very little disaggregated, whether by geographic criteria, or by population group, age or sex. This makes it impossible to discern the links between conflict and the wider nutritional, health, educational or economic condition of specific populations, age groups and genders. A good example of this comes from Sri Lanka where the deterioration in children's health in the north and east of the island is generally concealed within impressive national statistics on basic health indicators, such as maternal and under five mortality. However, the scant data that do exist show, for example, that in 1996 the maternal mortality rate in Kilinochchi District in northern Sri Lanka was more than six times higher than the national average.⁸⁹

Poor systems of registration. Due to an overall lack of specificity in reporting and registration, the particular impacts of conflict on children are often overlooked. This can be illustrated again by the case of Sri Lanka, where hospitals admittances are commonly recorded by symptom rather than by cause. For instance, the category 'bone fracture' is used to cover injuries which may be caused by anything from an everyday accident to a severe beating by military personnel. As a consequence it is extremely difficult to discern the number of child casualties of conflict and the kinds of injuries sustained.

Sentinel and household surveys. There have been important efforts in recent years to improve the degree of data disaggregation in South Asia through sentinel and household surveys. However, these seldom provide conflict-specific data. Indeed, areas affected by conflict are sometimes excluded from such studies, precisely

because data collection is difficult in these areas. Even when populations involved in conflict are included, they tend to be combined with other population groups, so that their specific condition and circumstances are obscured.

Sensitivity of certain issues. Uncovering information on certain specific issues, - for example violations against the person such as torture, extra-judicial killings, or sexual violence - is extremely difficult at the best of times, and all the more so in a volatile political climate. One of the obstacles is that many of these incidents occur in secret locations where there are no witnesses. Another problem has to do with systems of registration. For example, incidents that are essentially political in origin are often registered officially as criminal and seldom do records mention the age of those involved, which generally leads to under-reporting of violations against children. Work of this nature requires the slow and careful building of trust, alongside painstaking information gathering and cross checking. In the time available, the authors of the present report were unable to obtain much information on these kinds of subjects. Further research on these issues is very much needed.

Politicised information. During conflict, most information becomes highly politicised and therefore needs careful validation. Official figures concerning numbers of registered refugees for example, are subject to manipulation and misinterpretation. In Bhutan, even basic demographic data (such as census figures) is unavailable.

Lack of comparability of small-scale, qualitative studies. Many of the existing studies of CAAC are small-scale and qualitative, utilising concepts and criteria that are unique and hence cannot be employed to make comparisons with others. Definitions and understandings of key terms such as ‘psychosocial’, for example, vary widely.

Lack of longitudinal data. Data collection covers a location / population for the entire period pre-, during and post-conflict only in a few cases and in relation to a limited range of issues. Where such research has occurred, methodology has commonly been inconsistent.

- **Limitations of existing indices.** The indices commonly used by UNICEF, UNDP and other organisations to demonstrate poverty, health, nutrition and educational levels are not, in themselves, sufficient to identify the effects of conflict on children and may be misleading. This is partly due to the fact that the causal relationship between, for example, conflict and under five mortality is far from clear and cannot be assumed in all cases. More fundamentally however, it is necessary to question whether such indices genuinely capture the range of ways in which children’s lives are affected. Using the common indices it is not possible, for instance, to identify the psycho-emotional effects of conflict, the incidence of family separation, or the extent to which children may engage in hazardous work / labour, and suffer from harassment, arrest and torture by military personnel. All of these issues are addressed within the CRC.

- **Poor reporting of children’s own perceptions and experiences.** Even though participatory research methods and methodologies have been used quite extensively throughout South Asia by a wide range of local and international agencies, the authors of the present report came across only one such study that

focused specifically on war-affected children. In most cases, information on the impacts of war on children is obtained by asking carers, teachers and other adults. For a number of reasons, it is extremely important to learn from children how they understand, experience and respond to conflict. First, children are often far more affected than adults close to them realise, and frequently in ways that adults would not be able to anticipate. Second, children develop their own coping strategies for dealing with conflict and these should be known about and taken into account in the design of policies and programmes. Third, children may have very effective ideas about possible solutions to the problems that confront them in the context of conflict. Finally, the CRC provides that children should be involved in decisions and measures affecting them, not merely as a matter of right, but also because in most cases this serves their best interests. This means that children should play an active part in all research activities that touch their lives, especially baseline assessments, monitoring and evaluation.

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Notes

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² It should be noted in this regard that roughly one third of the Tamil population of Sri Lanka now resides outside the country. Gunaratna R. 2000. 'Sources of Arms Supplies to the LTTE: Successes and Failures of the Sri Lankan State' in Bannerjee D. (ed.) *South Asia at Gunpoint* Colombo: Regional Centre for Strategic Studies

³ Hussain, Akmal. 1992. 'The Karachi Riots of December 1986: Crisis of State and Civil Society in Pakistan'. In Das, Veena *Communities, Riots and Survivors in South Asia*. Delhi: Oxford University Press

⁴ National Peace Council / MARGA Institute (2001) *Cost of the War in Sri Lanka*

⁵ United Nations, *Consolidated Inter Agency Appeal for Afghanistan 2001*

⁶ Amnesty International 1999 *Refugees from Afghanistan: The World's Largest Single Refugee Group* www.amnesty.org/ailib/aipub/1999/ASA/31101699.htm

⁷ Senior Inter-Agency Network on Internal Displacement Mission to Afghanistan 18 – 25th April 2001, *Findings and Recommendations*

⁸ By February 2001 the initial crisis appeared to be containable, IDP groups had moved from their villages more as an advanced coping strategy rather than in last minute desperation, basic needs in the newly created IDP camps were being met through inter-agency cooperation and provision by the Taliban, indeed there was some argument that the nutritional status of IDPs was actually higher than that of the surrounding populations (Interview with MSF-Holland, Mazar-I-Sharif, February 2001). Since then, however, the situation has continued to decline.

⁹ Senior Inter-Agency Network on Internal Displacement Mission to Afghanistan 18 – 25th April 2001, *Findings and Recommendations*

¹⁰ Marsden, Peter 1998 *Exile for a Cause: The Plight of Refugees in*

¹¹ Jubilee Action 2000 *Internally Displaced Briefing Paper* www.jubileeaaction.demon.co.uk/jubileeaaction/reports/idp.htm

¹² For discussion of these issues see Arunatilake et. al. 2000. *The Economic Cost of the War in Sri Lanka* Colombo: Institute of Policy Studies

¹³ In 2000 a US Department of State report claimed that the conflict had caused the death of approximately 60,000 people. In 1997 the International Federation of Red Cross and Red Crescent Societies estimated that the total deaths from the conflict since 1983 were in the region of 78,000 to 100,000. Both figures cited in *Armed Conflicts Report 2000* www.ploughshares.ca

¹⁴ www.idpproject.org

¹⁵ Amnesty International. 2000. *Pakistan Country Report 1999*.

¹⁶ Based upon statistics in *The State of the World's Children 2000* <http://www.unicef.org/sowc00/stat8.htm>

¹⁷ NPC / MARGA. 2001: 14. *Cost of the War in Sri Lanka*

¹⁸ See Human Rights Watch (1999) *The Enron Corporation: corporate complicity in human rights violations* New York: Human Rights Watch

¹⁹ Statistics quoted are taken from UNICEF, *Investing in South Asian Children*, May 2001.

²⁰ See, for example, UNDP (2001) *Human Development Report* page 17

²¹ Goodhand, Jonathon. 2001 *DfID Guide to Conflict Assessment*. Draft

²² Arundhati Roy *The Greater Common Good*. 6.10.2001. www.narmada.org/gcg/gcg.html

²³ *World Population Prospects: the 2000 Revision* New York: Population Division, UN Department of Social and Economic Affairs

²⁴ From interview with author and CHT expert Amena Mohsin, 20 March, 2001.

²⁵ IPS, 1 April 1993, quoted in *Bangladesh: Human Rights Situation*, Research Directorate, Documentation Information and Research Bureau, Immigration and Refugee Board, Ottawa, Canada, 1997, Appendix 3.

²⁶ Kartha, T. 2000. Management and Control of Light Weapons in South Asia. In Banerjee, Dipankar (ed). *South Asia at Gun Point. Small Arms and Light Weapons Proliferation*. Colombo: Regional Centre for Strategic Studies.

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- 29 Mallik, I. 2000. op. cit.
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- 33 Dhakal P. (n.d) *Nepali Child Soldiers: do we know the truth?* unpublished paper for SCF (UK)
- 34 Amnesty International 2000 *Bangladesh: Human Rights in the Chittagong Hill Tracts*
- 35 Save the Children (USA) 2001 *Report on the Impact of the Drought*
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- 38 Aziz Christine, 1998 Defiance and Oppression: the Situation of Women. In Giradet, Edward and Walter, *Afghanistan Essential Field Guides to Humanitarian and Conflict Zones*. Crosslines Global Reporting.
- 39 Similar concerns are expressed in Sri Lanka where widows face a good deal of social stigma. See Shanmugam, Gethsie 1999 *Rebuilding Lives: a new beginning – war widows and their children* Save the Children, Norway
- 40 Singh Sukhmani, 2000, *Terrorism's Orphans. Why Must they pay for their father's sins?* Indian Express 29th May
- 41 The issue of overcrowding and consequent sexual activity, and the need for early marriage to protect girls' honour is also commonly mentioned in relation to the camp-dwelling Bhutanese refugees in Nepal. Here also early marriage is an issue of great concern for women's groups, local and international NGOs.
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- 44 A.G. Madhosh 1996 *The Present Turmoil and Plight of Children in Kashmir* Kashmir University Faculty of Education Sponsored by the Indian Ministry of Welfare
- 45 Ibid
- 46 Ibid
- 47 Ibid
- 48 Interview with lecturers at Kashmir University, March 2001
- 49 At the same time, it is important to acknowledge that in some locations and at some times, military personnel may assist children in getting to school. Tamil villagers in the east reported that local soldiers sometimes give their children a lift on the long road to the nearest school.
- 50 Interview with Actionaid, Assam, March 2001
- 51 Niland, Norah 2000 *Assistance and Human Rights in War-Torn Afghanistan. Challenge and Opportunity* UN Coordinator Office for Afghanistan
- 52 Johnson, Chris. 1998 *Afghanistan. A Land In Shadow*. Oxfam Country Profile page 58
- 53 According to a senior medical officer, the problem of staffing in Jaffna is so acute that it has been necessary to raise the retirement age of medical staff in order to maintain levels. Personal communication.
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- 65 United Nations Economic and Social Research Council 2000 *Report of the Secretary General on the Situation of Women and Girls in Afghanistan*, submitted in accordance with the Sub-Commission Resolution 1999/14
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- 80 Personal communication with around 50 children aged between 5 and 16 in Jaffna Town.
- 81 Visit to Srinagar, March 2001
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