

# Examining the Legal Framework That Protects Child Soldiers in Mogadishu Armed Conflict, Somalia (1991 to 2012)

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## ABSTRACT

This study examines the legal framework that protects child soldiers in Mogadishu armed conflict, Somalia. In modern armed conflicts, in particular in Africa, the recruitment and use of child soldiers is often a rule rather than exception. At present, an estimated 300,000 children, almost half of which are in Africa, serve as child soldiers in conflicts around the world. International humanitarian law, from the perspective of many children caught in the midst of hostilities around the world, and in particular in Somalia, is ill-equipped to fully and accurately address the experiences of those among the most vulnerable participants in today's hostilities and fails to adequately reflect the conditions of modern armed conflicts. Therefore, as children join the ranks of combatants and other roles in armed conflicts, there may be cause to extend certain humanitarian protections guaranteed under international humanitarian law beyond traditionally defined categories of protected persons. It is on this note that the article calls for Somali government to issue clear and public orders to the Central Government security forces, and all militia and forces affiliated to it, not to commit unlawful attacks, including those targeting civilians, those which do not attempt to distinguish between military targets and civilians or civilian objects, including schools and medical facilities, and those which, although aimed at a legitimate military target, have a disproportionate impact on civilians or civilian objects.

Keywords: Armed conflict, child soldier, international humanitarian law, legal framework, unlawful attacks

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## INTRODUCTION

Somalia is a country that has experienced political instability during the last twenty years. In 1887, Britain became concerned with keeping the route to India open through the Suez Canal, which was opened in 1869 and as a result Britain proclaimed Somalia as a British protectorate and named it British Somaliland<sup>[1, 2]</sup>. Somalia attained her Independence in 1960. When the military came to power in a coup in 1969, it initially enjoyed broad popular support because of public disenchantment with the clannishness and gridlock that had plagued politics under civilian rule. The regime, led by Siyad Barre, recast the coup as a socialist revolution and with funds from international partners built up one of the largest standing armies in sub-Saharan Africa<sup>[3]</sup>. In 1988 a civil war broke out in the northern part of the country (Somaliland). In January of 1991 a coup d'etat toppled Barre's regime, creating statelessness in its wake.<sup>3</sup> After the coup d'etat anarchy replaced government, for the next years, rival factions fought to establish power. These were the days when Somali "warlords," battled to solidify their bases of strength<sup>[4]</sup>. In 1992 the UN sent troops to Somalia to quell the conflict and ease suffering, but failed to establish authority, stability or peace in the State. The internal armed conflict raged across southern Somalia through 1991 and 1992, pitting clan-based militias against one another for control of valuable towns, seaports, and neighbourhoods. The conflict which began as struggle for control of the government quickly degenerated into predatory looting, banditry, and occupation of valuable real estate by conquering clan militias<sup>[5]</sup>. Child soldiers have been recruited by many of the warring factions, including the TFG and others, along with the Union of Islamic Courts (UIC) and the Alliance for the Restoration of Peace and Counter Terrorism (ARPCT). Much of the recruitment occurs in the central and southern regions of Somalia. School children and street children are often targeted for recruitment<sup>[6]</sup>. Somalia government acknowledged that it had children in its ranks. The reports of TFG child soldiers revealed children as young as 11 years of age at checkpoints and under-18s in military uniform patrolling Mogadishu airport in January 2007. Following fighting between the TFG and the UIC in December 2006, reports were received of UIC child soldiers injured, killed or detained by the TFG<sup>[7]</sup>. The UIC comprised mainly members of the al-Shabaab (youth militants), a militia of 500-700 fighters. The UIC was

responsible for significant levels of forcible recruitment of children in the latter part of 2006, declaring publicly their intention to recruit from schools. Children were recruited from schools in Mogadishu and the Hiran region[8]. One of the most alarming and dangerous characteristic of armed conflict in Somalia is the increasing of child soldiers, most of the child soldiers are adolescent, through many are ten years or even younger.

During fighting with the UIC in March to June 2006, the ARPCT recruited numerous children, some forcibly, into its ranks, both in Mogadishu and the Hiran region. The ARPCT recruited street children and children from schools for its militia. By June 2007 it was estimated that there were 50,000-70,000 members of clan militia and other armed groups operating in Somalia. In mid-2006 the armed group recruited children as young as 13 in Mogadishu. There were also reports of several children as young as seven in armed groups in Galgadud, Dusamareb. Boys as young as 14 or 15 participated in militia attacks, and many youths were members of criminal gangs known as moryaan [9].

International law governing children may be found in the broad realm of human rights law encompassed in treaties, international humanitarian law, customary international law, and in the laws and practices of individual State. -Until recently, the prevailing legal standard in international law, established in the: 1977-Additional Protocols of the Geneva Convention and the 1989 Convention on the Rights of the Child, was that children as young as fifteen could be legally recruited and used in combat[10]. This standard is weak considering that in other aspects of the Convention on the Rights of a Child a child is defined as anyone under the age of eighteen and is entitled to special protections[11]. The weak legal standard and continued wide spread of the use of child soldiers in the 1990's prompted an international group of geographically diverse NGO's, the Coalition to stop the Use of Child Soldiers, to campaign for. Stronger laws relative to the use of child soldiers. The campaigns ultimately led to three new treaties that significantly strengthened the legal norms regarding the use of child soldiers. The 1998 Rome Statute of the International Criminal Court, adopted by 120 governments, made the practice of conscripting, enlisting, or using children under the age of fifteen in hostilities a war crime[12]. Children have borne the brunt of the ongoing civil armed conflict in Somalia. Children have suffered from the conflict generally and because they have been specially targeted for recruitment, rape, forced marriage and other grave violations of international law by the parties to the conflict. Child soldiers have been recruited by many of the warring factions, including the TFG and AI-Shabaab, along with the Union of Islamic Courts (UIC) and the Alliance for the Restoration of Peace and Counter Terrorism (ARPCT). Much of the recruitment occurs in the central and southern regions of Somalia. School children and street children are often targeted for recruitment, even though the current Federal Government of Somalia has been striving for the last year to tackle the problem of child soldiering in Somalia. Against the above backdrop, this article addresses the legal framework for the protection of child soldiers in Somalia armed conflict and also to contribute on the different parts who were involved in armed conflict in order to protect the child soldiers in Mogadishu Somalia.

#### **History child soldiers**

Child soldiers can hardly be called a recent phenomenon and based on the use of children in, Children's Crusade' of 1212, use of young boys in Napoleon's army, use of children by Nazis in World War II, establishment of Small Boy Units' by the British in its colonies including Sierra Leone are some of the glaring examples of use of children in war historically[13]. In 1950s, the British established Small Boy Units' in Sierra Leone and recruited children. In the 1990s, these very children, who were now military leaders in Sierra Leone, recruited children[14]. During the Post Cold War, there was an increase in use of children in national armies and non-national armed groups across the world, especially in countries like Iran, Cambodia and Columbia. Iran claimed that 150,000 children volunteered to fight for the Iranian army, which was 60 percent of its total recruits[15]. The 1990s saw the proliferation of conflicts in different parts of the world and with it a rapid increase in the use of child soldiers. According to the UN Special Representative on Children in Armed Conflict, around 300,000 children were serving as soldiers in different parts of the world in 1999[16]. At present, there has been a decrease in the number of child soldiers according to the Global Report 2008 and one of the main reasons for this is the decrease in the number of armed conflicts around the world. This decrease can also be attributed to the demobilization of thousands of children. In spite of this decrease, the problem remains and the extent of prevalence is not known as it is very difficult to estimate [7].

#### **History of legal regime on Child Soldier protection during armed conflict**

The first manifestations of child protection services with a legal mandate to intervene to protect children from abuse and neglect emerged in the late 19<sup>th</sup> century, initially in the form of charitable and philanthropic endeavors often referred to as the first wave of the child rescue movement, developments in the United States and the United Kingdom helped to pave the way for change in Australia[17]. In the United States, the much publicized case of Mary Ellen McCormack in the 1870s is widely accepted as the catalyst for the creation of laws to protect children from maltreatment by caregivers. Mary Ellen McCormack was a 10-year-old girl who experienced ongoing physical abuse by her adoptive mother in New York. As there were no laws to protect children from cruelty, the American Society for the Prevention of Cruelty to Animals was approached to

assist[18]. It took the case to court on the basis that Mary Ellen was a "human animal" and therefore entitled to protection comparable to that given to animals. The case saw Mary Ellen placed in an orphanage and her caregiver imprisoned. This soon led to the establishment of the New York Society for the Prevention of Cruelty to Children (NYSPCC). Founded in December 1874, the society was the first child protection agency in the world (NSPCC, 2000; NYSPCC, 2000). The establishment of the NYSPCC also led to child protection legislation and the establishment of juvenile courts in the United States (Fogarty, 2008)[19]. In the United Kingdom there was considerable resistance towards protection of children from their parents as this was seen as "interfering" into the private sphere of the family. Specific child protection legislation was viewed as an invasion of the family. Nevertheless, child protection did emerge in the United Kingdom after Thomas Agnew, a banker from Liverpool, England, visited America in 1881 where he observed the work of the NYSPCC (NSPCC, 2000). Agnew returned to England in 1882 where, inspired by the NYSPCC, he went about establishing the first child protection service in the United Kingdom, the Liverpool Society for the Prevention of Cruelty to Children, founded in 1883[20]. This paved the way for the establishment of the London Society for the Prevention of Cruelty to Children in 1884. The society changed its name to the British National Society for the Prevention of Cruelty to Children (NSPCC) in 1889 and expanded its charter to include all children living in the United Kingdom. In the same year, the lobbying efforts of NSPCC were rewarded with the passing of the Prevention of Cruelty to Children Act, commonly known as the "Children's Charter". The Act enabled society to intervene for the first time to protect children from cruelty or neglect perpetrated by their parents, where previously a parent's ownership of a child gave parents the right to treat their child in any way they saw fit, barring murder[21]. The biggest changes in child protection practices in the 1980s occurred in Victoria. By the mid-1980s, the Victorian Children's Protection Society was unable to obtain sufficient funding to meet the increased demand for its services. A review was conducted on child protection in Victoria and the state took over the provision of statutory child protection services in 1985. Rather than fund a 24-hour service, the government elected to continue with a dual track model of child protection, in which the police responded to those cases to which the statutory child protection service was unable to respond due to a lack of resources or the need for after-hours intervention. The combined child protection service and police responsibility for child protection was known as the dual-track system. The dual-track system was abolished in 1994 following an Inquiry by Fogarty and Sargeant (1989) as the statutory child protection service assumed full responsibility for investigations of child abuse and neglect[22].

#### **State Obligation to protect child Soldiers during armed Conflict**

The Optional Protocol is a compromise. As a result, the nature of the state obligation suffers from vagueness. The employment of the phrase all feasible measures, for instance, as opposed to ensure could be considered as a lesser and more imprecise obligation on the part of the state[23]. In this regard, article 1 of the Optional Protocol stipulates that states "shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities. The deliberate vagueness of this provision enables states to determine what constitutes all feasible measures and to define direct part in hostilities. By setting the standards by which they are judged, states may easily escape the scrutiny of the international community. Therefore, although article 1 is the most important provision of the Optional Protocol, the scope of the obligation contained in it is one of conduct rather than of result. It would have provided children with better protection if states had undertaken to take all necessary measures to this end or, even better, if they had a duty to ensure that such participation does not take place. It is to be hoped that the Committee on the Rights of the Child will apply a strict interpretation when reviewing whether States have indeed taken all "feasible measures" towards the stated objective[23]. In the meantime, for instance, the obligations under article 2 of the Optional Protocol place a stronger obligation of to ensure that persons who have not attained the age of 18 years are not compulsorily recruited into armed forces. Also, under the African Children's Charter, the obligation that a state undertakes is to take all necessary measures to ensure that no child takes a direct part in hostilities and refrain in particular, from recruiting any child. This obviously accords a better standard for the protection of children and is commendable.

#### **Voluntary and Forced Recruitment of Children**

Children's recruitment in armed conflict is either by force (conscription) or voluntary (enlistment), even though voluntary recruitment is often coupled with hidden forms of coercion. Armed militia, police, or army cadres arbitrarily seize young recruits from the streets, schools, and orphanages[24]. Children forcibly recruited cannot exercise a choice or give their consent to serve in armed conflict. Nevertheless, consent is the key element required to determine whether the recruitment of children for armed conflict actually constitutes trafficking and not just the smuggling of migrants, in accordance with the definition of trafficking set forth in the Palermo Protocol [25]. Various factors in a child's environment may cause her to join an armed group voluntarily. The child's parental and family background, peer groups, school, and religious community can strongly influence their decision to fight[26]. Poverty, ignorance, illiteracy, intellectual and developmental immaturity, and a lack of formal education prevent children from making an informed choice or even understanding why they are fighting. Children without schooling are prone to recruitment [27].

### **Why Children Become Soldiers**

Several interrelated factors explain the underlying causes of the rise in the abduction and use of child soldiers. Social disruptions and governmental failures to protect children and adults have been attributed to globalization, to the increase in the number and length of wars, all of which create familial and generational disconnections leaving many potential child recruits available for abduction. The social and psychological effects of war can create a need for children to join a group, especially one like an army that promises to provide relative security and stability, a sense of power, and acceptance by peers and authority figures. There are also purely military advantages of using children as soldiers in war [24]. Technological improvements and the proliferation of thin, small, and light-weight weapons like assault rifles, machine guns, pistols, and hand grenades have enabled child soldiers to engage effectively in warfare. The huge number of children available and the military successes of these child soldiers have accelerated the trend toward recruiting young soldiers. The rise of a new type of armed warfare that is more brutal and lasts much longer than typical wars has encouraged military leaders to rationalize the forced recruitment and use of children as a low cost military measure that enables them to mobilize and generate force [28].

#### **Military Reasons for the Use of Child Soldiers**

Children are often recruited as soldiers for purely military reasons. The technological advances in weaponry and the prevalent use of small arms and light weapons facilitate the increasing use of child soldiers. Such weapons allow small children to shoot steady streams of bullets with the mere pull of the trigger [29]. Children are recruited because they are small and can be used as guinea pigs by their leaders who force them to the front lines or to minefields ahead of older troops while their commanders stay behind [30].

#### **Social and Psychological Causes of the Use of Child Soldiers**

Children may "volunteer" to go to war for many reasons. Some children have witnessed the brutal death of their own close family members, and they simply want revenge. Some children have grown up in a chronic state of conflict in a country constantly at war, and they know no other way of life. They may be influenced to fight out of a sense of loyalty to their community [31]. Children who volunteer may do so out of fear of abduction and reprisals by the armed group just because they appear to be unwilling to fight for their country. Children may seem to go to war "voluntarily" even though they may have actually been coerced and sold out to the armed group by their own poor and hungry parents [32]. Many of these parents do not understand the danger they are subjecting their child to by making them join the army. Some parents may encourage their daughters to become soldiers if their marriage prospects are poor. In the chaotic environment of a country in armed conflict, children's survival skills instinctively start to work. They seek stability and three-square meals a day. They may simply be making an "intuitive choice for the better of the bad alternatives [16]. Many of them are abandoned street children who crave physical protection and relief from abject poverty and loneliness. Like any normal child, a voluntary child soldier needs identification with a peer group. These powerless children search for acceptance, a sense of competence, and the sheer adventure associated with the glory and power of victory in armed conflict. UNESCO reports that "regardless of age, gender, or how they are recruited, child soldiers disproportionately come from the poor and marginalized segment of society, isolated rural areas, the conflict zones themselves, and from disrupted or non-existent family backgrounds [33].

#### **Economic Reasons for the Use of Child Soldiers**

Sadly, children are recruited because they are perceived as cheap labor and expendable. They are obedient, fast to indoctrinate and to control, physically vulnerable, and easily intimidated. Young adolescents reportedly have a sense of their own omnipotence and view themselves as invulnerable to harm and injury [34]. Thus, some believe it is arguably economically efficient to use children as soldiers. These are some of the social, cultural, psychological, military and economic root causes for the use of voluntary and forcibly conscripted child soldiers. Taking this larger context into consideration, the very concept of the "voluntary" recruitment of children into armed conflict is arguably discussable and clearly subject to interpretation. Children lack the capacity to determine their best interests, to form independent opinions or to analyze competing ideologies [35]. One may legitimately question whether a child living in a war-torn nation has the freedom of choice to go to war [36]. A culture of violence defines their childhood experiences, and the militarization of that culture may incite them to participate "voluntarily." This complex issue of consent and the "voluntary" recruitment of child soldiers is crucial to the determination of whether child soldiers who are forced to fight out of fear for their lives should be held accountable in a court of law for the atrocities they commit [37].

### **CONSEQUENCES OF ARMED CONFLICT**

#### **Unaccompanied and separated children**

Many children and parents have told Amnesty International that one of the most painful consequences of the conflict they are dealing with is losing family members and not knowing whether they are dead or alive, where they are, or whether they will ever be reunited. Humanitarian agencies in the Dadaab refugee camps told Amnesty International that they have noted a rise in the number of unaccompanied minors (those who are not cared for by

an adult) and separated children (those separated from parents but accompanied by other adult relatives) arriving in the camps in the past four years[38]. Most children have lost parents and careers because of the armed conflict. Although the Somali Red Crescent Society operates a tracing and reunification programme in Somalia, in cooperation with the ICRC and other Red Crescent Societies in neighbouring countries, the chaos resulting from the fighting, insecurity, the lack of communication means in rural areas and a lack of cooperation by parties to the conflict greatly hampers the possibility for people to trace lost family members[39].

Some children separated from their parents find help temporarily or more permanently from other family, clan relatives and neighbours, to flee Somalia. Unaccompanied minors who manage to make their way to refugee camps in neighbouring countries are generally placed in foster families, after going through a procedure to determine their best interests. These children are often more vulnerable to exploitation and other human rights abuses, even if foster arrangements are monitored by UNHCR and humanitarian agencies in refugee camps. They are often at risk of being used as domestic servants and are less likely to be sent to School[40].

#### **Trauma resulting from conflict**

All the Somali refugees who spoke to Amnesty International delegates had experienced the fear of living under constant fighting, the loss of a relative or a friend, or had seen someone being killed or tortured. The suffering of the population is further compounded by a lack of access to basic necessities and a lack of hope that they will ever leave the refugee camps. According to medical humanitarian workers in the Dadaab refugee camps, Somali refugees often suffer from anger and nightmares and post-traumatic stress disorder or epilepsy [41]. There is no doubt that the length and violence of the armed conflict in Somalia is having a profound effect on Somali society as a whole. The full psychosocial consequences of the conflict on the Somali people still need to be precisely assessed. However, international health studies say that armed conflict can affect the psychosocial well-being and long-term mental health of the populations affected, which may "threaten peace, human rights and development"[42]. WHO estimates that mental health disorders have affected one in three persons in Somalia, and that insecurity and trauma caused by war are contributing factors[43]. Support and services for those experiencing trauma as a result of the conflict in Somalia exist in some areas but are very minimal [44]. In the camps Amnesty International visited to interview Somali refugees, psychosocial support for distressed people was either limited or unavailable. In the Dadaab camps, which now host more than 350,000 refugees, mostly Somalis, there was only one psychiatrist specialised in supporting children servicing the three camps in 2011 [45]. There were no specific programs to address the psychosocial needs of ex combatants, and particularly children previously associated with armed groups, who are more likely to experience trauma. The lack of psychosocial and counseling services in the camps is further compounded by socio-cultural attitudes that stigmatize people with mental disorders. Persons with mental illnesses are often ostracized, abused, and kept in chains. As a result, few Somali refugees seek assistance when they are distressed, for fear of being labelled as mentally ill by their communities [46].

#### **Lack of Education and Livelihood opportunities**

Decades of armed conflict have taken a toll on the education system and infrastructure in South and Central Somalia, which is further compounded by the indiscriminate attacks affecting the provision of education and targeted attacks against pupils, teachers and school facilities, as described in this document. The armed conflict in Somalia has prevented an entire generation of children from receiving education and from learning skills that could provide them with sustainable livelihoods. International studies have also underlined the long-term consequences of the lack of provision of education in conflict-affected countries[47]. National inequalities and poverty are likely to be reinforced, and lack of education and employment prospects can fuel armed conflict and threaten peace prospects.<sup>43</sup> In Somalia, some children with no education and livelihood opportunities have been reportedly joined armed groups to be able to sustain themselves; others who have grown up surrounded by violence are drawn into committing more violence.<sup>44</sup> The lack of education for the vast majority of Somali children and young people will bear heavily on the future of South and Central Somalia [48]. Despite these long-term consequences, education remains an under-funded sector of humanitarian assistance to Somalia. According to the Office for the Coordination of Humanitarian Affairs, as of January 2011, the education sector received 40 per cent of its required funding under the 2010 Consolidated Appeal Process for Somalia; protection programmes received only 17 per cent of their required funding[49]. Several Somali children in the Dadaab refugee camps told Amnesty International that one reason they were sent to the camps by their parents was to access education. The Dadaab refugee camps have 19 primary schools and six secondary schools, as well as several private schools and community-funded schools. Humanitarian workers have told Amnesty International that all children who want to attend school are enrolled, despite pressures on the school infrastructure caused by a growing refugee population in overcrowded camps. The primary school attendance rate in the Dadaab camps is reported to be 43 per cent while in secondary schools it is 12 per cent[50]. Children who do not attend school are mostly among those who fled recently to Kenya and unaccompanied minors, according to humanitarian workers in Dadaab. Several children told Amnesty International of being turned back from school for not wearing a uniform, an expense that many cannot afford, although humanitarian workers stress that uniforms are not compulsory and all schools are required

to accept children who cannot afford uniforms [51]. Humanitarian workers have also indicated that children and teenagers who had recently arrived in Dadaab often experience difficulties integrating the camps' school system, which is based on the Kenyan curriculum. Those who never went to school in Somalia have to start at a lower grade than what their age would require. Teenagers often attend upper primary school classes. Most of the pupils accessing secondary school have lived in the refugee camps all their life, and girls who enroll and attend schools are mainly those who were born in the refugee camps; humanitarian workers say that they have noticed positive changes among long-term refugees regarding girls' right to education. Humanitarian workers have also pointed out that children recently arrived from Somalia have more difficulties with discipline and authority than children who have resided in the camps for many years [52]. One organization also runs youth education programs in the Dadaab camps to provide skills to refugee teenagers and youth who have had limited or no schooling, so that they can learn a trade. However, only a few hundred vulnerable refugees can enroll in these programs every year. In addition, there are very few economic opportunities in the Dadaab refugee camps and refugees are not allowed outside the camps. Even refugee teenagers and young people who successfully complete their secondary education in Dadaab face difficulties in finding jobs those who work for humanitarian agencies in the camps are not allowed to receive wages, according to Kenya's legislation on the right to work of refugees; instead, they receive "incentives" [53].

### CONCLUSION

Over the past twenty years, the international child rights movement has undertaken the development of international law, policies, and programs for the protection of children. Since 1979, the UN, ICRC, and NGOs have successfully documented and raised the level of international concern about the recruitment and use of children in armed conflict. The entry into force of the Optional Protocol and of other international and regional standards, such as the ILO Convention 182, the African Children's Charter and the Rome Statute raised hopes that substantial changes on the ground will follow. However, against these efforts, children still play an increasingly important role within armed forces and groups in Somalia conflicts. In modern armed conflicts, in particular in Africa, the recruitment and use of child soldiers is often a rule rather than exception. At present, an estimated 300,000 children, almost half of which are in Africa, serve as child soldiers in conflicts around the world. International humanitarian law, from the perspective of many children caught in the midst of hostilities around the world, and in particular in Somalia, is ill-equipped to fully and accurately address the experiences of those among the most vulnerable participants in today's hostilities and fails to adequately reflect the conditions of modern armed conflicts.

### RECOMMENDATIONS

As children join the ranks of combatants and other roles in armed conflicts, there may be cause to extend certain humanitarian protections guaranteed under international humanitarian law beyond traditionally defined categories of protected persons. It is on this note that the article calls for Somali government to issue clear and public orders to the Central Government security forces, and all militia and forces affiliated to it, not to commit unlawful attacks, including those targeting civilians, those which do not attempt to distinguish between military targets and civilians or civilian objects, including schools and medical facilities, and those which, although aimed at a legitimate military target, have a disproportionate impact on civilians or civilian objects. Take all feasible precautions in attack, and against the effects of attack, in order to protect civilians, including by warning civilians of impending military attacks, unless circumstances do not permit, avoiding placing, to the extent feasible, the locations of military bases and other military objectives within or near densely populated civilian areas and ending indiscriminate shelling of mortars and other artillery weapons in densely-populated civilian areas. The article equally calls for armed group to immediately stop indiscriminate and disproportionate attacks and direct attacks on civilians and civilian objects, including children, education personnel, schools and medical facilities and publicly order its fighters to abide fully with the laws of war. More so, the article calls for the need for various parties in the conflict to keep the rules of engagement of AMISOM under continuous review to ensure that they are fully consistent with international human rights and humanitarian law in all its operations in Somalia, including ahead of and during military offensives. Ensure that AMISOM troops consistently take all feasible precautions in attack, and against the effects of attack, in order to protect civilians, including by warning civilians. Finally, the article calls for the need to increase monitoring, documenting and public reporting of all violations of international human rights and humanitarian law committed in Somalia, including by deploying human rights monitors in IDP and refugee camps in neighbouring countries.

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