

Submission prior to the sixth periodic report of Aotearoa / New Zealand on the Convention on the Rights of the Child

Military enlistment of children by state armed forces

Introduction

This submission has been prepared by the Child Rights International Network in support of the Committee's examination of Aotearoa / New Zealand's State Party Report.

The submission is focused on the recruitment of children by the State Party for military purposes.

Background

Following extensive ratification globally of the Optional Protocol on the involvement of children in armed conflict since 2002, approximately three-quarters of states worldwide now allow only adults aged 18 and above to be recruited into state armed forces.

The *General Comment on adolescence on the implementation of the rights of the child during adolescence* (2016) records the Committee's 'deep concern' that adolescent children continue to be recruited into state armed forces (para 81) and specifies that the minimum age for entry should be 18 (para 40).

In response to State Parties that continue to allow the military recruitment of children, the general practice of the Committee has been to include in its Concluding Observations a recommendation that the minimum age for entry into the armed forces be 18.

Country situation

The New Zealand Defence Force is around 10,000 personnel strong.¹ It permits applications from age 16.5 years and **trains recruits aged 17.**²

At the time of the previous State Party report, **seven percent** of military recruits were aged under 18.³

In the previous reporting cycle of the State Party, the Committee's Concluding Observations did not make a recommendation on the minimum enlistment age.

Recommendations

We recommend that the Committee **ask the state to raise the minimum age for enlistment to 18** to safeguard children from the harms associated with military training and work and to establish a higher legal standard overall.

In addition, we suggest the Committee ask the State Party:

1. How many children are recruited into the state armed forces and what is their proportion of the total intake;
2. Whether enlisted child recruits have an unfettered right to leave the armed forces; and
3. Whether the State Party intends to transition to all-adult recruitment.
4. Whether there remain any circumstances in which a child may be recruited without the 'informed consent' of parents or legal guardians, as required by the Optional Protocol (art. 3b).

Child Rights International Network, June 2022.

¹ International Institute of Strategic Studies, *The Military Balance 2022* (estimate).

² New Zealand Defence Force, 'Am I eligible?', <https://www.defencecareers.mil.nz/defence-careers/how-do-i-join/am-i-eligible>.

³ New Zealand Government, 'New Zealand Government response to questions from the United Nations Committee on the Rights of the Child', 2016, https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/NZL/INT_CRC_AIS_NZL_25497_E.pdf.