



Written by [Michael Tennant](#) on August 10, 2012

## Obama Allows Aid to Countries Using Child Soldiers

It is hardly news that the U.S. government routinely doles out aid to tyrannical regimes around the world. Less well known is the fact that many of those regimes recruit or conscript children as young as 11 years old into their armed forces — and that President Barack Obama has more than once thwarted Congress' attempt to prevent U.S. military aid from going to such countries.



In late 2008 Congress passed and President George W. Bush signed the Child Soldiers Prevention Act (CSPA), which prohibits the U.S. government from giving military aid to countries that the State Department determines in its annual Trafficking in Persons (TIP) report recruit and use children under 15 in their armed forces or militias. The bill was approved unanimously by both houses of Congress, and one of the cosponsors of the Senate version was none other than Illinois Sen. Barack Obama. It would, therefore, appear that Obama was strongly opposed to aiding foreign countries that use child soldiers.

Since assuming the presidency, however, Obama has exploited one big loophole in the law to send taxpayer dollars to several of the world's worst practitioners of child soldiering. The law permits the president to waive the restriction on aiding countries that use children in their armies if he "determines that such waiver is in the national interest of the United States." Obama apparently believes that U.S.-bought influence in foreign countries is so important that in the last two years he has granted full waivers to every country on the TIP report receiving U.S. aid, with one exception: Congo, which lost a portion of its aid last year.

In October 2011 Obama issued a waiver to Chad because it had allegedly taken "steps to come into compliance with the standards outlined in the CSPA," yet those steps were obviously insufficient to keep it off both the TIP report and a similar UN report. He gave Yemen a waiver despite the fact that the State Department had found that the Arab state has conscripted children as young as 11 into its army; the waiver enabled the country to obtain \$21 million in U.S. military aid. And he granted Congo a partial waiver because, he said, it had also moved in the right direction but was not yet fully compliant with the law.

Perhaps most egregious of all was his permitting the newly formed country of South Sudan to receive aid even though it was clearly violating the terms of the CSPA. You see, the TIP report listed only Sudan, not South Sudan, which did not become an independent country until 12 days after the report



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was issued. Thus, the administration could play dumb and send money to South Sudan as if it, too, were not an offender, as the [Cable](#) reported last October:

“South Sudan wasn’t a country during the reporting period and isn’t subject to the CSPA; there are no penalties to waive under the law,” National Security Council spokesman Tommy Vietor told *The Cable*.

That explanation struck several congressional aides and human rights activists we spoke with today as too clever by half. After all, the TIP report was referring to use of child soldiers by the government of “Southern Sudan” and the Southern People’s Liberation Army (SPLA), which hasn’t stopped the practice and will receive \$100 million of U.S. taxpayers’ money this year.

“They’re using a legal and technical loophole to continue to build up partnership with a government that needs to be reminded how serious this problem is,” said Sarah Margon, associate director for sustainable security and peace building at the Center for American Progress. “It’s exactly how not to establish the message that they need to set up their government with full respect for human rights and transparency.”

“At the time the TIP report came out, it was obvious South Sudan was going to be an independent country so any responsible person would have taken that into consideration,” one senior House aide told *The Cable*. “Apart from the law, the White House still had discretion to address the issue as a policy matter and it chose not to condition any of the aid on the SPLA completing its demobilization of child soldiers.”

South Sudan, along with U.S. aid recipients Congo, Libya, and Yemen, is listed on this year’s TIP report. (Somalia is also on the report, but it conveniently receives “peacekeeping” aid not covered by the CSPA.) It will be interesting to see what verbal gymnastics Obama employs to continue to send aid to any or all of these countries come October, when he must make his annual waiver report to Congress.

Rep. Jeff Fortenberry (R-Neb.), who authored the House version of the CSPA, aims to prevent just such an eventuality. He has introduced legislation that, according to the [Washington Times](#), “would require the president to report to Congress 15 days before issuing another waiver what credible and verifiable steps are being undertaken in countries cited for child-soldiers violations to implement a plan of action to end the recruitment of child soldiers. It also would prohibit the use of peacekeeping funds for those countries.”

National security, Fortenberry told the paper, “must not be an excuse to allow us to be complicit with countries using child soldiers.” Obama’s 2011 waivers were, he said, “an assault on human dignity.”

Jo Becker, children’s rights advocacy director for Human Rights Watch, echoed the congressman’s words. “The implementation of the law by President Obama has been a big disappointment,” she told the *Times*. “U.S. tax dollars should not go to governments that use child soldiers.”

Of course, constitutionally speaking, U.S. tax dollars should not go to foreign governments, period. Simply terminating all foreign aid would solve this matter with much greater efficiency and certainty than trying to bind the executive branch with laws that it can almost always find a way to circumvent, if not plainly ignore. It would also save taxpayers money, reduce the deficit, and help disengage the United States from its many entangling alliances around the world.

Obama’s eagerness to waive the law of the land to reward foreign tyrants offers further evidence that when it comes to human rights he is not the man he made himself out to be four years ago — a fact



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already made obvious by the continued existence of the prison at Guantanamo Bay, the ongoing war in Afghanistan, and the escalation of drone warfare on Obama's watch. Combine this with all his other flip-flopping and waffling, and it's not hard to figure out why the enthusiasm for his 2012 candidacy appears to be lower in comparison to that for his 2008 run.

Photo of child soldier in South Sudan: AP Images



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