



**Age Assessment Guidelines**  
**to**  
**Prevent and Respond to Child Recruitment**  
**in the**  
**Afghanistan National Security Forces (ANSF)**

Afghanistan National Security Forces

2015

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# **In the Name of Allah, the Merciful, the Compassionate**

## **Preamble**

Stressing the commitment of the Government of the Islamic Republic of Afghanistan under international humanitarian law and international human rights law, including the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict and the Paris Commitments and Principles on Children associated with armed forces and groups and noting the relevant UN Security Council Resolutions, including Security Council Resolutions 1261 (1999), 1539 (2004), 1612 (2005), 1882 (2009) and 1998 (2011) which condemn the recruitment and use of children, rape and other sexual violence against children, killing and maiming of children and attacks on schools and hospitals and relevant personnel in contravention with international law in situations of armed conflict and mindful of the commitment to fully implement the Action Plan between the Government of the Islamic Republic of Afghanistan and the United Nations (2011) regarding Children Associated with National Security Forces in Afghanistan.

Hereby, the Afghan National Security Forces issues the present guidelines to further prevent and address underage recruitment in its offices and units, in line with laws and policies of the Islamic Republic of Afghanistan, particularly the Constitution (2004) article 49, the Military Crimes code (2008), the Civil Servant Law (2005) the Military Officers personal Status Law and the Non-Commissioned Officers Personal Status Law (2012), the Presidential Decree (2006) and relevant decrees and orders from the Ministry of Interior, Ministry of Defence and the National Directorate of Security prohibiting underage recruitment including Ministry of Interior Orders 08 (2010), 050 (2011), 520 (2012), and National Directorate of Security order 0555 (2013).

## **1. Objective**

The Age Assessment Guidelines to Prevent and Respond to Child Recruitment in the Afghanistan National Security Forces (ANSF) are intended to be used during the recruitment process into ANSF by all concerned professionals, on cases when valid identity documents are lacking or there is a reason to doubt the accuracy of the information based on initial physical appearance observation or other factors; and for the screening, identification and release of active members of the ANSF deemed to be underage.

## **2. Development Process**

The 'Age Assessment Guidelines', here and after referred to as the Guidelines, were prepared by experts, practitioners and security and military officials from concerned ministries of the Government of Afghanistan with the technical support of UNICEF. The completion of the guidelines were based on an assessment of current practices of age assessment conducted in

October and November 2014 and a high-level technical workshop conducted in Kabul on 24-25 November 2014

### 3. Definitions

- i. **Child** means every human being below the age of 18.
- ii. **Age Assessment** refers to the procedures through which authorities seek to establish the chronological age of an individual measured in years, months and days from the moment of birth.
- iii. **Child Soldier** is any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to fighters, cooks, porters, messengers, and informers or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.
- iv. **Child recruitment and use** is the formal or informal process of association and/or engagement of a child with armed forces or armed groups either in active combat role or performing other tasks including cooking, cleaning, administrative duties, transport of goods and information, and as informer and sexual abuse or exploitation.
- v. **Release** is the process of formal and controlled disarmament and demobilisation of children from an armed force or armed group as well as the informal ways in which children leave by escaping, being captured or by any other means. It implies a disassociation from the armed force or armed group and the beginning of the transition from military to civilian life.
- vi. **Referral** is the process of directing the child to an appropriate service by a mandated agency or service provider.
- vii. **Reintegration** is the process through which children transition into civilian life and enter meaningful roles and identities as civilians who are accepted by their families and communities. Sustainable reintegration is achieved when the political, legal, economic and social conditions needed for children to maintain life, livelihood and dignity have been secured. This process aims to ensure that children can access their rights, including formal and non-formal education, family unity, dignified livelihoods and safety from harm.

### 4. Guiding Principles for Age Assessment

During the process of age assessment these principles must be strictly adhered to and applied by all concerned professionals:

- i. Volunteer should only be requested to undergo an age assessment when it is deemed to be **in their best interest**. Regardless of the nature of driving factors for children attempting to enlist with ANSF, all efforts must be made to prevent it, due to harmful impact and consequences of underage recruitment on children.
- ii. Age assessments should be initiated **only if there are doubts about the child's age** due to either lack of accurate documentation or concerns about their authenticity because of physical appearance, behavior, and demeanor of the volunteer.
- iii. The process and procedures of assessing age should be standard and applied **without discrimination** on the grounds of sex, social status, ethnicity, disability, political opinion or other any other reason. Particular consideration must be paid on the requirements and needs of female volunteers, including their right to interviewed by female staff.
- iv. **Informed consent** must be sought from the volunteer before the assessment commences and accurate information provided about the procedures. Volunteer must be given accurate information about reasons the recruiter wants to commence additional age assessment, about the process of the assessment, and the implications arising from the various outcomes of the assessment in **volunteer's own language**. Bearing in mind the volunteer's **right to privacy**, attempts to gather documentary evidence concerning the volunteer's age should also be based on informed consent.
- v. Age assessments must uphold the **dignity and physical integrity** of the volunteer. Where volunteer is asked to undertake a physical examination, they should be allowed to decide on the gender of the practitioner who will undertake the assessment. Physical examinations must respect the personal dignity and privacy of the volunteer and follow norms of ethical conduct (for example it is unethical to ask volunteer to show their legs to observe body hair development).
- vi. Consistent with the principle of the best interest, if doubts about the age remain, the benefit of the doubt should apply, and the volunteer must be considered a child.
- vii. Age assessment has to be undertaken by **trained and skilled practitioners** who are familiar with the volunteer's culture, language and ethnicity. All practitioners who undertake age assessments should be trained in these guidelines and age assessment methodologies.
- viii. The procedure must be **documented and systematic records** of all incidents of rejection and follow up and referral actions must be kept and managed with due consideration of privacy and confidentiality of the volunteer.

## 5. Process of Age Assessment

### 5.1 The process of age assessment in the ANSF:

The process of age assessment relies on five elements, which include (1) direct interviews with the volunteer, (2) interviews with family or community members, (3) crosschecking of documentation and all available information, (4) documentation and (5) referral to services and reintegration. See below detailed description of the steps to be followed.

<u>STEP</u>		<u>Types of questions</u>	<u>Types of documentation</u>
<u>Steps</u>	<u>Questions</u>		<u>Documentation</u>
1. Assess age of the volunteer via interview/s based on three different types of questions	Volunteer's personal life history: birth year, health history, schooling, etc.	<p>a. <b>Birth year:</b> How old are you? What is your date of birth? Which year were you born?</p> <p>b. <b>Health:</b> have you had any medical problem in your life? Surgeries, diseases? When exactly? How old were you? How do you know? Were you vaccinated? Do you have any document that I can see about the history of your health like vaccination card?</p> <p>c. <b>School life:</b> How old were you when you started school? Were you at school when you applied to be recruited? In which grade were you? Did you repeat grades? Which ones? What was the last grade completed? In which year? How do you know</p>	If available any document indicating birth date (personal like letters or official like birth certificate), schooling or health history that indicates age (school certificates, vaccination card, etc.)
	Family history (ages of parents and siblings, etc.)	<p>a. Family tree: Tell me about your family? Do you have parents? How old are they? Do you have siblings? How old are they? Older or younger than you?</p> <p>b. Family history: Does your older brother/sister go to school, which grade? Which are the most significant events that have happened in your family in the last 10 years (deaths, births, ceremonies, celebrations, etc.)? How old were you when that happened?</p>	Documents with data on family history if available
	Events related to the chronological	a. What are the events most significant during the last 18	Prepare a contextualized short

	age of the candidate (events of significance at national or local level) (See Annex 1 on sample event calendar and calculation example)	<p>years? What do you remember of them? How old were you when that happened? How do you know?</p> <p>b. Were you born when the US invaded Afghanistan in 2001? How old were you? What do you remember? How do you know?</p> <p>c. What have been the most important events in your community in the last 18 years? What do you remember of them? How old were you? How do you know?</p>	questionnaire with questions around three or four major and significant events in that community and related to the chronological age of the candidate
2. Interviewing family and community members around the three main areas of questions indicated above	As above		
3. Age assessor/recruiter needs to examine all information gathered through the previous steps and other available information including: observation of physical appearance, psychological behavior, demeanor, independence, and social maturity of the volunteer strictly adhering to Article 3 Guiding Principles of the Guidelines. If there is a doubt then the applicant should be considered below 18 and not eligible for recruitment.			Analyze all documentation and dossier presented by the applicant. Document all steps, the final decision and next steps using the checklist provided in Annex 2.
4. The process is documented and included in the personal file of the candidate. Authorities are informed.			Follow the Checklist: Annex 2
5. If a candidate is considered a child, follow the provision of Article 5 or Article 6 of these Guidelines and contact the family and or MOLSAMD to ensure appropriate referral and reunification.			Document the rejection and release cases and include the checklist in Annex 3 in each file

***Techniques Used During the Interview by Assessors***

Volunteers for whom the age assessment process is initiated must be considered as children and adolescents and assessors are encouraged to apply the below listed techniques during the interview with children and adolescents:

- i. Feel comfortable with the volunteer and make her/him feel comfortable with you. Build trust and be honest in order to receive more sincere and honest answers.

- ii. To the extent possible, ensure that the conditions of the interview and the location where the interview takes place are adolescent-friendly.
- iii. Use language which is simple and age appropriate and sensitive to the culture and gender of the volunteer and make sure the volunteer understands and feels comfortable to ask questions if something is not clear.
- iv. Listen without interrupting and ask follow up questions after the interview has finished answering the posed questions.
- v. Do not be blame the interviewee if you believe they may not be fully honest or cooperative during the interview. Be assertive but polite and inform the interviewee the procedure and consequences of the process of age assessment.
- vi. Be mindful of the body language: there are many ways of communicating information beyond verbal communication. Physical communication and body language from both interviewer and interviewee needs to be taking into consideration during age assessment interviewing process and recorded if possible in the candidate's dossier.
- vii. Be prepared and patient if the interview takes longer than planned, as rushing through the interview will inhibit accuracy and impact of the age assessment.
- viii. Take notes and if in doubt double-check with the interviewee to ensure full accuracy of answers.

## **5.2 The process of age assessment in Forensic Medicine:**

In case of discrepancy of findings, and if volunteer request for further investigation, then the case need to be referred to Central or Provincial Forensic Medicine Department, MoPH. Nonetheless, the official process of age assessment from Ministry of Public Health is as follow:

The person should be introduced by an official letter from the detective, investigation and judiciary organisations for the age assessment to the Department of Forensic Medicine or Provincial Forensic Medicine Offices. The letter shall consist of the name, father name, photo of person and also the type of case and request of the age assessment. Department of Forensic Medicine after completion of relevant examinations for age assessment will put its findings in a separate form under the name of ACT or Forensic Medicine comments and send it to concern department (Annex 3).

In some cases, the detective and investigation organisations or based on request of the person when there is conflict of interest, who will be introduced again to the Department of Forensic Medicine, based on regulation of forensic medicine the mentioned department will processed the completion examination, repeated examination or at the final stage they will do the

commission examination. Usually in the commission examination specialists from different fields will be invited and they will give their comments.

Considering the problems and restrictions of access to forensic medicine in all over the country, following points must be taken into account:

- i. It is not mandatory to conduct medical examination in the age assessment procedure, due to limited availability of medical resources in the entire territory of Afghanistan and the overwhelming needs and priorities of the health system;
- ii. As per Ministry of Health information, there is at least one-year of inaccuracy per decade in medical examination, and medical age assessment can only provide an approximate range rather than indicate the exact chronological age of the volunteer (for example between 16 and 18-year-old) and medical doctors cannot determine an exact chronological age.
- iii. Nutrition, genetics, environment and other factors may impact on the physical development of an volunteer, resulting in inaccurate medical assessments of person's age,
- iv. Medical examination poses certain ethical dilemmas to health professionals and age assessors, because medical examinations for age assessment rely on methods that can be harmful to persons concerned (use of x-rays) with no medical purpose or benefit.

## **6. Protection of children rejected from entry due to not meeting the age requirements**

**6.1** If the volunteer is found to be below 18 and therefore not qualified for recruitment, the responsible unit at ANSF must immediately contact the family of the volunteer, and if there are child protection concerns observed during the interview or/and it is not possible to establish contact with the family, then ANSF must immediately inform the Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD).

**6.2** Information on rejected cases must be documented systematically by ANSF and results of interviews and age assessment must be kept confidential.

**6.3** Volunteers, who are rejected from entry due to not meeting the age requirement, must be eligible to apply when such requirements are met and results of previous age assessment or other factors must not be held against the volunteer in any way to create unfavorable treatment in the future.

**6.4** When the recruitment process reveals inconsistencies and inaccuracy of identity documents as a result of age assessment, ANSF must notify the respective authorities to take appropriate measures.

## **7. Protection of children released from active service due to not meeting the age requirements**

When age assessment during regular or ad hoc screening results in identification of underage members of ANSF, the provisions of article 5 above should be applied accordingly.

## Annexes

### Annex 1: Event Calendar

<b>Date of the Events</b>	<b>Historical Events</b>
27/09/1996	Kabul city was captured by Taliban. Dr. Najibullah the former President of Afghanistan was taken out of UN office by some gunmen in Kabul and taken to an unknown place.
01/12/1996	Dr. Najibullah along with his brother and friend was killed, and their dead bodies were hanged on in Ariana square
18/05/1997	Babrak Karmal former President of Afghanistan died in Moscow city
24/05/1997	General Abdul Malik, Director of Political Affairs of Islamic Movement of Afghanistan revolted against General Dostum, and took control of the administration of Mazar Sharif
26/05/1997	Taliban took control of the Mazar Sharif city
27/05/1997	A general uprising started against Taliban in Mazar Sharif
26/10/1997	After serious casualties to the forces of Taliban, they moved backward from the northern provinces
13/01/1998	Taliban Administration changed the name of the country into Islamic Emirates of Afghanistan
23/01/1998	Aryana Passenger airplane was crashed near Quetta city, Pakistan
04/02/1998	Dr. Muhammad Yousuf, former Prime Minister of Afghanistan died in Germany
04/02/1998	Due to a massive earthquake in Takhar Province, at least 5000 people were killed

19/03/1998	A Boeing Ariana airplane was crashed in southern Province of Afghanistan
08/08/1998	
	For the second time Taliban captured Mazar Sharif city
08/08/1998	
	Nine diplomats and one Iranian journalist were killed in Iranian Consulate in Mazar Sharif by Taliban
11/08/1998	
	<u>Taliquan</u> city of <u>Takhaar</u> province was captured by Taliban
08/08/1998	
	Taliban started massacre of residents and armed people of <u>Mazar Sharif</u>
20/08/1998	
	Two military camps in Khost and Nengrahar Provinces were attacked by US missiles
13/09/1998	
	Ghor and Bamyan Province were captured by Taliban
02/ 1999	
	Taliban destroyed statues in Ghor and Bamyan
26/03/2000	
	Amir Ismail Khan, former Governor of Herat escaped from the prison of Taliban in <u>Kandahar</u>
09/03/2001	
	Ghor and Daikundi's statues which were one of the rare ancient artifacts were destroyed by Taliban
09/09/2001	
	Ahmad Shah Masood was martyred by two Arabs who introduced themselves as journalists in Khwaja Bahawuddin region, of Takhar province
07/10/2001	
	US invaded Afghanistan

26/10/2001	A former Mujahedin commander, Abdulhaq was captured by Taliban and was executed along with his supporters in Logar Province
09/11/2001	
12/11/2001	
	Mazar e Sharif was conquered by the forces of National United Alliance of Afghanistan
	Last military base of Taliban in the surroundings of Kabul city was released from their control
05/12/2001	Hamid Karzai was appointed as the President of interim administration
07/12/2001	Opposition forces took control of Kandahar province from Taliban
22 December 2001 – 07 December 2004	<b>Period of Hamid Karzai Presidency over Transition government of Afghanistan</b>
04/01/2004	Members of Loya Jirga approved the new constitution of Afghanistan
14/09/2004	Dismissal of Ismail Khan the Governor of Herat
09/10/2004	Presidential Elections of Afghanistan

**Annex 2: Checklist for Recruiters**

	<b>Name of the Assessor</b>	<b>Date</b>	<b>Signature</b>
	<b>Name of the Applicant</b>	<b>Date</b>	<b>Signature</b>
	<b>Steps of the process</b>		
<b>1.</b>	<b>Documents</b>	<b>Yes or No</b>	Type and Age Indicated
a.	National ID Card		
b.	Birth Certificate		
c.	Medical record or vaccination card		
d.	School records		
e.	Other documents		
f.	Forensics/Medical examination results if available		
<b>2.</b>	<b>Interview with the applicant</b>	<b>Yes or No</b>	<b>Questions asked and notes, age as indicated by responses</b>
a.	Responses about personal life of the applicant indicate that she/he may be below the age of 18		
b.	Responses about family history and family tree indicate that he/she may be below the age of 18		
c.	Responses about local and national events indicate that the applicant may be below the age of 18		

<b>3.</b>	<b>Interview with family or community members</b>	Yes or No	Questions asked and notes, age as indicated by responses
<b>a.</b>	Responses about personal life of the applicant indicate that she/he may be below the age of 18		
<b>b.</b>	Responses about family history and family tree indicate the applicant may be below the age 18		
<b>c.</b>	Responses about local and national events indicate that the applicant may be below the age of 18		
<b>4.</b>	<b>Results of Overall Assessment</b>	<b>Yes or No</b>	<b>Remarks and age as assessed</b>
<b>a.</b>	Based on results of interviews, available documentation and observations of the assessor of all relevant factors based on principles and provisions of Age Assessment Guidelines indicate that the applicant is below the age of 18		
<b>5.</b>	Protection and Referral if the applicant was assessed to be below the age of 18	Yes or No	Date and Name of Agency/Person
<b>a.</b>	Family was contacted and notified		
<b>b.</b>	MOLSAMD or other agency contacted and notified		
<b>c.</b>	Child was reunified with the family		
<b>d.</b>	Other action taken		

