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NGO Follow-up information for Committee on the Rights of the Child 93rd Pre-Sessional Working Group: New Zealand

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This document provides follow-up information about the incentives for 17 year old children to join the armed forces.¹

It also includes updated information on why the armed forces recruit 17 year olds, and information on the ethnic origins of 17 year old recruits (which we think was also asked for), and related information in three tables at the end. Some of this information is included in more detail in our August 2022 Report, attached, and the Report paragraph numbers are referenced as relevant below.

1. Incentives for 17 year old children to join the armed forces

Firstly, much of the information provided in our August 2022 Report is relevant to this question, because there is a concerted effort by the NZ armed forces (also referred to as NZDF) to recruit young persons through their public recruiting practices (paras 25-30); their activities in schools (paras 54-56, 59-63); and military involvement in youth development programmes (paras 64-65).

As well, there is a statutory requirement for the NZ Cadet Forces (NZCF), which involve children from 13 years in military or military-style training, to engage in “*promotion of an appreciation among members of the Cadet Forces of the functions and operations of the armed forces*” in the Defence Act 1990, sect. 77 (b). The success of this is shown by the fact that 15 to 20% of those involved in the NZCF subsequently enlist in the armed forces (paras 43-48).

Armed forces recruiting material tends to focus on travel, adventure, the lifestyle, training and other benefits of joining the NZDF including, subsidised food and accommodation, free medical and dental care, free tertiary level education opportunities, superannuation schemes, and access to annual leave for a longer time period than most civilian occupations have.²

That this tactic is successful is reflected in a 2020 Independent Review report: “*We heard that many enlist for the exciting and interesting careers, travel opportunities, professional and leadership development opportunities on offer.*”³

2. Why does the NZDF still recruit under 18 year olds? (paras 12-15)

In our 2022 Report we included information from the state party’s 2008 Periodic Report (the last time it answered that question) where the main reason was linked to a drop in recruitment levels if the age of recruitment is raised, as well as the lack of other opportunities for young persons from lower socio-economic groups.⁴

We believe this is still the main reason under-18 year olds enlist - no other employer provides the benefits listed above: subsidised food and accommodation, free medical and dental care, free tertiary level education opportunities, superannuation schemes, and better access to annual leave.

We also included the armed forces trite response to the question in our Official Information Act (OIA) request about why recruitment is still below 18 years (para 15) and have subsequently received a longer reply to this question.

In brief, the emphasis now seems to be that the NZDF is fully compliant with CRC and OPAC because the age of recruitment has been raised above the CRC requirement of 15 years as specified in OPAC Article 3.1 (we assume this refers to the age being raised from 16 to 17).

They further assert that they meet all of the OPAC Article 3.3 requirements, which we have requested further information about because we do not believe this is correct: in particular, in relation to Article 3.3.b (only one parent’s consent is required where both parents are alive, Defence Act 1990 Section 36(4)(a)(i)); and to Article 3.3.c because there is no evidence whatsoever that recruits “are fully informed of the duties involved in such military service” (paras 26-30).

In addition, it is extremely unlikely that under-18 recruits have their attention drawn to the issues around safety during military training (paras 16-17), or to the levels of “*inappropriate or harmful behaviour whether bullying, harassment, discrimination or some form of sexual violence*” in the armed forces (paras 18-24).

Finally, while the armed forces emphasise that under-18 recruits are not liable for active service (Defence Act 1990 Section 37), nevertheless all recruits - regardless of age - receive the same combat training.

3. Ethnic origin figures (ethnic origin is self-selected, not ascribed by the NZDF; MELAA is the NZDF term for Middle Eastern / Latin American / African origin)

Table 1. Under-18 year old enlistments in the NZDF over the past decade⁵					
NZ European / European	Māori	Pacific	Asian	MELAA	Other
77.6%	15.2%	0.8%	0.8%	0.8%	0.8%

Table 2. Enlistments in the NZDF by persons with NZ Cadet Forces experience over the past decade, all ages⁶					
NZ European / European	Māori	Pacific	Asian	MELAA	Other
83.9%	9.9%	3.6%	1.8%	0.6%	0.0%

Table 3. NZ Regular Armed Forces personnel in 2020 / 21, all ages⁷ (does not add up to 100% as some provide multiple responses)					
NZ European / European	Māori	Pacific	Asian	MELAA	Other
78.9%	17.7%	5.6%	3.1%	0.4%	4.59%

Thank you for your attention to our comments, we are happy to answer any further questions and are planning to provide an update before the 92nd session next year.

References

¹ Edited edition for public release

² Assorted NZDF recruitment publications, and online in the various sections of the army recruiting pages, <https://www.defencecareers.mil.nz/defence-careers/life-in-uniform/>

³ Independent Review of the New Zealand Defence Force's progress on the Action Plan for Operation Respect, 16 July 2020, p 4
<https://www.defence.govt.nz/assets/publication/file/Operation-Respect-Review.pdf>

⁴ United Nations Convention on the Rights of the Child: Third and Fourth Periodic Reports of New Zealand, 11 November 2008, CRC/C/NZL/3-4, para 482

⁵ Information provided by NZDF Headquarters on 5 August 2022 in response to our 1 July 2022 Official Information Act request

⁶ Information provided by NZDF Headquarters on 5 August 2022 in response to our 1 July 2022 Official Information Act request

⁷ NZDF 2021 Annual Report