Children protected under international humanitarian law

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Children are especially vulnerable in armed conflicts. Despite the protection provided by law, they continue to be recruited by armed forces and armed groups. They are often separated from their families, driven from their homes, killed, maimed, sexually abused or exploited in other ways.

Children in war benefit from the general protection of international humanitarian law as civilians or combatants. But there are also special provisions that recognize their particular vulnerability and needs in armed conflicts.

Children are still recruited by national armed forces. Over the past few decades the recruitment of children by armed groups, especially in Africa, became a serious humanitarian problem. In many situations children carry arms and actively take part in the fighting. But they can also be used in supporting roles, such as carrying supplies or providing military intelligence, that puts them in great danger.

The 1977 Additional Protocols to the Geneva Conventions were the first international treaties to try and tackle these situations. They prohibit the recruitment and participation in hostilities of children under the age of 15. In international armed conflicts, the first Additional Protocol also requires military recruitment of 15 to 18 year olds to prioritize the oldest.

The 1989 Convention on the rights of the child, which has achieved almost universal ratification, also included the 15 age limit. An optional protocol to this Convention, in May 2000, lifted the age for compulsory recruitment to 18 and called on States to raise the minimum age for voluntary recruitment above 15. It insisted that armed groups should not use children under 18 in any circumstances and called on States to criminalize such practices.

Recognition of a universal age limit of 18 by the international community has still not been achieved. The ICRC and its partners in the Red Cross and Red Crescent Movement are pressing for such a limit through further development of both international and national law.

In the field, the ICRC assists the demobilization of child soldiers and provides psychological and other support to enable their reintroduction to a normal child’s life.

Children not involved in an armed conflict face a whole range of dangers for which IHL and relevant children’s rights instruments provide special protection. They are guaranteed the general protection of non-combatants, but their special needs for medical help, food, shelter and clothing are recognized by the Geneva Conventions and the 1977 Protocols.

Children who are orphaned or separated from their families must be identified, protected and provided with special facilities that ensure their physical safety. Their educational needs must also be provided for. At the same time, all appropriate steps must be taken to facilitate the reunion of families temporarily separated.

Children who are detained as the result of an armed conflict must be treated humanely. They should be kept with their family group. If this is not possible, they should be separated from adult prisoners or detainees.

IHL aims to limit the impact of war on children. Regrettably, the very nature of today’s conflicts means that even greater efforts need to be made on the ground, by the ICRC and others, to save children from the horrors of war and to help them rebuild their lives once the conflict is over.