International humanitarian law gives children general protection as civilian persons [1] taking no part in hostilities and special protection as particularly vulnerable beings. That special protection is conferred by numerous rules, inter alia on:

(a) the treatment of new-born babies on the same footing as the wounded [2];

(b) a child’s right to care [3] and aid;

(c) the reception of children under the age of fifteen years in hospital and safety zones and localities [4];

(d) the reunion of families dispersed [5] by an international [6] or internal armed conflict [7];

(e) the temporary evacuation [8] of children for imperative reasons of their safety, especially from a besieged or encircled area;

(f) the prohibition, in case of occupation [9], of compelling protected persons [10] under the age of eighteen years to work;

(g) the protection of the child’s cultural environment and of their education [11];
(h) the protection of the rights of children arrested, detained or interned;

(i) the prohibition of applying the death penalty to children under the age of eighteen years at the time the offence was committed;

(j) the protection of the family and the inviolability of the status of child;

(k) the prohibition of recruiting children under the age of fifteen years into the armed forces;

(l) the protection of orphans or children separated from their parents.

CASES

South Sudan: Medical Care Under Fire

Democratic Republic of Congo, Involvement of MONUSCO

Mali, Conduct of Hostilities

Engaging Non-state Armed Groups on the Protection of Children

Philippines, Armed Group Undertakes to Respect Children

Somalia, the fate of Children in the conflict

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USA, Jawad v. Gates [26]


ICC, Confirmation of Charges against LRA Leaders [28]

Colombia Peace Agreement [29]

UN/Colombia, Human Rights Committee Clarifications and Concluding Observations (2016) [30]

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Central African Republic, Coup d'Etat [33]

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South Sudan, AU Commission of Inquiry on South Sudan [36]
Lake Chad Basin, Multinational Joint Task Force and Boko Haram

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Geneva Call and the Chin National Front

OUTLINE

Chapter 8, Special protection of children

DOCUMENT

Optional Protocol to the Convention on the Rights of the Child, on the Involvement of Children in Armed Conflict

BIBLIOGRAPHIC RESOURCES

Suggested readings:


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PLATTNER Denise, “Protection of Children in International Humanitarian Law”, in IRRC, No. 240, June 1984, pp. 140-152.


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