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Enlistment, as distinct from recruitment ^[1], is the *voluntary* incorporation of individuals into an armed force or group. Although the two terms may sometimes be used interchangeably (see Art. 4 (3) (c) Additional Protocol II and Art. 38 of the Convention on the Rights of the Child ^[2]), the International Criminal Court ^[3] ruled in the *Lubanga* case that these are two separate notions.

An Occupying Power must not enlist children on the occupied territory (GC IV, Art. 50 ^[4]). This provision is understood to relate only to children below the age of 15 years.

The enlistment of other protected persons ^[5] on the occupied territory is not prohibited, although no pressure, propaganda or any type of coercion may be employed to secure voluntary enlistment (GC IV, Art. 51 ^[6]).

For the IHL prohibition concerning enlisting children ^[7] to participate in hostilities: see child soldiers ^[8].

See Recruitment ^[1]; Child soldiers ^[8];

prohibition of pressure or propaganda to induce protected persons to enlist in armed forces of Occupying Power

See Recruitment ^[1];

LEGAL SOURCE

GCIV, 51/1 ^[9]

of children

See also [Children](#) ^[7]; [Child soldiers](#) ^[8]; [Recruitment](#) ^[1]

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[Sierra Leone, Special Court Ruling on the Recruitment of Children](#) ^[17]

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[2] [https://ihl-](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?documentId=B92BDC3CAE1B142DC12563CD002D6E8C&action=openDocument)

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[3] <https://casebook.icrc.org/glossary/international-criminal-court>

[4]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=E09D15BDEC76F8D9C12563CD002D6E8C>

[5] <https://casebook.icrc.org/glossary/protected-persons>

[6] <https://www.icrc.org/applic/ihl/ihl.nsf/ART/380-600058?OpenDocument>

[7] <https://casebook.icrc.org/glossary/children>

[8] <https://casebook.icrc.org/glossary/child-soldiers>

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[10] https://casebook.icrc.org/law/civilian-population#ii_2_c

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[12] <https://casebook.icrc.org/case-study/sri-lanka-conflict-vanni#para10>

[13] <https://casebook.icrc.org/case-study/icc-prosecutor-v-thomas-lubanga-dyilo>

[14] <https://casebook.icrc.org/case-study/afghanistan-code-conduct-mujahideen#art50>

[15] <https://casebook.icrc.org/case-study/case-study-armed-conflicts-sierra-leone-liberia-and-guinea-1980-2005>

[16] https://casebook.icrc.org/case-study/case-study-armed-conflicts-sierra-leone-liberia-and-guinea-1980-2005#part_ii

[17] <https://casebook.icrc.org/case-study/sierra-leone-special-court-ruling-recruitment-children>

[18] <https://casebook.icrc.org/case-study/uncolombia-human-rights-committee-clarifications-and-concluding-observations-2016>