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];
of children
See also Children [7]; Child soldiers [8]; Recruitment [1]

OUTLINE

Chapter 8, Special protection of children [10]

DOCUMENT


CASES

Sri Lanka, Conflict in the Vanni [12] (Paras. 10-11 [12])


Afghanistan, Code of Conduct for the Mujahideen [14] (Art. 50 [14])

Case Study, Armed Conflicts in Sierra Leone, Liberia and Guinea [15] (Part 2., A. [16])

Sierra Leone, Special Court Ruling on the Recruitment of Children [17]

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