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; Child soldiers; Recruitment

OUTLINE

Chapter 8, Special protection of children

DOCUMENT

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

CASES

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

ICC, The Prosecutor v. Thomas Lubanga Dyilo

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

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

Sierra Leone, Special Court Ruling on the Recruitment of Children

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