Protection of Children During Armed Conflict in International Law

A Thesis Submitted in Partial Fulfillment of the Requirements for the Master Degree in Public Law

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Abstract
The protection of children’s right has made large strides in the 20\textsuperscript{th} century. Many rights of those rights stemmed from the Geneva declaration of such rights in 1924. Further rights for children were granted under the International Declaration of Human Rights by the United Nations in 1984; which has a dedicated section for children.

Yet with the plethora of rights given to children, and as the 20\textsuperscript{th} century entered its final quarter, more children rights were being violated in war-torn countries – be they civil or transnational conflicts. Children were seen carrying weapons and taking an active role in combat; taking away at the same time opportunities to learn in formal education and experience childhood in a civilized society that would shape them into productive citizens. The situation has grown too concerning that the UN declared 1979 Year of the Child. These grim realities of children rights being violated brought about the UN’s international agreement on child rights in 1989, and later, its two additional protocols in 2000.

Fueling the situation is the fact that children are impressionable and would be less resistant to partake in war and conflict – making them easy targets for recruitment by different sides of each conflict. Regrettably, both, the multitude of rights and the lessons from wars long past have not had any influence in today’s wars. In fact, we are seeing violation of children’s right today the likes of which we have not seen or heard of since the two world wars. National and International human rights organizations, civil societies and others have produced evidence from research and inspection that show violations that are most grotesque yet heart-breaking against children’s rights in today’s conflicts.

The scale and breadth of such violations demand a hard look into what more must be done to protect this vulnerable, yet vital, sect of society. The issue is more pressing than ever before considering the occurrences happening in the Arab and Islamic world which we live in. This research has looked into possible solutions in the medium to long term. The researched looked into current practices in different countries, their shortcomings and where more progress is needed. It has identified a variety of existing international and local laws that support efforts to reduce and ultimately eliminate the violation of children’s rights – not least the ways national and international courts can be utilized for this cause.

The research concluded that with reference to religious and humanitarian civil values, lawmakers in governments and civil societies have a duty responsibility to this vulnerable powerless group in our society. For children are the seeds of growth and prosperity for every nation on this planet; if they live a good life and observe the virtues and benefits of a functioning law-respecting nations, they would grow to preserve and enhance them.