

## CHILD RIGHTS DUTY ARMED CONFLICTS

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### ABSTRACT

*"I find armed conflicts between nations terrifying, but I believe that any nation that has decided to rule the world out of fear of its own might should feel compelled to give up."*

*Any organised confrontation involving the use of force, violence, or weapons—whether it be between state actors or nongovernmental organizations—that takes place inside or outside of national borders is considered an armed conflict. International conflicts, civil wars, and disputes between different types of organisations, such as ethnic conflicts and violence related to drug trafficking and narco-gang violence, are a few examples.*

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**Keywords:** *Armed Conflicts, Force, Violence, Weapons, Narco-Gang Violence.*

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### Introduction

#### Neville Chamberlain

There are shockingly high rates of child abduction, rape, killing, and recruitment for armed conflict worldwide. Given the ongoing general failure to safeguard children in conflict, it is doubtful if the UN Security Council's six grave violations of international law apply to children involved in armed conflict. If one examines how international humanitarian law protects feed.

International humanitarian law and international human rights law must be upheld during armed conflicts, with a special emphasis on protecting children who lack the ability to protect themselves from abuse.

The Six Grave Violations they are:

- The Four Geneva Conventions (1949).
- Additional protocols to the Geneva Conventions (1977).
- Rome statute of the International Criminal Court (1998).
- Customary international human international law.
- Convention on the Rights of the Child (1989) and (19 optional protocols (2000-2012)).
- UN Declaration of Human Rights (1948).

#### Security Council Resolutions on the Children and Armed Conflicts (1)

-1261(1999), 1314(2000), 1379(2001), 1460(2003), 1539(2004), 1612(2005), 1882 (2009), 1998 (2011) and 2068(2012).

International human rights legislation stipulates unequivocally that 18 is the minimum legal age to engage in hostilities.

Under no circumstances may non-state armed groups recruit or use minors under the age of eighteen. Enlisting children under the age of eighteen is considered "one of the worst forms of child

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labour," according to Convention No. 182 of the International Labour Organisation. The protocol also stipulates that parties to a conflict must give special consideration to all children involved in hostilities during the disarmament, demobilisation, and Special Programmes to ensure their "Psychological recovery and Social reintegration."<sup>(2)</sup>

Article 38 on armed conflicts states that States Parties must take all reasonable steps to prevent minors under the age of 15 from directly participating in hostilities. No young person under the age of 15 may enlist in the military. States are also required by applicable international law to provide the care and protection of children impacted by armed conflict.

### **Child Rights and Child Protection Issues Challenges and Statagies (1)**

Young people and children are some of the most vulnerable segments of society. The instability and violence that come with armed conflict exacerbate this vulnerability. Youngsters may be used as child soldiers, taken away from their homes, and put in danger of sexual assault and death.

In addition to having the same human rights as adults, children and young people also have certain rights that are tailored to their unique needs. Children are neither their parents' property nor the defenceless targets of charity. Since they are human, they have rights of their own.

A problem for public health is armed warfare. An estimated 246 million youngsters reside in conflict-affected areas. At now, there is a record number of people experiencing forced displacement: about 68.5 million individuals, including 28 million children, are residing as refugees, asylum seekers, stateless individuals, or internally displaced persons. Half of the 25 million refugees in the world are minors, or about 1 in 200 worldwide. According to the authors of the 2005 State of the World's Children report, "Childhood Under Threat," civilians—many of whom were children—accounted for 90% of conflict-related deaths between 1990 and 2005.

By recognising children's rights in this way, the Convention firmly places the focus on the complete child. It presents a vision of the child as an individual as well as a part of a family and community with rights and obligations relevant to his or her age and stage of development.

The Convention guarantees the growth and well-being of children while acknowledging their basic human dignity. It clearly conveys the idea that every child should have the right to a basic standard of living rather than it being a privilege enjoyed by a select few.

Children are more affected by the acts and inactions of the government than by those of any other social group.

- Children are impacted by practically every aspect of government policy, from public health to education, to some extent. Shortsighted policymaking that ignores children has a detrimental effect on the future of every member of society.

The opinions of children should be heard and taken into account in political processes. Young people have not historically participated in politics or cast ballots.

- While customary law is binding everywhere, international treaties only bind the states that have signed them.
- The Paris Principle regarding minors Linked to an armed emphasis is an armed principle.

Children are more susceptible than adults to bad living situations such poverty, inadequate health care, poor nutrition, unsafe water, substandard housing, and environmental pollution since they are still developing. Children's futures and, by extension, the futures of the societies in which they reside are threatened by the effects of disease, starvation, and poverty.

Children and families are forced by conflict to flee their homes in search of safety both inside and across national boundaries (internal displacement); of the 28 million children who are forcefully displaced, almost two-thirds are internally displaced. Children may be taken from their families during travel, and they are more susceptible to illnesses, psychological damage, and abuse. Trauma experiences have an impact on both the mental health of children and the adults who care for them. The physical and mental well-being of children, their educational success, and their possibilities in life can all be adversely impacted by the mental health of their carers. Poverty is brought about by the breakdown of the economic and educational systems, and it can persist for decades. Sanctions on the economy and politics exacerbate this poverty and have a negative impact on the nutrition and health of children.

Estimates of the number of children killed by armed conflict are also scarce, indicating that little is known about the effects of violence on children's physical health and development. The impacts of

armed conflict on children's mental health and its aftereffects, such displacement, have received much of the attention in research. We conducted a thorough analysis of the data regarding how armed conflict affects children's physical development and health.

Depending on the type of conflict, children of all ages might suffer different types of injuries from armed conflict. Blast and bullet injuries are the most prevalent types of battle trauma among youngsters in Iraq and Afghanistan.

Explosions can cause blast injuries, which include burns, penetrating trauma, shockwave and shearing injuries, crush injuries, and contamination from the explosive device or surroundings. Children with explosion injuries typically show up with various types and locations of injuries. The most common and deadly injuries are burns and severe head and neck trauma, especially penetrating head trauma. Compared to adult blast injuries, which typically result in injuries to the extremities, this pattern is different. In addition, there are notable differences between paediatric trauma in the United States, where blunt trauma is more common and mortality is substantially lower, and the high prevalence of penetrating trauma received by children in conflict zones.

The high death rates among paediatric trauma patients in conflict areas are probably caused by the combination of obstacles preventing prompt and appropriate care from being accessible and the seriousness of the injuries received.

Penetrating injuries are particularly common among children with injuries who are brought to medical facilities. With 60–75% of all head injuries and the highest mortality risk, penetrating head injuries are the most common type of brain injuries among children treated in military combat facilities. This pattern of head damage is very different from that of blunt head trauma, which is more common in quiet environments.

The results of military studies are likely to be influenced by the admission standards for combat support hospitals, the availability of care in military facilities, and the care-seeking behaviours of individuals residing in conflict zones. For example, Spinella et al. found that a child with a severe head injury had visited five different hospitals prior to seeking treatment in a military facility.

#### **The Costs to Society of Failing its Children are Huge**

The results of social science indicate that early experiences have a big impact on how a child develops later in life. Over the course of their lifetimes, their contribution—or cost—to society is determined by how they develop.

#### **Way of Establishing Strong Mechanism**

- Infrastructure.
- Workers.
- Modest Discipline.
- Education for children is about personal safety.
- Regulating and reporting procedures.
- Shod-level child protection policies.

#### **Conclusion and Suggestions**

Every Indian faces concrete evidence of child rights violations in some capacity, and they all actively support them by ignoring them. The government and officials can only enact laws; they cannot ignore the daily maltreatment and neglect of children, which calls for individual attention and cooperation from all relevant parties.

The government's programmes and the Child Rights Network play a crucial role in the fight for children's rights. It is especially important to bring this issue to the public's attention so that lawmakers can recognise the importance of the decision to protect children and emphasise their willingness to cooperate to the fullest extent of their abilities.

