



# MUNLAWS 2025

FACULTY OF LAW, UNIVERSITY OF LJUBLJANA

## SECURITY COUNCIL



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UNIVERSITY OF LJUBLJANA  
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European  
Parliament



REPUBLIC OF SLOVENIA  
MINISTRY OF FOREIGN  
AND EUROPEAN AFFAIRS

# Introduction to the Committee

## About the MUNLawS

It is our great pleasure to welcome, after a year of absence, the delegates, head delegates, observers, and faculty advisors back to the festive city of Ljubljana to once again take on the pressing issues of the day at the 12th MUNLawS Model United Nations Conference.

As the prospects of this year's conference were discussed earlier in the year, it fell upon us to determine its scope and focus. Facing wide array of global challenges – each significant in its own right – our instinct times and again was to return to the fundamental yet enduring discussion on the construction of the global order and its respect for international law – the solemn commitment of one for all with no one left behind. Reaching, in good faith, Beyond Divisions, Ensuring Security for All.

The unfolding year spares no shortage of anniversaries. Eighty years ago, the deadliest war in human history came to an end, and the foundations of a bold new vision for global governance were laid. Today, complacency toward the binding rules of this international order is being tested, as a series of conflicts steadily erodes its very ideal, rekindling the specter of wider confrontation. Thirty years ago, in Srebrenica, former compatriots turned against their own, committing one of the most horrendous atrocities in modern European history. Today, echoes of such despair resonate in many parts of the world, reminding us that the struggle for justice and the protection of human life and dignity remains urgent.

At the same time, the year 2025 is the one of considerable achievements. With the recent ceasefire in Gaza, the seeming resolution of the Armenian–Azerbaijani conflict, the groundbreaking Advisory Opinion of the International Court of Justice on the Obligations of States in Respect of Climate Change and other significant developments, a trebling light on the horizon reminding us of the promise of tomorrow still shines brightly. As a non-permanent member of the UN Security Council, the Republic of Slovenia devoted considerable effort to fulfilling its responsibilities. It is, therefore, a privilege to count the Ministry of Foreign and European Affairs of the Republic of Slovenia as our trusted partner in organizing this conference.

Furthermore, we extend our sincere gratitude to the European Parliament Liaison Office in Slovenia for their steadfast and invaluable support in bringing this conference to fruition. Representing a core institution of arguably the greatest peace project in human history, their involvement underscores the enduring importance of forging bridges in the pursuit of a cause far greater than ourselves. We are also deeply thankful to Tourism Ljubljana, which, together with the Liaison Office, made it possible to organise two incredible social events.

We sincerely hope you will delight in exploring this mosaic, forge meaningful new friendships, and cherish the experience of MUNLawS 2025. Let the festivities begin!

Yours truly,

Žiga Murn Lindič, Secretary-General of MUNLawS 2025

## About the Chairs

**David Golob** is deeply passionate about geopolitics, history, and debating. Thus, Model United Nations is an activity he greatly enjoys. He will chair the United Nations Security Council committee (UNI) at this year's MunLaws conference.

**Ana Teja Tabor** is a 4th-year law student at the Faculty of Law, University of Ljubljana. She first got involved in MUN as a delegate in the UN Women committee, where she developed a strong interest in gender-related issues and matters concerning children, as well as the broader field of international law. While MUN is not new to her, this conference marks her first experience as a chairperson — an opportunity she is both excited and grateful for. She is especially glad to be a part of this year's MUNLawS as a chair of Security Council committee (UNI).

**Štefan Grašič** is a medical student with a strong interest in global health, critical thinking, and international cooperation. MUN is where he challenges perspectives, builds communication skills, and engages with real-world issues beyond textbooks. He will chair the Security Council committee (HS) at MUNLawS 2025.

**Lana Vrabič** studies law, but when she's not buried in books, she's usually out cycling, running, walking her dog or playing tennis. She has done a bit of travel and studies abroad, and is always up for a new challenge. When she's not busy, you'll probably find her spending time with her family and friends. She will chair the Security Council committee (HS) at this year's edition of MUNLawS.

## About the Committee

*"The Security Council bears the primary responsibility for the maintenance of international peace and security. In carrying out this duty, we act not only as representatives of our nations but as stewards of global stability."*

— Adapted from Article 24 of the Charter of the United Nations

The United Nations Security Council (UNSC) is one of the six principal organs of the United Nations, established under Chapter V of the UN Charter in 1945. It is vested with the primary legal mandate to maintain international peace and security and its decisions – unlike those of other UN bodies – carry binding legal force under international law. The Council's authority derives directly from the Charter, making it a central mechanism for the enforcement of collective security and the peaceful resolution of disputes.

The Council comprises 15 Member States, including five permanent members; the People's Republic of China, the French Republic, the Russian Federation, the United Kingdom of

Great Britain and Northern Ireland and the United States of America – each possessing the right of veto. The remaining ten non-permanent members are elected by the General Assembly for two-year terms, with consideration given to equitable geographical representation. This composition reflects both the enduring geopolitical structure of the post-World War II era and the evolving nature of multilateral diplomacy.

The Security Council is empowered to take a wide range of actions under Chapters VI, VII, and VIII of the Charter, including the authorization of peacekeeping operations, the imposition of sanctions, the referral of situations to international judicial bodies and, where necessary, the approval of military intervention. Its jurisprudence and practice have significantly shaped the development of international humanitarian law, the law of armed conflict and the responsibility to protect doctrine.

In the context of Model United Nations, the Security Council simulates a high-pressure legal and diplomatic environment. Delegates are expected to engage in substantive legal reasoning, interpret the provisions of the UN Charter and relevant international treaties and respond to crisis scenarios with legally sound and politically viable solutions. The Council operates under modified procedural rules, allowing for expedited debate, informal consultations and immediate responses to emerging threats.

Delegates will represent current Member States of the Security Council and must demonstrate a comprehensive understanding of their assigned country's legal obligations, foreign policy positions and strategic interests. While position papers and procedural compliance remain essential, the emphasis in this Committee is on legal precision, diplomatic negotiation and the drafting of enforceable resolutions.

Participation in the Security Council Committee offers delegates a unique opportunity to simulate the work of international legal practitioners and policymakers. It is not merely an academic exercise – it is a rigorous training ground for future professionals in international law, conflict resolution and global governance.

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# **1. TOPIC A: MARKING THE 25<sup>TH</sup> ANNIVERSARY OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 1325 (2000)**

## **1.1 Introduction — A Mandate Under Pressure**

The twenty-fifth anniversary of United Nations Security Council Resolution 1325 (2000) arrives as a moment for reflection, not celebration. Adopted unanimously, the resolution placed the Women, Peace and Security (WPS) agenda at the centre of the Council's work, affirming that sustainable peace is impossible without women's full, equal, and meaningful participation in peace and security processes. Two and a half decades later, the principles remain relevant, yet their translation into consistent practice is fragile and contested.<sup>1</sup>

In 2025, the international environment is defined by multipolar realignment, declining trust in multilateral institutions, and an intensifying backlash against gender equality norms.<sup>2</sup> While over 100 UN Member States have adopted National Action Plans on WPS, many remain underfunded, lack measurable targets, and fail to influence field-level realities.<sup>3</sup> Simultaneously, emerging challenges such as climate-driven displacement, cyber-enabled repression of women peacebuilders, and the securitization of migration regimes are creating new layers of risk for women in conflict and post-conflict contexts.<sup>4</sup>

For the Security Council, the WPS agenda is not an ancillary concern but a central measure of its legitimacy and operational credibility.<sup>5</sup> When gender perspectives are excluded from peacekeeping mandates, sanctions frameworks, and mediation strategies, the result is not only weaker outcomes but also a diminished authority of the Council itself. The anniversary thus demands a strategic stocktake: identifying where the agenda has driven meaningful change, where it has been reduced to symbolic gestures, and how it can be shielded from political erosion. Delegates must approach the WPS framework not as a rhetorical

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<sup>1</sup> United Nations Security Council [UNSC], 2000.

<sup>2</sup> European External Action Service [EEAS], 2025.

<sup>3</sup> Georgetown Institute for Women, Peace and Security [GIWPS], 2025.

<sup>4</sup> UN Women, 2024.

<sup>5</sup> Council on Foreign Relations, 2023.

commitment, but as a binding operational priority that requires sustained political will, robust accountability, and adaptation to the realities of a fractured global order.

## **1.2 Genesis of Resolution 1325 — Activism Meets Multilateralism**

The adoption of United Nations Security Council Resolution 1325 (2000) was the culmination of a decade in which the failures of international peacekeeping exposed profound gendered vulnerabilities in conflict. The 1990s witnessed a succession of crises — from the genocide in Rwanda to the massacre at Srebrenica and the atrocities committed during Sierra Leone’s civil war — where the inability or unwillingness of peace operations to prevent sexual violence and to safeguard civilian populations revealed critical shortcomings in the Council’s mandate and approach.



*Picture 1: Women’s International League for Peace and Freedom.*

To put words in to perspective; in Rwanda, between 250,000 and 500,000 women and girls were raped during the 1994 genocide, often as part of a coordinated

military strategy.<sup>6</sup> In Bosnia, the 1995 fall of Srebrenica was followed by the systematic killing of over 8,000 Bosniak men and boys and widespread sexual violence against women.<sup>7</sup> In Sierra Leone, conflict-related sexual violence was rampant, yet women were largely excluded from the Lomé Peace Agreement negotiations.<sup>8</sup>

Organisations such as the Women’s International League for Peace and Freedom (WILPF), the International Women’s Tribune Centre, and the NGO Working Group on Women, Peace and Security led sustained advocacy campaigns targeting Security Council members. These initiatives took place prior to the adoption of Security Council Resolution 1325 in 2000, demonstrating that women’s organisations had long been pressing for the formal recognition of women’s roles in peace and security processes.<sup>9</sup> Transnational feminist

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<sup>6</sup> United Nations Commission on Human Rights, 1996.

<sup>7</sup> United Nations, 1999.

<sup>8</sup> Cohn, 2008.

<sup>9</sup> Anderlini, 2007 and Tryggestad, 2009.



movements mobilised with unprecedented intensity. Grassroots women's networks from conflict-affected states, including Liberia and Guatemala, provided direct testimony to policymakers, reframing women as essential participants in peacebuilding. Figures such as Cora Weiss, a central voice in WILPF and one of the first chairs of the NGO Working Group on Women, Peace and Security, and Noeleen Heyzer, then Executive Director of UNIFEM, played pivotal roles in bringing women's experiences into international policy arenas. Activists like Leymah Gbowee from Liberia and Rigoberta Menchú Tum from Guatemala embodied grassroots leadership, using their experiences to highlight the gendered dimensions of conflict. This activism built on the 1995 Beijing Platform for Action, which committed governments to integrate gender perspectives into peace and security policies,<sup>10</sup> and drew normative strength from the human security framework articulated in the 1994 UNDP Human Development Report.<sup>11</sup> The diplomatic breakthrough came in October 2000, when Namibia took the rotating presidency of the Security Council. Ambassador Martin Andjaba strategically prioritised the Women, Peace and Security agenda, framing it as essential to operational effectiveness rather than as a purely normative initiative. Through targeted diplomacy and coalition-building across both permanent and elected members, Namibia succeeded in moving the draft to adoption. Previously, efforts to advance such a resolution were hindered by concerns among some Council members that linking gender to security would overburden the Council's mandate, opening the door to broader social agendas perceived as outside its traditional focus on conflict management and state security. This hesitation reflected fears that addressing women's roles and protection might dilute the Council's authority or politicise its work.

On 31 October 2000, the Council unanimously adopted Resolution 1325, marking the first time it explicitly linked women's participation and protection to the maintenance of international peace and security.<sup>12</sup>

Resolution 1325 did not emerge in a vacuum. Its preambular references reveal a genealogy of incremental steps within the Council itself. It explicitly recalled earlier resolutions on the

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<sup>10</sup> United Nations, 1995.

<sup>11</sup> United Nations Development Programme [UNDP], 1994.

<sup>12</sup> United Nations Security Council [UNSC], 2000.

protection of civilians and children in armed conflict (Res. 1261 of 1999, Res. 1265 of 1999, Res. 1296 of 2000, and Res. 1314 of 2000), as well as presidential statements, including the 8 March 2000 statement on International Women's Day. These documents had begun to open the door for a broader understanding of security that included civilian protection and humanitarian concerns, thereby providing an institutional precedent for integrating gender. Beyond the Council, global women's conferences were equally decisive. The 1975 World Conference on Women in Mexico City marked the UN's first formal engagement with women's rights as a global agenda, while the 1995 Beijing Platform for Action articulated concrete commitments to mainstream gender perspectives in peace and security. Resolution 1325 thus drew both on the Security Council's own evolving practice and on the normative momentum generated by decades of transnational feminist advocacy.

Resolution 1325 was thus the product of a rare alignment: the moral and evidentiary pressure of civil society activism, the normative groundwork laid by global gender equality frameworks, and the diplomatic dexterity of a Council presidency able to bridge geopolitical divides. Its passage institutionalised the recognition that women's protection and participation are integral to the Security Council's mandate — a principle that continues to define the legitimacy of the WPS agenda twenty-five years later.

### **1.3 Legal Foundations and Normative Infrastructure**

The Women, Peace and Security (WPS) agenda rests on the Security Council's mandate to maintain international peace and security.<sup>13</sup> Equally, the Charter affirms the purposes of promoting respect for human rights and fundamental freedoms without distinction as to sex.<sup>14</sup> These provisions furnish the Council with institutional authority to integrate gender considerations into its practice, including the design of peacekeeping mandates, the structuring of mediation efforts, and the imposition of sanctions regimes.<sup>15</sup>

In treaty law, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) requires States to eliminate discrimination and ensure equality in all

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<sup>13</sup> UN Charter, art. 24.

<sup>14</sup> UN Charter, art. 1(3).

<sup>15</sup> United Nations, 1945.

fields. General Recommendation No. 30 interprets these obligations specifically in conflict contexts, clarifying that States must prevent, investigate, punish, and remedy gender-based harms before, during, and after conflict.<sup>16</sup> International humanitarian law similarly embeds gender-specific protections: the Fourth Geneva Convention requires humane treatment and special safeguards for women,<sup>17</sup> while the Additional Protocols extend protection to civilians in armed conflict.<sup>18</sup> In parallel, international criminal law codifies accountability: the Rome Statute of the International Criminal Court classifies rape, sexual slavery, forced prostitution, forced pregnancy, and comparable acts as war crimes and crimes against humanity, with further specification in the Elements of Crimes.<sup>19</sup> Together, these regimes anchor WPS norms in binding international law that applies to both States and, through humanitarian law, to non-state armed groups.

Resolution 1325 itself sits at the intersection of hard and soft law. Adopted under the Council's thematic practice rather than Chapter VII, it is not formally binding in the strict sense. Yet it exerts substantial normative force. It interprets and operationalizes existing treaty obligations, structures Security Council working methods, and shapes the expectations of Member States and UN actors regarding women's participation, protection, and rights in conflict settings. In several contexts—including mandates in the Democratic Republic of Congo, Mali, and Afghanistan—WPS directives have been incorporated into binding Chapter VII resolutions, giving them enforceable effect on the ground.<sup>20</sup>

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<sup>16</sup> CEDAW, 2013.

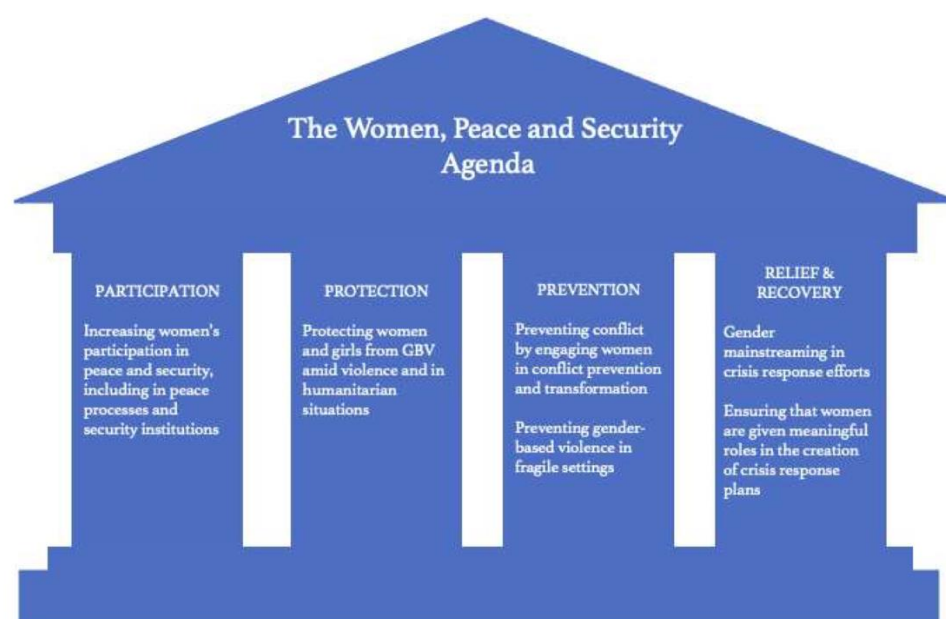
<sup>17</sup> UN Charter, art. 27.

<sup>18</sup> United Nations, 1949.

<sup>19</sup> International Criminal Court, 2024; International Criminal Court, 2011.

<sup>20</sup> United Nations Security Council, 2000.

### 1.3.1 The Four Pillars of WPS



Picture 2: The Four Pillars of WPS

Over time, UN policy and practice crystallised WPS into four mutually reinforcing pillars: participation, protection, prevention, and relief & recovery. These pillars remain the central organising framework for Security Council mandates, Secretary-General's reports, and monitoring mechanisms across the UN system.<sup>21</sup>

- **Participation.** This pillar underscores women's full, equal, and meaningful participation in peace processes, political decision-making, and post-conflict governance. It reflects both a democratic principle and an operational requirement: women's involvement improves peace agreement durability and ensures that recovery strategies address community needs. Security Council Resolution 2122 (2013) strengthened this pillar by demanding systematic WPS briefings and mandating women's representation in mediation processes.<sup>22</sup>
- **Protection.** The protection pillar affirms States' and parties' obligations to safeguard women and girls from sexual and gender-based violence, exploitation, and displacement during conflict. It is grounded in international humanitarian and

<sup>21</sup> UNDP; UN Women.

<sup>22</sup> United Nations Security Council, 2013b.

human rights law and further institutionalised through Resolutions 1820 (2008) and 1888 (2009), which recognised sexual violence as a tactic of war and created mechanisms such as the Special Representative on Sexual Violence in Conflict.<sup>23</sup>

- **Prevention.** Prevention emphasises addressing root causes of conflict and gender inequality, ensuring early warning systems integrate gender perspectives, and holding perpetrators accountable. It encompasses legal measures against impunity, security sector reform, and gender-sensitive disarmament, demobilisation and reintegration (DDR). Resolution 1960 (2010) operationalised prevention through the Monitoring, Analysis and Reporting Arrangements (MARA), linking patterns of sexual violence to Security Council sanctions deliberations (United Nations Security Council, 2010).
- **Relief and Recovery.** The final pillar focuses on ensuring that post-conflict recovery and humanitarian responses are gender-responsive. It requires women's equal access to resources, health care, education, and livelihood opportunities, and the integration of gender into disarmament and reconstruction processes. Resolution 2106 (2013) and Resolution 2467 (2019) both advanced this pillar, highlighting survivor-centred approaches and access to comprehensive services.<sup>24</sup>

### 1.3.2 Normative Expansion

The WPS agenda has been progressively developed through subsequent resolutions beyond 1325. These include Resolution 2242 (2015), which accelerated implementation by creating the Informal Experts Group and linking WPS to counterterrorism and sanctions work, and Resolution 2493 (2019), which reiterated the call for full implementation across all contexts.<sup>25</sup> Together, these resolutions have transformed WPS into an evolving legislative arc within the Council, progressively institutionalising its core principles.

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<sup>23</sup> United Nations Security Council, 2008; United Nations Security Council, 2009.

<sup>24</sup> United Nations Security Council, 2013a; United Nations Security Council, 2019a.

<sup>25</sup> United Nations Security Council, 2015; United Nations Security Council, 2019b.

### **1.3.3 Implementation Gaps and Ambiguities**

Despite this robust legal and normative infrastructure, implementation remains uneven. By mid-2025, 108 UN Member States had adopted WPS National Action Plans (NAPs), yet many lack costed budgets, measurable indicators, and robust monitoring. The 2015 Global Study on 1325 and the 2024 Secretary-General's report both document stagnation and even regression in key areas, underscoring political backlash against gender equality as a structural impediment. Persistent doctrinal ambiguities also constrain enforcement, including the legal force of thematic resolutions, the obligations of non-state armed groups, and the scope of extraterritorial application of human rights obligations in military operations. These issues leave enforcement fragmented and uneven across conflict theatres.<sup>26</sup>

## **1.4 Twenty-Five Years On — Metrics of Progress and Regression**

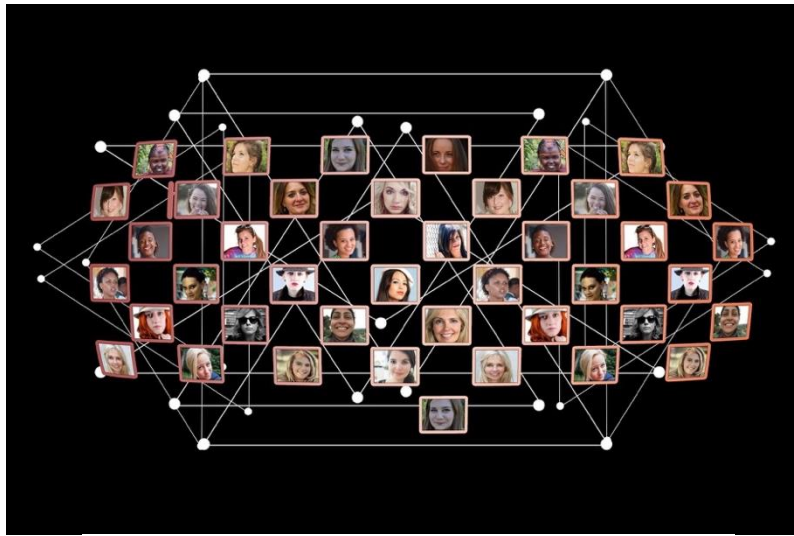
### **1.4.1 Global context and scale of challenge**

In the quarter-century since the unanimous adoption of Security Council Resolution 1325, the normative architecture of the Women, Peace and Security (WPS) agenda has expanded dramatically. Its language has permeated peacekeeping mandates, sanctions regimes, mediation frameworks, and domestic policy instruments. Yet the global environment in 2025 presents a paradox: the scope of the agenda is broader than ever, but the distance between normative ambition and practical implementation remains considerable. The population of women and girls living amidst armed conflict has grown substantially, reaching an estimated 612 million in 2023–2024.<sup>27</sup>

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<sup>26</sup> Women's International League for Peace and Freedom, 2025; United Nations Secretary-General, 2015; United Nations Secretary-General, 2024.

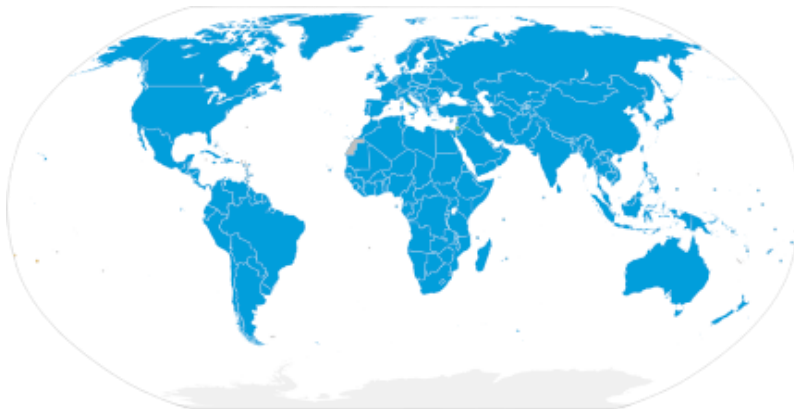
<sup>27</sup> UN Women, 2024.



*Picture 3: Global Women, Peace and Security Index 2021/2022*

Conflict-related sexual violence (CRSV) continues at alarming levels, with the Secretary-General documenting 3,500+ UN-verified incidents in 2023, and listing 58 parties—state and non-state—credibly suspected of systematic patterns of sexual violence in his annual CRSV annex. Despite rhetorical commitments, women’s participation in formal peace processes remains marginal: in 2023, they constituted approximately 5% of negotiators, ~10% of mediators, and ~10% of signatories in monitored Track-I processes.<sup>28</sup>

#### **1.4.2 National Action Plans — breadth without structural depth**



*Picture 4: 108 UN Member States*

As of January 2025, 108 UN Member States—representing just over 56% of the membership—have adopted WPS National Action Plans (NAPs). However, nearly one-third of these NAPs are currently outdated. Evaluations by UN Women and independent

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<sup>28</sup> UN Women, 2024.

researchers demonstrate recurrent structural deficits: absence of costed budgets, weak or absent performance indicators, and inadequate monitoring and evaluation mechanisms. These shortcomings undermine the credibility of national commitments and frequently result in plans that serve more as symbolic diplomatic instruments than as operational roadmaps for change.<sup>29</sup>

Comparative studies highlight that while some states—such as Sweden and Ireland—have developed NAPs with clear funding, robust accountability frameworks, and strong civil-society engagement, most plans, particularly in conflict-affected and high-risk contexts, remain underdeveloped. A cross-national review by Miller, Pournik, and Swaine (2014) shows that effective NAPs integrate inter-ministerial coordination, parliamentary oversight, and independent monitoring—features largely absent in countries where political will or resources are limited. This gap between design and implementation explains why NAPs often fail to drive structural change on the ground.<sup>30</sup>

#### **1.4.3 Integration into peacekeeping — incremental progress, structural constraints**

The incorporation of gender perspectives into peacekeeping operations has achieved notable, though insufficient, progress. Gender parity targets remain distant: women represent only 5.9–6.5% of military contingents, 14–16% of police personnel, and approximately 21% of military staff officers and observers.<sup>31</sup>

Institutional progress remains uneven. By early 2024, 8 of 12 active peacekeeping mandates had dedicated gender units, staffed by a total of 44 gender advisers or officers, while Women’s Protection Advisers were deployed in only 8 of the more than 20 settings requiring them under relevant Council resolutions.<sup>32</sup> Moreover, the Secretary-General has warned that mission drawdowns frequently result in the premature removal of gender expertise, thereby jeopardising gains in local capacity-building and institutional reform.

The question of women in senior leadership positions further exposes structural barriers. While NATO and some national militaries have promoted women to senior command roles,

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<sup>29</sup> United Nations Secretary-General, 2024.

<sup>30</sup> Miller, Pournik & Swaine, 2014.

<sup>31</sup> United Nations Secretary-General, 2024.

<sup>32</sup> United Nations Secretary-General, 2024.



they remain exceptions rather than the rule.<sup>33</sup> Institutional cultures, shaped by historically male-dominated hierarchies, often reproduce subtle forms of exclusion, signalling that gender mainstreaming is still perceived as peripheral rather than integral to military effectiveness.

Looking ahead, debates on diversity in security institutions are expanding beyond gender to encompass broader inclusion, including LGBTQ+ and transgender personnel. These discussions reflect both cultural resistance and the transformative potential of redefining what military and peacekeeping institutions should look like in the twenty-first century. As such, the WPS agenda's intersection with broader diversity and inclusion debates represents a critical frontier for sustaining momentum and legitimacy.<sup>34</sup>

#### **1.4.4 Illustrative case studies — when political will converges with institutional capacity.**

**Liberia (2003–2011):** The Liberian Women in Peacebuilding Network (WIPNET) and allied civil society groups exerted sustained pressure on negotiating parties, influencing the trajectory of the Accra Comprehensive Peace Agreement (2003). Although women's formal representation in the negotiations was negligible—no women served as chief negotiators or mediators—they comprised 17% of witnesses to the agreement.<sup>35</sup> The election of Ellen Johnson Sirleaf in 2005 and subsequent policy reforms illustrated how post-agreement political openings can enable



*Picture 5: Liberian women*

deeper integration of WPS principles. These included the 2009 National Gender Policy, legal reforms such as the Inheritance and Rape Laws, and gender-sensitive security sector

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<sup>33</sup> Global Defence Technology, 2019.

<sup>34</sup> United Nations Secretary-General, 2024.

<sup>35</sup> Council on Foreign Relations, n.d. Liberia — Women's participation in peace processes (interactive case study); Inclusive Peace, 2018.

reforms, which expanded women's rights, improved protection against gender-based violence, and increased female participation in public life.

**Bangsamoro (1996–present):** Women played significant roles in both grassroots peacebuilding and formal processes, celebrating milestones such as the 1996 Final Peace Agreement and the 2014 Comprehensive Agreement on the Bangsamoro. Yet while women's voices were central in mobilizing communities and sustaining dialogue, political will for their sustained participation weakened after the agreements, leaving many feeling sidelined despite their early contributions.<sup>36</sup>

**Colombia (2016–present):** The Final Accord between the Government and the FARC-EP incorporated a dedicated “gender approach,” with 130 gender-related stipulations identified by the Kroc Institute. While these provisions have delivered substantive benefits in victim-centred transitional justice and rural reform, implementation remains incomplete; the Kroc Institute's 2024 report found ~49% of gender commitments pending and warned that without renewed political commitment and financing, completion is unlikely within agreed timelines.<sup>37</sup>

#### **1.4.5 Persistent underperformance — emblematic failures**

**Central African Republic (CAR):** In 2023, MINUSCA recorded 290 cases of CRSV, with CAR parties named in the Secretary-General's CRSV annex.<sup>38</sup> Despite explicit WPS mandate language, gaps in dedicated gender expertise have required external capacity support, while funding remains inadequate.<sup>39</sup>

**Democratic Republic of the Congo (DRC):** As MONUSCO undergoes a phased drawdown, there is a heightened risk of reversals in WPS implementation. Armed group activity, including abuses by the M23, has strained residual mission capacity to deliver on WPS and protection mandates.<sup>40</sup>

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<sup>36</sup> Conciliation Resources, 2016.

<sup>37</sup> Kroc Institute for International Peace Studies, 2023, Kroc Institute for International Peace Studies, 2024.

<sup>38</sup> United Nations, 2024a.

<sup>39</sup> United Nations Security Council, 2024a.; Global Affairs Canada, 2024.

<sup>40</sup> EPON / NUPI, 2024; United Nations, 2024c.

**Haiti:** Allegations of sexual exploitation and abuse (SEA) by MINUSTAH personnel remain one of the starkest reputational crises for UN peacekeeping. Peer-reviewed research documents not only the scale of SEA but also the enduring socio-economic and legal consequences for survivors and peacekeeper-fathered children.<sup>41</sup> Current UN child protection reporting highlights rising CRSV perpetrated by armed gangs, further underscoring the absence of an effective WPS protection architecture in-country.<sup>42</sup>

#### **1.4.6 Structural analysis — norm diffusion without consistent delivery.**

After 25 years, the WPS agenda has achieved undeniable normative penetration: it is embedded in the Council’s thematic corpus, integrated into peacekeeping doctrine, and enshrined in national strategies. Yet, the transition from norm to practice remains contingent on political will, resourcing, and integration into the Council’s coercive and preventive instruments. Feminist scholarship has cautioned against the agenda’s co-optation, warning that without meaningful accountability, WPS risks being reduced to symbolic “window dressing” that legitimises militarised security policies without altering underlying gendered power structures.<sup>43</sup> The twenty-five-year stocktake suggests a clear pattern: where mandates are adequately resourced, politically prioritised, and locally embedded, WPS advances are tangible and sustainable; where these conditions are absent, implementation stagnates or reverses.

At the same time, the evolution of WPS strategies must be viewed against the backdrop of broader global transformations. Over the past quarter century, conflict dynamics have been reshaped by rapid technological change, including cyber warfare, digital disinformation, and the weaponisation of surveillance, all of which carry distinct gendered impacts yet remain only partially reflected in WPS frameworks.<sup>44</sup> Similarly, the security consequences of climate change—such as displacement, resource competition, and heightened vulnerability of marginalised groups—pose challenges that early NAPs did not anticipate, raising questions of adaptability.<sup>45</sup> Shifts in the geopolitical order, including

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<sup>41</sup> Bartels, S.A., Scott, J., Leaning, J., Kelly, J., Mukwege, D., & VanRooyen, M., 2021.

<sup>42</sup> United Nations, 2024d.

<sup>43</sup> Ní Aoláin, F., 2016; Shepherd, L.J., 2016.

<sup>44</sup> Council on Foreign Relations, 2021.

<sup>45</sup> UNDP, 2022.

renewed great-power competition and the rise of non-state armed actors, have further complicated implementation, often sidelining gender priorities in favour of strategic or military objectives.<sup>46</sup> Finally, broader sociological changes—such as movements for LGBTQ+ rights, recognition of diverse gender identities, and debates over intersectionality—are testing whether WPS instruments are sufficiently flexible and inclusive to respond to evolving understandings of security.<sup>47</sup> Evidence suggests that while some plans have begun to address these dimensions, many remain narrowly framed, limiting their capacity to deliver on the agenda’s transformative promise.<sup>48</sup>

### **1.5 The Security Council in 2025 — Geopolitical Terrain**

The geopolitical landscape in 2025 shows a fragmented Security Council, operating amidst a palpable erosion of trust in multilateral institutions and increasingly fragile international alliances. This intricate backdrop profoundly influences both the discourse surrounding and the practical implementation of the (WPS) framework. Rather than approaching it from a unified set of foundational principles, the permanent five members (P5)—China, France, Russia, the United Kingdom, and the United States—tend to interpret and engage with it through the prism of their broader strategic imperatives.<sup>49</sup> While the P5 ultimately granted the Resolution’s approval in 2000, their underlying motivations were far from monolithic. The United States and the United Kingdom, for instance, frequently champion the integration of human rights concerns with security objectives. They likely underscored how embedding gender perspectives within peacekeeping operations could enhance on-the-ground effectiveness and align seamlessly with their existing defence doctrines.<sup>50</sup> Conversely, China and Russia likely perceived the resolution as a largely symbolic gesture, taking care to ensure that it could not be construed as authorizing binding enforcement under Chapter VII<sup>51</sup>. One can see that both nations generally exhibit a cautious stance towards any measure that might be perceived as a pretext for infringing upon state sovereignty. France, in its characteristic role, often sought to bridge these divides,

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<sup>46</sup> United Nations Secretary-General, 2024.

<sup>47</sup> Inclusive Peace, 2018.

<sup>48</sup> United Nations Secretary-General, 2024.

<sup>49</sup> European External Action Service, 2025.

<sup>50</sup> Council on Foreign Relations, 2023.

<sup>51</sup> United Nations Security Council, 2000.

emphasizing the universal nature of rights while striving to prevent the Council from fracturing under the weight of competing national interests.

The ten elected members (E10)— Algeria, Denmark, Greece, Guyana, Panama, Pakistan, Republic of Korea, Sierra Leone, Slovenia, and Somalia —bring an even more diversity of perspectives to the WPS agenda. Their positions are frequently shaped by domestic political considerations and pressing regional needs. In addition, it is often observed that each elected member's tenure on the Security Council is underpinned by support consistent with the strategic objectives of one or more major powers. Slovenia, for example, has consistently championed WPS, advocating for more robust oversight and accountability, a stance undoubtedly influenced by its affiliations with the EU and NATO. Indeed, Slovenia has consciously endeavoured to integrate gender considerations into the very essence of its development, defence, and diplomatic efforts, mirroring models established by nations such as Sweden and Ireland.<sup>52</sup> Sierra Leone's approach, by contrast, has been profoundly shaped by its own harrowing experiences with conflict-related sexual violence, focusing on accountability and prevention in its policy formulations.<sup>53</sup> Pakistan, while supportive of the WPS agenda, engages with it more cautiously, primarily viewing it through a traditional security lens. South Korea has strategically linked WPS to broader peacebuilding efforts on the Korean Peninsula, underscoring the indispensable role of women's participation in achieving lasting security. Meanwhile, smaller nations like Panama and Guyana have leveraged the WPS framework to highlight broader concerns of justice within the UN system. Denmark has consistently advocated for more stringent monitoring and accountability mechanisms.

### **1.6 New-Age Threats to the WPS Framework**

A quarter century after Resolution 1325, the Women, Peace and Security (WPS) framework confronts a new generation of threats that challenge its legitimacy, inclusiveness, and practical relevance. These pressures stem from technological, environmental, ideological, and institutional shifts that have redefined the nature of conflict and security.

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<sup>52</sup> Miller, Pournik & Swaine, 2014.

<sup>53</sup> Cohn, 2008.

The politicization of intersectionality has become a major fault line, as efforts to include LGBTQ+ persons, people with disabilities, and other marginalized identities within WPS mandates encounter resistance from states that portray such inclusion as culturally intrusive or politically divisive.<sup>54</sup> Simultaneously, digital authoritarianism has emerged as a critical frontier: surveillance technologies, spyware, and online harassment are increasingly weaponized to silence women peacebuilders, with algorithmic targeting amplifying disinformation and intimidation.<sup>55</sup>

Climate-driven displacement has intensified gendered insecurity among rural, indigenous, and stateless women, yet most National Action Plans remain ill-equipped to address these environmental realities.<sup>56</sup> Resource-based militarization further fuels violence, as extractive economies entrench conflict dynamics and enable sexual exploitation in mineral-rich zones.<sup>57</sup> At the same time, anti-gender movements and populist backlash have curtailed civil-society participation, rolled back legal protections, and reframed feminist advocacy as a threat to national identity.<sup>58</sup>

Fragile multilateralism and geopolitical polarization have weakened consensus within the Security Council, leading to selective implementation of WPS norms aligned with donor interests rather than universal principles.<sup>59</sup> In some contexts, feminist organizations face delegitimization campaigns that label them “foreign agents,” while securitized migration regimes continue to exclude gender-based persecution from asylum protection.<sup>60</sup> Finally, peacekeeping overstretch and mandate fatigue have resulted in inconsistent gender training and premature withdrawal of Women’s Protection Advisers, eroding gains achieved over two decades.<sup>61</sup>

Together, these converging threats expose the fragility of the WPS framework in an era of digital repression, climate insecurity, and ideological polarization. Safeguarding its

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<sup>54</sup> Cohn, 2008; Davies & True, 2019.

<sup>55</sup> Gagliardone et al., 2020; Fazal & Schulz, 2022.

<sup>56</sup> Dankelman, 2010; Detraz, 2017.

<sup>57</sup> Autesserre, 2010; True, 2012.

<sup>58</sup> Kuhar & Paternotte, 2017; Ní Aoláin, 2016.

<sup>59</sup> Bell & O’Rourke, 2020; Pratt, 2013.

<sup>60</sup> Freedman, 2016; True & Riveros-Morales, 2019.

<sup>61</sup> UN Secretary-General, 2024.

transformative potential requires not only reaffirming its normative foundation but adapting its mechanisms to a world in which the boundaries between peace, conflict, and technology are increasingly blurred.

### **1.7 Reimagining WPS — A Post-2025 Strategic Framework**

As the Women, Peace and Security (WPS) agenda enters its next phase, it must evolve from a normative declaration into an enforceable system of governance. The post-2025 framework should prioritise legal precision, measurable commitments, and sustained participation. Embedding gender provisions in sanctions regimes, mediation toolkits, and peacekeeping mandates would ensure that WPS principles become integral to the Security Council's operational practice rather than remaining symbolic.<sup>62</sup> Given persistent veto politics and polarization, middle-power presidencies such as Sierra Leone can act as strategic brokers, translating field-level experience into actionable reform.<sup>63</sup> Compliance should be tied to results-based funding and independent verification mechanisms to ensure transparency and credibility.<sup>64</sup>

A resilient WPS architecture will depend on shared ownership and local empowerment. Cross-regional coalitions, women-led platforms, and religious or traditional leaders can localize commitments and sustain legitimacy. Permanent consultative status for civil society in Council processes would institutionalize participation beyond symbolic briefings.<sup>65</sup>

Ultimately, reimagining WPS requires balancing legal enforceability with political realism and local agency. Its success will be measured not by resolutions passed, but by the enduring influence of women in shaping peace and security across all contexts.

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<sup>62</sup> Bell & O'Rourke, 2020; Davies & True, 2019.

<sup>63</sup> True & Riveros-Morales, 2019.

<sup>64</sup> Pratt, 2013.

<sup>65</sup> Cohn, 2008.

## 1.8 Further Reading

United Nations Development Programme. (2019). Parliaments as Partners Supporting the Women Peace and Security Agenda: A Global Handbook. United Nations Development Programme. [https://www.undp.org/sites/g/files/zskgke326/files/publications/Parliament\\_as\\_partners\\_supporting\\_the\\_Women\\_Peace\\_and\\_Security\\_Agenda\\_-\\_A\\_Global\\_Handbook.pdf](https://www.undp.org/sites/g/files/zskgke326/files/publications/Parliament_as_partners_supporting_the_Women_Peace_and_Security_Agenda_-_A_Global_Handbook.pdf). This handbook provides a comprehensive guide for parliaments on how to effectively engage with and support the Women, Peace and Security agenda.

United Nations Security Council. (2000, October 31). Resolution 1325 (2000). United Nations. [https://undocs.org/S/RES/1325\(2000\)](https://undocs.org/S/RES/1325(2000)). This is the original foundational document of the resolution itself, which serves as the basis for all subsequent work in the field of women, peace, and security.

United Nations Secretary-General. (2015). Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325. UN Women. [https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps\\_en\\_web.pdf](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/globalstudywps_en_web.pdf). This 2015 global study offers an in-depth analysis of the implementation of Resolution 1325 during its first 15 years, including obstacles and best practices. It provides a comprehensive overview of the resolution's impact.

Committee on the Elimination of Discrimination against Women (CEDAW). (2013). General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations (CEDAW/C/GC/30). United Nations. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?Lang=en&symbolno=CEDAW%2FC%2FGC%2F30](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?Lang=en&symbolno=CEDAW%2FC%2FGC%2F30). This CEDAW general recommendation is crucial as it elaborates on how the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) relates to Resolution 1325 and how member states should respond to the specific needs of women in conflict and post-conflict situations.



### **1.9 Strategic Questions for Debate**

- i. Can CRSV and other WPS-related violations trigger sanctions or Chapter VII action?
- ii. Is a 30% gender quota in transitional governments diplomatically viable or operationally unrealistic?
- iii. What institutional mechanisms can prevent superficial or performative NAP implementation?
- iv. Should WPS participation be guaranteed in Security Council consultative processes?
- v. In prolonged Council deadlock, who exercises real WPS leadership—and how can it be sustained?
- vi. Are regional or thematic coalitions more effective in advancing WPS post-2025?
- vii. How can the Council respond to anti-gender disinformation without politicizing the WPS agenda?
- viii. How can rapid and effective responses be ensured in crisis-affected areas—should a special WPS task force be established?
- ix. How can space be created for young women and adolescent girls to meaningfully participate in peace and security processes?
- x. How can WPS initiatives be implemented in ways that respect or navigate local cultural norms without compromising core gender equality principles?

## **1.9 Conclusion**

Twenty-five years after the adoption of Resolution 1325, the Women, Peace and Security agenda stands at a decisive crossroads. Its normative influence is undeniable—gender perspectives are now embedded across UN mandates, peacekeeping operations, and national frameworks—but its transformative potential remains constrained by inconsistent implementation, political polarization, and resource shortfalls. The gap between rhetoric and practice continues to expose the fragility of global commitments to women’s participation, protection, and leadership in peace processes.

Looking ahead, the agenda’s credibility will depend on shifting from voluntary compliance to enforceable governance, aligning political will with measurable accountability, and anchoring global commitments in local ownership. Strengthening verification, funding, and civil-society participation can transform WPS from a moral aspiration into an operational norm of international peace and security.

As the international community moves beyond the twenty-fifth anniversary, the central question is not whether the WPS framework remains relevant—it does—but whether states and institutions possess the resolve to make it binding, inclusive, and durable. The future of global peacebuilding will hinge on whether women are recognized not only as beneficiaries of peace but as its indispensable architects.

## 2. TOPIC B: Addressing the Disproportionate Effect of Armed Conflicts on Children

### 2.1 Introduction

*“In a world affected by protracted conflict, displacement and crumbling humanitarian norms, children are often the first to suffer and the last to be protected. What is at stake is not abstract. It’s a child missing a meal, a girl denied schooling, a boy conscripted by force, a family pushed to flee once again.”*

— Bruno Atieh, UN Security Council Open Debate on Children and Armed Conflict



Picture 6: Children flee from their homes, June 8

Children are not merely caught in the crossfire of armed conflict — they are often its most deliberate and devastating casualties. In the chaos of war, their rights are stripped away, their bodies violated, and their futures dismantled. The scale of this crisis is staggering: in 2024 alone, the United Nations verified 41,370 grave violations against children in armed conflict — the highest number ever recorded. 22,495 children were directly affected and their lives were irreversibly altered by violence.<sup>66</sup>

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<sup>66</sup> Office of the Special Representative of the Secretary-General for Children and Armed Conflict, 2025.

Among the most harrowing consequences of war is (the use of) sexual violence against children. Girls and boys are subjected to rape, sexual slavery, and exploitation, often as a calculated tactic of terror and control. These crimes leave deep psychological wounds and are frequently committed with impunity, especially in regions where law and order have collapsed.<sup>67</sup> In 2024, incidents of rape and sexual violence on children in war zones increased by 34 %, with Haiti alone witnessing a 1.000 % surge in reported cases — a horrifying reflection of the scale and severity of abuse.<sup>68</sup>

Starvation, too, has become a weapon of war. In besieged regions, children are deprived of food not by accident, but by design. Blockades, destruction of agricultural infrastructure, and the denial of humanitarian access leave them to suffer slow, agonizing deaths. Malnutrition weakens immune systems, stunts growth, and impairs cognitive development. According to Save the Children<sup>69</sup>, 18,2 million children were born into hunger in 2024 and more than 600.000 children in conflict zones could die from extreme hunger before the end of this year — a statistic that underscores the urgency of humanitarian intervention. Despite coordinated efforts by the international community to deliver food and water to conflict zones, these resources are frequently diverted for military use. In many cases, humanitarian aid is seized, rationed, or distributed in ways that prioritize armed forces over civilian populations, in direct violation of international humanitarian law, including the Geneva Conventions and the Rome Statute of the International Criminal Court.<sup>70</sup> This systematic misappropriation of aid exacerbates civilian suffering and constitutes a breach of the obligation to protect non-combatants – particularly children – in times of war.

In modern armed conflicts, the deliberate poisoning of air, water, and soil through chemical agents has become a devastating method of warfare, violating international humanitarian law and environmental protections. Chemical weapons such as sarin, chlorine gas and white phosphorus have been used in populated areas, causing acute illness, long-term developmental harm and environmental degradation. Children are especially vulnerable,

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<sup>67</sup> UNICEF, December 2024.

<sup>68</sup> United Nations News, 2024.

<sup>69</sup> Save the Children, 2024.

<sup>70</sup> Jenkins, p. 8-13, 2024.

as toxic exposure affects their growth, immunity and cognitive development. These substances persist in ecosystems, contaminating drinking water and farmland, and turning schools and hospitals into hazardous zones. Such attacks represent a form of ecological warfare that deepens displacement, hunger, and trauma among civilian populations—particularly children.<sup>71</sup>

Education, a fundamental right and a cornerstone of peacebuilding, is under siege. Armed conflict not only deprives children of access to schooling but turns educational institutions into battlegrounds. Schools are being bombed, occupied, and repurposed for military use, stripping children of safe spaces to learn and grow. 52 million children globally are currently out of school due to conflict, many missing more than a year of education. Meanwhile, attacks on schools rose by 44 % in 2024, further endangering those who dare to attend schools.<sup>72</sup>

Access to health services is not a luxury in times of war — it is a lifeline. For children, especially newborns and infants, the availability of medical care can mean the difference between life and death. Armed conflict often targets or collapses healthcare infrastructure, leaving maternity hospitals destroyed and vaccination programs suspended. This disruption exposes children to preventable diseases and denies them critical early care. The denial of medical assistance and attacks on healthcare facilities violate international humanitarian law.<sup>73</sup> In war zones, where vulnerability is highest, the protection of health services must remain a non-negotiable priority.

Displacement compounds these traumas. Armed conflict tears families apart, forcing children into overcrowded camps, exposing them to exploitation, and severing their access to basic services. Children make up 49 % of all internationally displaced people, despite representing only 30 % of the global population. Every day, 10.000 children are newly

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<sup>71</sup> Ghosh, 2023.

<sup>72</sup> Global Coalition to Protect Education from Attack, n.d.

<sup>73</sup> Haar et al., 2021.

displaced due to armed conflict — a staggering figure that reflects the relentless nature of war.<sup>74</sup>

The recruitment and use of child soldiers remains one of the most egregious violations of international humanitarian law. Children are abducted, coerced, or manipulated into joining armed groups, often forced to commit atrocities.<sup>75</sup> This practice robs them of their innocence and exposes them to extreme trauma. Thousands of children, some as young as eight years old, are recruited or used in armed conflicts each year — a grim testament to the weaponization of childhood.<sup>76</sup>

And yet, these numbers are not just statistics — they are stories of real children. Each figure represents a life interrupted, a family shattered, a future stolen. The girl who walks miles for food only to be turned away. The boy who sleeps in a bombed-out classroom, clutching a textbook he can no longer read. The infant whose body fails before their name is ever spoken. These are the faces behind the data — and they demand not only our attention, but our action.

As Bruno Atieh said: *“Let us ensure that access, protection, and accountability for children in armed conflict remain front and centre — not as optional considerations, but as foundational commitments.”*

## 2.2 Introduction of some basic terms and concepts

To effectively address the disproportionate impact of armed conflict on children, it is essential to understand the key terms and concepts that define the scope of this crisis. These terms are not only used in humanitarian and legal discourse but also form the basis of international responses and policy-making.

**Child (international law):** According to Article 1 of the United Nations Convention on the Rights of the Child (1989) » [...] *a child means every human being below the age of eighteen*

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<sup>74</sup> UNICEF, 2021.

<sup>75</sup> UNICEF, 2007.

<sup>76</sup> UNICEF, April 2024 and United Nations News, December 2024.

*years unless, under the law applicable to the child, majority is attained earlier.»*<sup>77</sup> This definition is widely adopted across international and regional legal frameworks, including the African Charter on the Rights and Welfare of the Child and serves as the legal foundation for child protection in humanitarian law, human rights law and international criminal law.

**Grave Violations:** The United Nations has identified six grave violations against children in armed conflict: killing and maiming, recruitment and use of child soldiers, sexual violence, abduction, attacks on schools and hospitals and denial of humanitarian access.<sup>78</sup> These violations are monitored through the UN's Monitoring and Reporting Mechanism (MRM) and are considered serious breaches of international law.

**Monitoring and Reporting Mechanisms (MRM):** The Monitoring and Reporting Mechanism (MRM) was established in 2005 through UN Security Council Resolution 1612 to systematically document and respond to six grave violations committed against children in situations of armed conflict. The MRM is designed to ensure the accurate, timely and objective collection of information on these violations. This data informs UN reports, including the annual report of the Secretary-General on Children and Armed Conflict and supports advocacy, accountability and the development of Action Plans with parties to conflict. The mechanism is managed by Country Task Forces on Monitoring and Reporting (CTFMR), co-chaired by UNICEF and the highest-ranking UN representative in-state.<sup>13</sup>

**Child Soldiers:** Children under the age of 18 who are recruited or used by armed forces or groups in any capacity — including fighters, cooks, porters, messengers or for sexual purposes. The recruitment of children is prohibited under international humanitarian law and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.<sup>79</sup>

**Sexual Violence in Conflict:** This includes rape, sexual slavery, forced prostitution, forced pregnancy, and other forms of sexual abuse committed against children during armed

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<sup>77</sup> United Nations General Assembly, 1989.

<sup>78</sup> Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Monitoring and Reporting on Grave Violations*, n.d.

<sup>79</sup> United Nations Peacekeeping, n.d.

conflict.<sup>80</sup> It is often used as a weapon of war to terrorize communities and destroy social cohesion.

**Starvation as a Weapon of War:** The deliberate denial of food, destruction of agricultural infrastructure and obstruction of humanitarian aid are tactics used to weaken populations. Under the Rome Statute of the International Criminal Court, intentionally starving civilians is considered a war crime.<sup>81</sup>

**Internally Displaced Persons (IDPs) and Refugees:** People who are forced to flee their homes due to conflict may become IDPs (displaced within their own state) or refugees (crossing international borders). Displacement exposes children to heightened risks of exploitation, trafficking and loss of access to education and healthcare.<sup>82</sup>

**Attacks on Education:** Armed groups often target schools, either to destroy them or repurpose them for military use. The Safe Schools Declaration, endorsed by over 100 states, aims to protect education from attack and ensure continuity of learning during conflict.<sup>83</sup>

**Psychosocial Support:** This refers to services that address the psychological and emotional needs of children affected by conflict. Trauma, grief and anxiety are common among children in war zones, and psychosocial support is critical for recovery and reintegration.<sup>84</sup>

**International Humanitarian Law (IHL):** A body of law that regulates the conduct of armed conflict and seeks to protect civilians, especially children. Key instruments include the Geneva Conventions, the Convention on the Rights of the Child (CRC), and the Rome Statute of the ICC.

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<sup>80</sup> United Nations Peacekeeping, n.d.

<sup>81</sup> International Committee of the Red Cross, n.d.

<sup>82</sup> UNHCR, 2021.

<sup>83</sup> Global Coalition to Protect Education from Attack, n.d.

<sup>84</sup> Arega, 2023, p. 1431–1456.



## 2.3 Historical Background

The deliberate targeting of children in armed conflict is not a new phenomenon, but its recognition as a distinct humanitarian and security crisis has evolved significantly over time. Historically, children were seen as passive victims of war — displaced, orphaned or traumatized by violence. However, by the late 20th century, the international community began to understand that children were not merely collateral damage, but often strategically targeted — recruited as soldiers, subjected to sexual violence, denied food and healthcare and stripped of access to education. This shift in understanding is echoed in literature and film. In *The Bridge on the Drina* by Ivo Andrić, the abduction of a young boy by Ottoman forces illustrates how children were historically instrumentalized by empires for military and political purposes.<sup>85</sup> Similarly this theme continues in the Bosnian documentary *Djeca Sarajeva (Children of Sarajevo)*, which memorializes children killed during the siege of Sarajevo<sup>86</sup>, offering a poignant reminder of how war continues to shape and scar childhoods across generations.

The following historical examples illustrate that war does not just interrupt childhood — it reconstructs it into something unrecognizable, often leaving lifelong psychological and physical scars.

This evolving understanding of children's roles in conflict is not only reflected in modern literature and film, but also rooted in ancient history. In Sparta, children were not merely passive observers of war—they were systematically prepared for it. From the age of seven, boys were enrolled in the agoge, a rigorous state-run training program that emphasized endurance, obedience, and martial skill. These children were molded into warriors through physical hardship and psychological conditioning, their identities shaped by the expectation of future combat.<sup>87</sup> Yet even more harrowing is the example of Carthage during the Punic Wars, where children were not trained for war but sacrificed to influence its outcome. Archaeological evidence from tophet burial sites and historical accounts suggest

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<sup>85</sup> SuperSummary, n.d.

<sup>86</sup> Balkan Diskurz, 2024.

<sup>87</sup> Mark, 2021.

that Carthaginians offered infants and young children to the gods Ba'al Hammon and Tanit during times of military crisis. These ritual sacrifices were acts of desperation, intended to secure divine favor in the face of looming defeat.<sup>88</sup> In this context, children became symbolic instruments of war — offered not for their potential as fighters, but for their perceived spiritual power to sway the fate of a city under siege.

In more recent history, the wars in Bosnia and Sierra Leone have shown how children continue to be both victims and tools of conflict. In Bosnia, the siege of Sarajevo and ethnic cleansing campaigns left thousands of children dead, orphaned or permanently scarred — physically and emotionally. The documentary *Djeca Sarajeva*<sup>89</sup> captures this trauma, memorializing the young lives lost and the enduring pain of those who survived. In Sierra Leone, children were abducted and forced into armed groups, trained to kill, and subjected to horrific abuse. Many were drugged and desensitized to violence, their childhoods erased



Picture 7: A young "Sergeant Major" 1939.

by the brutal logic of war.<sup>90</sup>

Throughout history, children have suffered immensely in war. During World War I and II, millions of children were killed, separated from their families, or forced into labor. In Vietnam, children were exposed to chemical warfare and mass displacement. In Cambodia, the Khmer Rouge regime executed children and indoctrinated others into violent ideology.

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<sup>88</sup> Quinn et al., 2024.

<sup>89</sup> Balkan Diskurz, 2024.

<sup>90</sup> Betancourt et al., 2020.

The transition from broad principles to concrete protection for children in armed conflict began with the Geneva Conventions and customary international law. The Geneva Conventions of 1949, together with their 1977 Additional Protocols, established the foundational obligation to protect civilians—including children—from the effects of hostilities. While these instruments did not initially single out children, they recognized the need for »*special respect*« and care for children as part of the civilian population. Article 77 of Additional Protocol I was a significant development, explicitly prohibiting the recruitment and direct participation of children under fifteen in hostilities and mandating their protection and care.<sup>91</sup>

Customary international law has since reinforced these obligations, recognizing the prohibition of child recruitment and the necessity of safeguarding children's rights as binding norms. Notably, the evolution from a general civilian protection clause to concrete, child-specific measures was gradual: the special protection of children as a vulnerable group emerged alongside, rather than after, the prohibition on child soldiers.<sup>92</sup> This legal progression reflects the growing recognition that children are uniquely susceptible to the harms of war and require distinct, enforceable safeguards under international law.

The 1989 Convention on the Rights of the Child (CRC) marked a turning point. As the most widely ratified human rights treaty in history, it established a comprehensive framework for child protection. Central to the CRC is the principle of the best interests of the child (Article 3), which must guide all decisions affecting children. In conflict settings, this principle demands that humanitarian access, protection from violence and the preservation of dignity and development be prioritized, even amidst military operations. It implies that children must be shielded from recruitment, sexual exploitation and displacement and that their education and psychosocial well-being must be safeguarded.<sup>93</sup>

This framework was further strengthened by the Optional Protocol to the CRC on the involvement of children in armed conflict (2000), which raised the minimum age for direct

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<sup>91</sup> Singer, 1986, p. 133–168.

<sup>92</sup> International Committee of the Red Cross, n.d.

<sup>93</sup> United Nations, *Convention on the Rights of the Child*, 1989.

participation in hostilities to 18 years and prohibited the compulsory recruitment of children under 18 into armed forces.<sup>94</sup> It also obliges states to take all feasible measures to prevent the recruitment and use of children by armed groups, and to support the rehabilitation and reintegration of former child soldiers.

The 1990s brought global attention to the systematic abuse of children in wars in Rwanda, Sierra Leone, the Balkans and Liberia. These atrocities — including mass recruitment, sexual violence and targeted killings — led to the landmark 1996 Graça Machel Report<sup>95</sup> - The Impact of Armed Conflict on Children. Commissioned by the UN General Assembly, it was the first to comprehensively document the scale of violence against children in war. It led to the creation of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG-CAAC) in 1997, institutionalizing child protection within the UN system.

Over the following decades, the international community developed a robust framework of protection. The UN Security Council began addressing the issue directly, recognizing that the abuse of children in conflict is not only a humanitarian concern but a threat to international peace and security. Children who are denied education, traumatized or radicalized are more likely to be drawn into cycles of violence, undermining peacebuilding and post-conflict recovery. The destabilization of entire generations poses long-term risks to regional and global stability — making child protection a strategic imperative, not just a moral one.

Parallel global initiatives reinforced this momentum. The Paris Principles (2007) provided guidelines for the release and reintegration of child soldiers. The Global Coalition to Protect Education from Attack (GCPEA) was formed to address the militarization of schools.<sup>96</sup> NGOs such as Save the Children, War Child and Child Soldiers International expanded their operations in war zones, offering psychosocial support, education and family reunification.

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<sup>94</sup> United Nations, *Optional Protocol*, 2000.

<sup>95</sup> Graça, 1996.

<sup>96</sup> Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Child recruitment and use*, n.d.

Despite these frameworks, violations persist. In Haiti, for example, child recruitment surged by 70% in 2024, with children now comprising up to half of all armed group members.<sup>97</sup> This spike reflects a broader collapse of protection systems, driven by poverty, displacement and the breakdown of law and order. Meanwhile, 48.8 million children were displaced by conflict and violence globally by the end of 2024 — nearly triple the number from 2010.<sup>98</sup> These children face heightened risks of trafficking and exploitation.

These figures reflect a widening gap between the norms established to protect children and their implementation in the field. The Security Council's continued engagement — through peacekeeping mandates, sanctions, and monitoring mechanisms — underscores the recognition that protecting children is not optional; it is essential to global stability.

From the genocide in Rwanda to the wars in Syria, Yemen, Ukraine, and Palestine, the world has repeatedly witnessed the destabilizing consequences of failing to protect children. The historical record is clear: while progress has been made in building legal and institutional frameworks, enforcement remains dangerously inadequate. Understanding this trajectory is essential — but it is the present crisis that demands the most urgent and decisive action.

The patterns of abuse are no longer confined to history books. They are unfolding in real time, in places like Gaza and Ukraine, where childhood itself is under siege.

## **2.4 General legal framework**

The current international order was formed in the aftermath of the World War II to promote stable and peaceful cooperation between the states and to ensure that the individual human life is respected in terms of Kantian ethics as »an end in itself« as opposed to the Machiavellian conception as »a means to an end« as it used to be in the past. After the war the League of Nations was replaced with the United Nations, which to this day serves as a forum for international diplomacy and conflict resolution. The United Nations was founded by the document called **The Charter of the United Nations**,<sup>99</sup> which laid the foundation for

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<sup>97</sup> UNICEF, April 2024.

<sup>98</sup> Office of the Special Representative of the Secretary-General for Children and Armed Conflict, 2025.

<sup>99</sup> United Nations. (n.d.). UN Charter. United Nations.

the development of new international law and legal framework to protect children impacted by the armed conflict.

Contemporary international legal order is primarily based on the concept of universal human rights. This concept became prominent because it was adopted as a central in the new world order. The United Nations promoted it by adopting a **Universal Declaration of Human Rights (UDHR) in 1948**, and later in 1966 **International Covenant on Civil and Political Rights (ICCPR)** and **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, as well as **Convention on the Rights of the Child (CRC)** in 1989. Following the trend also other states began to include human rights into their constitutions and form regional organizations for human rights protection. Today the concept of universal human rights is widely adopted and respected.

The mention trend led to adoption of The **European Convention on Human Rights (ECHR)** in 1950, followed by the adoption of **American Convention on Human Rights (ACHR)** in 1969, the **African Charter on Human and Peoples' Rights** in 1981, the **Arab Charter on Human Rights** in 2004 and the **ASEAN Human Rights Declaration** in 2012.

Adoption of the documents was a prominent step in promotion of relatively modern concept of human rights. The law without enforcement, however, does not really hold much weight – *gladius legis custos*. Hence several international mechanisms were established to protect the human rights by offering the mechanism to prosecute those who do not respect them. That lead to establishment of several international courts and tribunals. Historical trend was from ad hoc courts to the permanent judicial bodies. The first international criminal courts were **International Criminal Tribunal for the Former Yugoslavia (ICTY)**, established in 1993, **International Criminal Tribunal for Rwanda (ICTR)**, established a year later, **Special Court for Sierra Leone (SCSL)**, established in 2002, which were all ad hoc tribunals. In 2002, however, the **International Criminal Court (ICC)**, was established as a permanent body within the United Nations.<sup>100</sup> It is important to

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<sup>100</sup> One should know that also the **International Court of Justice (ICJ)**, established in 1945, deals with international crimes, such as genocide. The more prominent case recently was the ruling against Israel, brought to the court by the Republic of South Africa.

be familiar with the basics of international criminal law as many of the specific impacts on children are classified as war crimes and hence prosecuted within the ICC.

Within this general framework for human rights protection, its bodies as well as within the United Nations the Effects of Armed Conflicts on Children were not unseen. The general documents contain several provisions directly applicable to protection of children finding themselves in zones of conflict.<sup>101</sup> In addition, several specific documents addressing the issue were adopted.<sup>102</sup> More about them in the following paragraphs.

#### **2.4.1 International Legal Framework for Protection of Children in the Armed Conflicts**

Now, let's take a closer look at some of the key documents of international law that address the issue of Effects of Armed Conflicts on Children more systematically.

The oldest framework adopted in this matter are four **Geneva Conventions** (particularly IV and its additional protocols I and II), that serve as a cornerstone of international humanitarian law, protecting civilians in armed conflicts. The first and the second Geneva Conventions, while being focused on wounded soldiers and shipwrecked, also for example provide rules that children are to be given medical care without discrimination. Almost all the general provisions that would apply to grown ups are also applied to child soldiers and children who do not fight.

Especially important is, however, the fourth Geneva convention, adopted in 1949 with its additional protocols adopted in 1977. General provisions of the convention protect children from violence and other inhumane treatment, while special articles provide special protection for children. To name a few; Article 24 protects orphaned children or those separated from their families. Article 50 protects children who find themselves in occupied territories. Article 14 demands for an establishment of special safety zones to protect

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<sup>101</sup> For example, the recruitment and use of child soldiers is a war crime under Article 8(2)(b)(xxvi) of the Rome Statute for international conflicts and Article 8(2)(e)(vii) for non-international conflicts. For more check the case Prosecutor v. Thomas Lubanga

<sup>102</sup> Look for example the IV Geneva Convention, 1949 with its Additional Protocols and Convention on the Rights of the Child.

children, elderly and pregnant women from the effects of war, while Article 17 calls for evacuation of children from besieged or encircled areas.

Protocols expand on state obligations beyond the original scope of convention. Both are elaborate and detailed, containing numerous provisions pertaining to child welfare during the conflict. For example, Article 73 addresses the refugees and stateless persons, while Article 74 calls for reunion of the families dispersed as a result of the armed conflict. The last and also the most important are Article 77 and Article 78 of the First Additional protocol to the Fourth Geneva Convention. The first addresses the protection of children, while the latter their evacuation. Both articles are detailed and need to be thoroughly examined by anyone studying children protection within the context of armed conflicts. The second additional protocol to the Convention prohibits recruitment of children under 15, ensures their education and care as well as intends to prevent their separation from their families. Also, the children are to be excluded from the death penalties if they were under 18 when they committed an offense.

If children already are a part of a fighting unit in an armed conflict regardless of the nature of their enlistment in ranks, they are still entitled to certain protections within the International Humanitarian Law, but they lose the civilian immunity during their participation in hostilities. If they are no longer part of the fighting unit, they regain the status of a civilian. Paragraph 3 of Article 77 of the Additional Protocol I explicitly states that “children who have not attained the age of fifteen years take a direct part in hostilities and fall into the power of an adverse Party, they shall continue to benefit from the special protection accorded by this Article, whether or not they are prisoners of war.”<sup>103</sup> A contrario, children who have attained the age of fifteen or more are treated as regular adult soldiers.

In this one should also be familiar with criminal liability of child soldiers. While the current international legal framework allows for arrest, trial and imprisonment of child soldiers, there is not an established minimum age above which the child soldiers could be liable for

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<sup>103</sup> International Committee of the Red Cross. (1977). Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article 77. ICRC.



their actions. In practice the child soldiers of all ages are predominantly considered as victims, brought into fighting by coercion, manipulation and similar methods.

Nevertheless, the fact that no minimal age for criminal liability is established child soldiers can be responsible for their actions according to the law of the states. That leads to inconsistencies in legal rules across the world. In practice however the cases where the child soldier would be prosecuted for his war crimes are extremely rare and mostly limited to proceeding in front of national courts. The ICC has sidelined this question in its work. Also ad hoc international criminal tribunals that operated before never prosecuted a person that committed a crime when he was aged 18 years or less. The closest it came for it to happen was in proceedings of Special Court for Sierra Leone, established in the aftermath of one of the most brutal civil wars in the history of the world, featuring mass displacement, killings and mutilations. In this conflict estimated more than 5.000 children were used as child soldiers on both sides of the war. These children were often among the most brutal combatants who under the influence of narcotics and alcohol committed many of the most atrocious murders, amputations and mutilations. Observing the seriousness of the crimes The Statute of the Special Court of Sierra Leone, did not exclude persons of young age from its jurisdiction, meaning that child soldiers between the ages of 15 to 18 could be prosecuted, while respecting the requirement to treat them *»with dignity and a sense of worth, taking into account (...) young age and the desirability of promoting (...) rehabilitation, reintegration into and assumption of a constructive role in society, and in accordance with international human rights standards, in particular the rights of the child.«* Despite the fact that the Statute allowed for prosecution of child soldiers between 15 and 18 years of age, no child was prosecuted. The Prosecutor of the Court, David Crane made it clear that *»he would never prosecute anyone under the age of eighteen« as these children »have suffered enough both as victims and perpetrators«.*<sup>104</sup>

Hence within the international tribunals it never happened that the child soldier would be prosecuted for the atrocities they had committed. If any proceeding against such individuals took place, they took place within national domestic courts. Nevertheless, the current legal framework still allows for the prosecution of child soldiers in most extreme

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<sup>104</sup> McQueen, 2019, p. 100–127.

cases and thus maintains the balance between the best interest of the children and societal interests that demand some sort of justice regardless of the age of the perpetrator.<sup>105</sup>

To return to the general legal framework, we need to stress that provisions relevant to the children protection in the context of armed conflicts are found also in the **Convention on the Rights of the Child (CRC)**. It is not uncommon in the international law that some ideas are repeated throughout several documents. In this case, it is the prohibition of recruitment child soldiers under the age of 15 is one that is repeated in both CRC and the Geneva Convention IV. This makes sense because it sometimes happens that not all states sign a particular document but might sign another one. Since they both contain the same provisions, they become more widely adopted.<sup>106</sup> For our purposes the most important articles in the Convention on the Rights of the Child in respect to their welfare in the context of armed conflicts are Articles 38 (protection during the conflict) and 39 (measures of recovery).

To expand on the children protection in armed conflicts the states have adopted **Optional Protocol on the Involvement of Children in Armed Conflicts (OPAC)** that further limits the recruitment of children for purposes of war. It raises the compulsory recruitment from 15 to 18 and allows only voluntary recruitment under this age and even this only under strict safeguards, such as informed consent, proof of age and parental knowledge. It includes also some other provisions, such as prohibition of children under 18 to take direct part in hostilities, obligation of the states to provide active support in demobilization and rehabilitation of child soldiers under specific programs. **This protocol in connection with the CRC and the Geneva conventions framework serve as a basis for legal protection of children in armed conflicts.**

Since the creation of law is always the consequence of the need to confront the real world issues, there is also a need to enforce the law and thus end the violations it was set to prevent. Here the major role was played by the Security Council with its function to procure

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<sup>105</sup> Happold, 2017, p. 433–459.

<sup>106</sup> Here it is important to note that some provisions become customary international law if they are followed generally and consistently by states and states follow it because they deem it a legal requirement. Another case is a general prohibition under the international law that no state can avoid, such as prohibition of genocide or recruitment of child soldiers.

international peace and security. From 1999, the Security Council passed **resolution 1261** on the topic of protection of children in armed conflicts, calling for respect of described international law as it regards to the recruitment and use of child soldiers. Since then, it adopted more than 10 resolutions where more and less powerful measures were adopted to solve the issue. Among others, **resolution 1379** (adopted in 2001) called for creation and public display a list of parties that recruit or use child soldiers. **Resolution 1539**<sup>107</sup> (adopted in 2004) established a special Monitoring and Reporting Mechanism (MRM) that serves in tracking the grave six violations against children. In 2014, the body called for special protection of schools and hospitals during the armed conflicts and prohibition of using schools for military purposes (**Resolution 2143**). Last action taken by the United Nations Security Council in addressing the issue was in 2018 when they consolidated earlier resolutions into a comprehensive framework with three main components – prevention, protection and reintegration. The final framework also stresses *»the importance of accountability for all violations and abuses against children in armed conflict and calls on all States to continue to address impunity by efforts to strengthen national accountability mechanisms, including building investigative and prosecutorial capacities«*<sup>108</sup> (**Resolution 2427**).

Besides the Security Council there are also some other bodies that are notable players in addressing the issue. Their role is often included in the text of the Security Council resolutions, in particular the roles the Special Representative of the Secretary-General for Children and Armed Conflict, UNICEF, the Office of the UN High Commissioner for Human Rights, and High Commissioner for Human Rights and Migrations.

## **2.5 Current issues**

### **2.5.1 Case Study: Ukraine**

Problems affecting Ukrainian children were already evident before the full-scale war, particularly in the eastern regions, where children faced years of instability, displacement

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<sup>107</sup> United Nations Security Council. (2004). Resolution 1539 (2004) on children and armed conflict (S/RES/1539). United Nations.

<sup>108</sup> United Nations Security Council. (2018). Resolution 2427 (2018) on children and armed conflict (S/RES/2427). United Nations.

and disrupted education due to ongoing conflict since 2014.<sup>109</sup> However, since the full-scale invasion by the Russian Federation in February 2022, the impact of war on children has become immensely greater. Ukraine has endured relentless attacks on civilian infrastructure, mass displacement, and widespread trauma. Children across the state — especially in frontline and occupied territories—have been deeply affected, both physically and psychologically.<sup>110</sup> At least 2,523 children have been killed or injured, with a 57% increase in child casualties in 2024 compared to the previous year. Explosive weapons used in populated areas have caused indiscriminate harm, often targeting schools, playgrounds, and homes.<sup>111</sup>



*Picture 8: Commemorating Ukrainian War-Affected Children*

Displacement is widespread and relentless. Over 3.7 million people are internally displaced, and 6.86 million refugees have fled abroad — the majority being women and children. Many children have been displaced multiple times, severing their access to education, healthcare, and community support. Families report children suffering from isolation, grief,

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<sup>109</sup> Helsinki Foundation for Human Rights, 2022.

<sup>110</sup> OHCHR, March 2025

<sup>111</sup> United Nations Secretary-General, 2024.

and confusion, as they are uprooted from familiar environments and forced into overcrowded shelters or foreign states.<sup>112</sup>

Education has been severely disrupted. More than 1,650 schools have been damaged or destroyed (OHCHR, 2025). In frontline areas, 700,000 children struggle with remote learning due to poor connectivity, power outages, and lack of devices.<sup>48</sup> In occupied territories, Ukrainian curricula have been replaced with Russian propaganda, and the Ukrainian language is suppressed. Children are subjected to ideological indoctrination, and some are forced to participate in military-style training. These practices violate international humanitarian law and the Convention on the Rights of the Child.<sup>113</sup>

Healthcare infrastructure has also been targeted. As much as seven hundred eighty-six health facilities, including the largest children's hospital, have been damaged.<sup>49</sup> 1.7 million children lack access to safe water, and 2.5 million live without adequate wastewater treatment. These conditions increase the risk of disease and hinder recovery.<sup>48</sup> Medical professionals report shortages of essential medicines, overcrowded hospitals, and rising cases of untreated chronic conditions among children. The mental health crisis is acute. One-third of households report children in emotional distress. Adolescents face severe mental health challenges due to isolation, trauma, and disrupted education. The psychological scars of war — fear, grief, and uncertainty — are compounded by the lack of mental health services. Children exhibit symptoms of depression, anxiety, and behavioral disorders, and many struggle to process the violence they have witnessed.<sup>114</sup>

Recent empirical evidence reveals a significant escalation in suicidality and self-harm among Ukrainian adolescents residing in conflict-affected regions. A large-scale cross-sectional study conducted during the early phase of the war found that adolescents exposed to armed conflict exhibited markedly higher rates of suicide attempts, suicidal ideation, and self-injurious behavior compared to their peers in non-conflict areas. Specifically, 9.5% of girls in war-affected regions reported suicide attempts, and 39.3% reported suicidal ideation—figures substantially higher than those in non-war regions. Male

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<sup>112</sup> UNICEF, 2024.

<sup>113</sup> OHCHR, 2025.

<sup>114</sup> OHCHR, March 2025.

adolescents also demonstrated elevated levels of suicidal ideation. The study established a strong correlation between suicidality and exposure to multiple war-related traumas, as well as with clinical symptoms of post-traumatic stress disorder (PTSD), depression, and anxiety. Notably, adolescents who had experienced five or more distinct types of war trauma were over three times more likely to exhibit suicidal behavior. These findings underscore the urgent need for targeted mental health interventions and suicide prevention strategies, and they reinforce the legal and humanitarian imperative to protect children from the psychological consequences of armed conflict, in accordance with international human rights and child protection frameworks.<sup>115</sup>

One of the most egregious violations of international law in the Ukrainian conflict has been the forcible transfer and deportation of Ukrainian children from occupied territories to the Russian Federation. According to the UN and Ukrainian authorities, thousands of children — including orphans and those separated from their families — have been taken across the border, placed in Russian institutions or foster care, and subjected to forced adoption and re-education.<sup>116</sup>

In March 2023, the International Criminal Court (ICC) issued arrest warrants for Russian President Vladimir Putin and Maria Lvova-Belova, the Russian Commissioner for Children's Rights. The charges relate specifically to the unlawful deportation and transfer of children from occupied areas of Ukraine to the Russian Federation. This marked the first time the ICC had issued a warrant against the leader of a permanent member of the UN Security Council. The court stated that there are “reasonable grounds to believe” that both individuals bear individual criminal responsibility for these acts, which violate Article 8 of the Rome Statute and the Fourth Geneva Convention.<sup>117</sup>

The deportation of children during armed conflict is considered a grave breach of international humanitarian law. It violates the Convention on the Rights of the Child, particularly Article 11 (protection against illicit transfer and non-return) and Article 38 (protection in armed conflict). It also breaches the Genocide Convention, which includes

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<sup>115</sup> Sourander, et al., 2024.

<sup>116</sup> Reuters, 2024 and United Nations Security-General, 2025.

<sup>117</sup> International Criminal Court, 2023.

the forcible transfer of children from one group to another as an act of genocide under Article II (e). The UN Human Rights Office has documented these violations in detail, alongside attacks on schools and hospitals, and the suppression of Ukrainian identity in occupied territories.<sup>118</sup> The use of explosive weapons in populated areas has had devastating effects on children's rights, including their right to life, education and health.<sup>119</sup>

In addition to deportation and attacks on civilian infrastructure, the recruitment and use of children as soldiers represents another grave violation of international humanitarian and human rights law. In the context of the war in Ukraine, credible reports have documented the involvement of children in armed formations on both sides of the conflict. In the Donbas region, children have been engaged in military activities since 2014, including training, logistical support, and, in some cases, direct participation in hostilities.<sup>120</sup> More recently, the Russian Federation has been accused of forcibly transferring Ukrainian children from occupied territories and subjecting them to military-patriotic indoctrination, with the intent of preparing them for combat roles.<sup>121</sup> Disturbingly, investigative reports have also revealed Russia's use of child suicide bombers, suggesting a deliberate strategy of weaponizing children in extreme and unlawful ways.<sup>122</sup> Additionally, there are emerging concerns about Russia's recruitment of North Korean children into military programs, further expanding the scope of these violations. These practices not only contravene international legal standards but may also constitute war crimes under the Rome Statute of the International Criminal Court.

There are currently no credible reports in Western media confirming the systematic recruitment or use of Ukrainian children as soldiers. While some allegations have surfaced — such as claims that Ukraine operates camps to train child soldiers reminiscent of Nazi Germany — these assertions have been widely refuted or remain unverified by independent

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<sup>118</sup> OHCHR, 2025.

<sup>119</sup> United Nations Secretary-General, 2024.

<sup>120</sup> Helsinki Foundation for Human Rights, 2022.

<sup>121</sup> Havrylov, 2025.

<sup>122</sup> Weiss and Rushton, 2025.

observers.<sup>123</sup> It is important to approach such claims with caution, as they often originate from disinformation campaigns or lack substantiated evidence.

Additionally, as Ukraine has expanded its military operations onto Russian-occupied territory, there have been reports of civilian casualties, including children, resulting from Ukrainian strikes. For example, Russian officials have alleged that Ukrainian attacks on Sevastopol led to the deaths of children; however, these claims have not been independently verified and are often contested in international reporting.<sup>124</sup> These points underscore the complexity of verifying information in active conflict zones and the necessity of relying on credible, independently sourced evidence when assessing violations of children's rights.

Diplomatic responses have included coordinated referrals to the International Criminal Court by 43 states, signaling a unified demand for accountability. The UN Security Council has condemned attacks on schools and emphasized the right to education in conflict settings through Resolution 2601 (2021). The European Union, United States and other international actors have imposed sanctions and provided humanitarian aid, while also supporting documentation efforts for future prosecutions.<sup>125</sup>

The legal frameworks are clear. The Geneva Conventions, the CRC and the Rome Statute all prohibit the targeting of children, the use of starvation and the deportation of civilians. The ICC's actions in Ukraine mark a significant step toward justice, but the road ahead is long. As with Gaza, the challenge lies not in defining the violations — but in ensuring accountability.

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<sup>123</sup> EUvsDisinfo, 2024.

<sup>124</sup> Sky News, 2024.

<sup>125</sup> United Nations Secretary-General, 2025.



### 2.5.2 Case Study: Gaza (Palestine)



*Picture 8: Aftermath of Israeli airstrikes on Gaza*

The war that erupted on October 7, 2023, began with a large-scale attack by Hamas on Israel, resulting in the deaths of over 1,100 people and the abduction of more than 250 hostages, including children. Israeli children and families endured hours of terror, with many killed, injured, or traumatized by the violence and the ongoing threat of rocket fire. The psychological scars of that day and the subsequent escalation have left many Israeli children suffering from anxiety, fear, and loss.<sup>126</sup>

In response, Israel launched a massive military campaign in Gaza. While the atrocities of October 7 were a grave violation of international law and must be condemned, they cannot justify the scale of suffering now inflicted on Gaza's children. International humanitarian law requires that all parties protect civilians, especially children, regardless of the actions of armed groups.<sup>127</sup>

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<sup>126</sup> International Development Committee, 2024.

<sup>127</sup> Security Council Report, 2025.

Since the escalation, childhood in Gaza has been fundamentally altered. More than 20,000 children have been killed and over 42,000 injured in less than two years—an average of at least one child killed every hour.<sup>128</sup> Thousands more are missing or presumed buried under rubble, and at least 21,000 children have been left permanently disabled. These deaths and injuries are not accidental; they result from systematic attacks on homes, schools, and hospitals in densely populated areas, where children are most vulnerable.<sup>129</sup>

Displacement is relentless. Over 1.5 million people, most of them children and women, have been forced from their homes, often multiple times. Many now live in overcrowded shelters or makeshift camps, facing hunger, disease, and psychological trauma. The destruction of civilian infrastructure is nearly total: 97% of schools and 94% of hospitals have been damaged or destroyed, leaving children without safe spaces to learn, play, or receive medical care.<sup>130</sup>

Starvation has emerged as a weapon of war. Humanitarian access is routinely denied, and food distribution centers are bombed or rendered inaccessible. In June 2025 alone, 5,800 children were diagnosed with acute malnutrition. Families report children dying while waiting in line for food supplements. The deliberate destruction of agricultural infrastructure and the blockade of aid have created conditions where hunger is not a consequence of war — it is a tactic. Malnutrition weakens immune systems, stunts growth, and impairs cognitive development, leaving long-term scars on children's health and potential.<sup>66</sup>

The collapse of Gaza's healthcare system has compounded the crisis. Only 17 of 36 hospitals and 63 of 170 primary health centers are partially functioning. Medical supplies are critically low, and basic procedures are performed without anesthesia. In neonatal wards, five babies often share a single incubator. Seventy percent of essential medicines are unavailable, and doctors report performing surgeries with flashlights due to power outages. The lack of clean water has led to widespread disease outbreaks. Ninety-five percent of Gaza's population

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<sup>128</sup> UNICEF, January 2025.

<sup>129</sup> The Guardian, 2025.

<sup>130</sup> International Development Committee, 2024.

lacks access to safe drinking water, forcing children to consume contaminated water and increasing the risk of cholera, diarrhea, and other preventable illnesses.

The psychological impact of the conflict is profound. Children in Gaza live in constant fear. Many have witnessed the deaths of family members, survived bombings, or lost their homes. Mental health professionals describe widespread symptoms of PTSD, anxiety, and depression. The trauma is compounded by the absence of safe spaces, the loss of routine, and the constant threat of violence. For many children, the concept of safety is no longer imaginable.

Education in Gaza has been decimated. Schools have been bombed, occupied, or repurposed as shelters, leaving children without safe spaces to learn or play. Many have missed more than a year of education, and the psychological toll of learning in fear is immense. Teachers report students unable to concentrate, suffering from trauma, and exhibiting signs of severe emotional distress. The destruction of educational infrastructure not only interrupts learning—it dismantles the future. Compounding this crisis, schools and other educational facilities have also been used for military purposes, particularly for safeguarding soldiers. Both Israeli and Palestinian armed actors have reportedly repurposed schools as military bases or shelters, including documented cases where Israeli forces converted parts of university campuses into operational zones and Hamas militants used school buildings for military activities. These actions violate international humanitarian law, which mandates the protection of civilian objects and explicitly prohibits the military use of educational institutions.<sup>131</sup>

These atrocities are not only humanitarian tragedies — they are violations of international law. The Geneva Conventions and their Additional Protocols prohibit the targeting of civilians and the use of starvation as a method of warfare. The Convention on the Rights of the Child (CRC), ratified by nearly every state in the world, obliges states to protect children from violence, exploitation, and neglect, even during armed conflict. Article 38 of the CRC specifically requires states to take all feasible measures to ensure the protection and care of children affected by armed conflict.

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<sup>131</sup> UN News, 2025 and OHCHR, 2025.

The United Nations Secretary-General's 2024 report on Children and Armed Conflict verified 8,554 grave violations in Israel and the Occupied Palestinian Territory — more than in any other conflict zone. These include killing and maiming, attacks on schools and hospitals, and denial of humanitarian access. For the first time, Israeli forces were added to the UN's "list of shame," alongside Hamas and Palestinian Islamic Jihad. The International Court of Justice (ICJ) has issued emergency measures against Israel, stating that it is "plausible" that acts of genocide are occurring in Gaza. The International Criminal Court (ICC) is also investigating war crimes and crimes against humanity committed by all parties to the conflict, including the unlawful killing, maiming, and abduction of children.

Diplomatic responses have been mixed. While the UN Security Council passed a resolution calling for humanitarian pauses and the protection of civilians, enforcement has been limited. Special Representative Virginia Gamba described Gaza as "a graveyard for children," urging immediate action. Yet, despite mounting evidence and legal mechanisms, the gap between international norms and their implementation remains dangerously wide.<sup>132</sup>

The recruitment and use of children as soldiers is a grave violation of international law, yet it remains a persistent issue in the context of the Gaza conflict. Palestinian armed groups, most notably Hamas, have a long history of recruiting and deploying children in both combat and support roles. Since the early 2000s, credible reports have documented the use of children as fighters, lookouts, messengers, and even suicide bombers by Hamas and other factions. Children have been trained in military camps, indoctrinated with militant ideology, and sometimes coerced or incentivized to participate in hostilities, exposing them to extreme violence and trauma.<sup>133</sup> Such practices not only violate the rights of the child but also constitute war crimes under international humanitarian law. While the recruitment of Palestinian children is well-documented, there have also been isolated allegations of Israeli authorities using Palestinian minors as informants or human shields, though these cases are far less systematic and are strongly denied by Israeli officials.<sup>134</sup> Regardless of the actor,

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<sup>132</sup> Security Council Report, 2025.

<sup>133</sup> Defence for Children International - Palestine, n.d. and Pérez García, 2022.

<sup>134</sup> Amnesty International, 2004.

the involvement of children in armed conflict inflicts lasting psychological and physical harm, depriving them of their childhood, education, and future prospects.

These case studies reveal a sobering truth: international law is only as strong as the will to enforce it. In Gaza and Ukraine, children are not just casualties — they are witnesses to the failure of global systems designed to protect them. The international community must move beyond statements and resolutions to concrete action: prosecutions, sanctions, and sustained humanitarian support. Child protection is not a peripheral issue. It is central to peace, justice, and the future of humanity.

## **2.6 Specific impacts**

The main reason the armed conflicts have a different effect on children compared to the full-grown men is the difference in their mental and physical development as well as their specific position in society, where they are not yet equipped to operate as individual agents but rather rely on their parents and family to provide for their needs. The gradual process of getting to know the phenomenon of suffering of other living beings living on our planet that usually reflects the development of children, for children who find themselves in the armed conflict is not available. In war this process is condensed and greatly accelerated. In addition, the children do not only familiarize themselves with violence, suffering and abuse but are often their victims on one hand, of forced to be perpetrators on the other. Both cause tremendous emotional burden in a mind of the child that is not yet equipped to handle the stress that often greatly damages even adult people.<sup>135</sup> Regarding the consequence of war on physical health it is important to note that the bodies of children are weaker in terms of their mechanical robustness and thus more prone to suffer greater physical damage (primary/direct effects) if being exposed to the armed conflict than adults. Due to their incomplete development, they are also less resilient to disease, acute malnutrition and psychological stress, which are usually the companions of the war. Furthermore, the war usually disrupts the essential services, state's economy and social fabrics, causing different but not less important issues to children i.e. disease outbreaks,

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<sup>135</sup> The plethora of the consequences of war on the human psyche is wide i.e. post-traumatic stress disorder, anxiety, depression, trauma and emotional numbing. We can only imagine the consequences they cause to a mind of a child.

PTSD, loss of education etc. – secondary effects. If the primary effects of armed conflict on children are direct and physically violent, the secondary effects are less direct but just as disruptive. Due to their different nature, the response to each should vary. The response to immediate physical harm from violence that causes the primary effects is immediate humanitarian aid, while in the case of disrupted economy and healthcare system as two causes of secondary effects, the response should be systematic recovery of those systems and long-term aid. Both the primary and the secondary effects that children suffer are to great extent caused by the 6 grave violations as classified by the UNICEF report. In the following paragraphs the reader can find a brief introduction of each.

**Killing and maiming** is the first grave violation outlined by UNICEF. Killing is defined as any action in the context of the armed conflict that results in the death of one or more children, while maiming is defined as any action that causes a serious, permanent, disabling injury, scarring or mutilation to a child, including: crossfire, landmines, cluster munitions, improvised explosive devices or other indiscriminate explosive devices. Killing or maiming can take place in the context of military operations, house demolitions, search-and-arrest campaigns or suicide attacks. Torture can also be reported under this category. Between 2005 and 2016, at a minimum 73,023 children have been killed and/or maimed across 25 conflicts. These verified cases are only the tip of the iceberg in terms of the actual numbers killed or injured; actual figures are not available due to access restrictions and lack of resources to gather additional information.<sup>136</sup>

**Recruitment and use of children** is another grave violation mentioned in the document. Recruitment refers to compulsory, forced or voluntary conscription or enlistment of children into any kind of armed force or armed group(s) under the age stipulated in the international treaties applicable to the armed force or armed group in question, while the use of children refers to the use of children by armed forces or armed groups in any capacity, including, but not limited to, children, both boys and girls, used as fighters, cooks, porters, messengers, spies, collaborators and sex slaves. It does not only refer to a child who is taking or has taken a direct part in hostilities. According to the annual UN CAAC reports, there were at least 49,640 verified cases of boys and girls recruited and used by armed

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<sup>136</sup> Save the Children International, 2018.

forces and groups from 2005 to 2016. Analysis of the CAAC reports on child recruitment showed that it is a larger problem in protracted conflicts. Troops are needed to replace the adult fighters killed or injured in the early stages of the fighting, and the collapse of economic opportunity and household incomes associated with conflict pushes adolescents and children into the arms of armed groups or militaries, who may offer the best or only salary in the area. Boys and girls, some as young as eight years old, are being forced to fight, carry supplies and perform other frontline and support roles. Recruited children are routinely subjected to physical and mental violence by adult combatants and some have been ordered to kill or commit other acts of violence. Girls are often vulnerable and left with no choice but to become the wives or girlfriends of soldiers or fighters to gain protection, while both girls and boys are raped and sexually exploited. Others are used as spies, to carry military equipment or supplies, such as water and food, or to serve as cooks or domestic servants. Association with armed groups brings many risks, including death.

slavery and some aspects of sexual violence have already been discussed. However, it is important to note that **rape and sexual violence** is a separate category within the UNICEF report. There several violent acts of a sexual nature are mentioned including rape, sexual harassment, sexual slavery, enforced prostitution, forced marriage/ pregnancy or enforced sterilization or abortion. Sexual violence is defined as any sexual act, attempt to obtain a sexual act, or acts to traffic a child's sexuality. Rape/attempted rape on the other hand is defined as an act of non-consensual sexual intercourse. This can include the invasion of any part of the body with a sexual organ and/ or the invasion of the genital or anal opening with any object or body part. Any penetration is considered rape. Efforts to rape someone, which do not result in penetration, are considered attempted rape.

Another issue common in the context of war, especially in connection with child soldiers' recruitment and the use of children is **abduction**. In the UNICEF report it is defined as unlawful removal, seizure, capture, apprehension, taking or enforced disappearance of a child either temporarily or permanently for the purpose of any form of exploitation of the child. If a child is recruited by force by an armed force or group, this is considered as two separate violations – abduction and recruitment. Abduction or seizing of children during conflict can take many forms – children are taken for forced conscription, domestic

servitude and sexual exploitation, or kidnapped for ransom or revenge. The CAAC reports show that between 2005 and 2016, there have been at least 14,327 verified cases of children who have suffered this violation, with cases reaching a peak in 2015 when at least 3,421 children were reported to have been abducted.

As mentioned before, the UN SC resolution 2143 was directed to great extent to resolve the issue of **attacks on schools and hospitals**. Attacks include the targeting of schools or medical facilities that cause the total or partial destruction of such facilities. Other interferences to the normal operation of the facility may also be reported, such as the occupation, shelling, targeting for propaganda of, or otherwise causing harm to schools or medical facilities or their personnel.<sup>137</sup> According to the annual CAAC reports, which started recording attacks on schools and hospitals in a limited way in 2005, at least 15,375 attacks on schools and hospitals occurred from 2005–2016. That represents a 100 percent increase in just over a decade but is also likely to be a significant underestimate due to the limited UN-verification of these incidents – as is explained below, schools and hospitals are being hit on a near-daily basis in conflicts today. Hence, children living in conflict zones are increasingly vulnerable at their school desks and in their hospital beds, both of which should be protected safe spaces. In recent years, schools and students have been attacked to prevent girls from attending and to interrupt female education – we see this in Yemen, Pakistan, Nigeria and elsewhere. A notable case was the kidnapping of 276 girls from a school in Chibok, Nigeria by insurgents in 2014. Direct or indirect violence and threats against schools and health facilities have a devastating impact on children. Around the world, 27 million children are out of school due to conflicts – either because they have been displaced and do not have access to school, their schools have been damaged or destroyed, their teachers have fled or their parents are too afraid to send them because of the risk of attack. The interruption of education has a long-term impact on children's futures and the socio-economic recovery of a state. Attacks on health facilities mean the injured and sick are sometimes too afraid to go to a doctor, and we see more women dying in labour at home

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<sup>137</sup> Note: A 'school' denotes a recognizable education facility or learning site. Education facilities and learning sites must be recognized and known by the community as a learning space and marked by visible boundaries. 'Medical facilities' are places where the sick and wounded are collected and/or provided with health-care services. Both constitute a basic infrastructure for children, first one providing them with education, while the second one ensuring their physical wellbeing.



in conflict zones because they cannot get to a health facility. The destruction of medical infrastructure has a lasting impact on a state's health system and allows the spread of communicable diseases and resurgence of illnesses normally kept at bay by vaccinations in peacetime, such as polio and diphtheria.

**Denial of humanitarian access** basically means intentional deprivation of, or impediment to the passage, of humanitarian assistance indispensable to children's survival, by the parties to the conflict, including wilfully impeding relief supplies as provided for under the Geneva Conventions; and significant impediments to the ability of humanitarian or other relevant actors to access and assist affected children, in situations of armed conflict. The denial should be considered in terms of children's access to assistance as well as humanitarian agencies' ability to access vulnerable populations, including children. Two major cases in recent times were in Syria, where the US imposed embargo on Syria; and Palestine, where Israel blocks the access of goods to enter Gaza. Another example is also the IDF employment of the "double-tap" strategy, and attacks sites of humanitarian aid delivery, as well as the seizures of humanitarian aid for war purposes by the Palestinian authorities.

There are also other impacts of armed conflicts on children that have not been so extensively addressed so far. These are long-term psychological and social consequences, displacement of children (internationally displaced persons), the usage of an infrastructure intended for the children for military purposes and lastly lacking a legal identity of children born during the war.

## 2.7 Issues to consider

- i. How should we approach child soldiers who commit war crimes and crimes against humanity?
- ii. What should be the minimum age of criminal responsibility for child soldiers?
- iii. Should sexual assaults and other forms of wrong-doings against the children under 18 be treated differently than those of adults? If so, what would be the right age to draw the line at for such differentiation?
- iv. How should we treat child soldiers who commit war crimes or crimes against humanity, given that they are both victims and perpetrators?
- v. What kind of justice or rehabilitation would be most appropriate for child soldiers, balancing accountability with protection for victims?
- vi. How would different ages of liability affect the prosecution, reintegration and moral responsibility of children involved in armed conflict?
- vii. How can legal systems consider children's psychological and developmental vulnerabilities when defining penalties and protective measures?
- viii. How does exposure to violence in war change the moral reasoning, agency, and development of children?
- ix. Can international law and humanitarian programs take these long-term effects into account when planning protection and accountability measures?
- x. What legal and ethical duties do states and armed groups have to prevent the recruitment of children under 18, and how effective are the current laws?
- xi. How should international law respond when children are forced to commit atrocities while being recruited or coerced by armed groups?
- xii. How does the participation of children in armed conflict affect post-war society, intergenerational trauma, and the cycle of violence?
- xiii. Should accountability for child soldiers include broader measures like social rehabilitation and reconciliation?
- xiv. How can international law balance the protection of children with society's need for justice for war crimes?

## **2.8 Conclusion**

The information delivered in the previous paragraphs reveals the intricate position of children in armed conflicts. The dichotomy of victimhood and criminality creates a complex issue to address. The UN Security Council has tended to treat children predominantly as victims, including child soldiers who took part in perpetrating unimaginable atrocities. This approach has been heavily criticized by those who suffered from their actions, who were mutilated, had limbs amputated, or for whom such atrocities affected one or more of their family members.

Although much progress has been made in addressing this issue, it is far from complete. The use of child soldiers in conflict is still a prevalent occurrence, and the consequences are sometimes no less severe than they were in the past. The Chairs of the UN Security Council at this year's MunLaws Conference 2025 expect participants to thoroughly familiarize themselves with the work that has already been done in addressing the disproportionate effects of armed conflicts on children and to approach the debate with fresh perspectives and suggestions that build on the already established framework of real-world mechanisms and international law.

The topic is challenging not so much in achieving common ground on the fact that children suffer in zones of armed conflict, but rather in deciding upon the practical steps the international community can take to reduce the impacts on this demographic. Since child soldiers are still used in significant numbers and the suffering of children is visible every day on social media and other news channels, the framework is arguably not sufficiently effective and calls for improvement. Now, here is your chance to make it better.

## 2.9 Further reading

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Office of the Special Representative of the Secretary-General for Children and Armed Conflict. (2025, June). *22,495 haunting cries: Children affected by conflict endured an unconscionable number of grave violations in 2024*. United Nations. This provides a current, comprehensive overview of grave violations and is grounded in UN methodology.

UNICEF. (2007). *The Paris Principles: Principles and guidelines on children associated with armed forces or armed groups*. This document establishes international standards for protecting children and guiding rehabilitation and reintegration efforts.

McQueen, A. (2019). *Falling through the gap: The culpability of child soldiers under international criminal law*. Notre Dame Law Review Online. This is a detailed legal analysis, critical for understanding accountability issues and the intersection of juvenile justice and international law.

Happold, M. (2017). *Child soldiers and international criminal law*. European Journal of International Law. Provides a thorough examination of how international law treats child soldiers, including both protection and accountability frameworks.

Arega, N. T. (2023). *Mental health and psychosocial support interventions for children affected by armed conflict in low-and middle-income states: A systematic review*. Child & Youth Care Forum. This offers evidence-based insight into the psychological and social impacts of war on children and intervention strategies.

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