



THE ROLE OF INTERNATIONAL LEGAL ACTS IN THE PROTECTION OF CHILDREN IN AREAS OF ARMED CONFLICT

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Annotation:

The protection of children's rights in areas of armed conflict is also of particular importance to international mechanisms in this area as a humanitarian problem of relations on the world's policy scene. The article discusses the legal basis for protecting the rights of children in areas of armed conflict—declarations, documents, agreements, pacts, and some of the resolutions—and reveals them with examples and legal norms.

Keywords: armed conflicts, children's rights, international humanitarian law, international human rights, Geneva Conventions and Additional Protocol, Convention on the Rights of the Child, Universal Declaration of Human Rights, Rome Statute. Efforts to uphold human rights from the new era of history are human cooperation, including the field of child rights, which is part of this cooperation. Cooperation in this area is one of the main aspects of equal rights, conscientious observance of international law norms and treaty obligations, and respect for state sovereignty. In the context of today's international relations, not only different countries fighting each other, but also armed opposition groups, illegal military and terrorist organizations, fight each other.

Primary care and other medical services usually do not work during wartime. The resources available are often transferred to the armed forces, and sometimes local health services and medical workers are attacked as part of the war. These attacks are one of the most fundamental principles of human rights: regardless of citizenship and medical services in wars, they are a clear violation of the norm of protection for the injured and the patient, and this is a war crime in accordance with international humanitarian law. And this process prohibits the establishment of various legal foundations.

This chapter, on the other hand, focuses on international documents aimed at protecting the rights of children in areas of armed conflict and provides interpretations of some modes and departments.





Relevant international laws, standards and principles for the protection of children in armed conflicts:

Within the framework of international humanitarian law:

1. Four Geneva Conventions on the Protection of Victims of International Armed Conflict (1949) - establish international legal standards for humanitarian aid in warfare. The only term for the Geneva Convention is usually negotiated after World War II in 1949 (1939-1945), renewed the terms of two 1929 treaties, and represents the agreements between which two new conventions were added. The Geneva Conventions broadly define the fundamental rights of wartime captives, civilians and military personnel, protect wounded and patients and serve as a legal basis for the protection of civilians in and around the war zone.
2. Additional protocols I and II to the Geneva Conventions (1977) - the 1949 Conventions were amended by three corrective protocols:
Protocol I on protection of victims of international armed conflict (1977)
Protocol II on protection of victims of non-international armed conflict (1977)
3. International humanitarian customary law is an unwritten set of rules of international public law governing behavior during armed conflict.

Within the framework of international human rights:

1. The Convention on the Rights of the Child (1989) and its Faculty Protocol on the Involvement of Children in Armed Conflict (2000) are an international human rights treaty that defines the civil, political, economic, social, health and cultural rights of children. If, according to national law, the age of puberty is not set early, the convention defines the child as any person under the age of eighteen.
The Convention on the Rights of the Child's Faculty protocol for engaging children in armed conflict is aimed at protecting children from hiring and using military action. The protocol was adopted by the General Assembly on May 25, 2000 and came into force on February 12, 2002.
2. Universal Declaration of Human Rights (1948) is an important document in the history of human rights. The Declaration, drafted by representatives of different legal and cultural backgrounds from all regions of the world, was adopted by the United Nations General Assembly on December 10, 1948 in Paris (Resolution 217 A of the General Assembly) as the standard of common achievement for all nations and everyone. For the first time, it stipulates that a person's fundamental rights are universally protected, and it has been translated into more than 500 languages. The Declaration has inspired and paved the way for adoption of more than seventy human





rights treaties that are now being applied on a permanent basis at the global and regional levels.

3. Convention on the Status of Refugees (1951) - Based on Article 14 of the Universal Declaration of Human Rights of 1948, recognizing the right of people to seek asylum in persecution in other countries, the United Nations Convention on the Status of Refugees adopted in 1951 is a central part of international protection for refugees. The Convention came into force on April 22, 1954, and it was given only one amendment in the 1967 Protocol view, which removed the geographical and temporary boundaries of the 1951 Convention. The 1951 Convention, as a post-World War II tool, was originally limited to people who had avoided what had happened in Europe until January 1, 1951 and in Europe. The 1967 Protocol removed these restrictions and thus universally covered the Convention. Since then, it has served in several regions the consistent development of refugee and auxiliary protection regimes, as well as international human rights law.

4. The International Pact on Civil and Political Rights (1966) is an international human rights treaty adopted in 1966. It allows people to enjoy a wide range of human rights, including:

- exemption from torture and other cruel, inhuman or degrading treatment or punishments;
- the right to a fair trial;
- freedom of thought, religion and ideology;
- privacy, insecurity of home and family life;
- equality and non-discrimination;

5. The International Pact on Economic, Social and Cultural Rights (1966) is an international human rights treaty adopted in 1966. It ensures the use of economic, social and cultural rights, including:

- education;
- fair and equal working conditions;
- adequate living standards;
- the highest health standard that can be achieved;
- social security.

6. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) - adopted by the General Assembly on December 10, 1984. He completed the coding process to combat the practice of torture.

As part of this tool, a monitoring body, the Anti-Torture Committee, was established. Its main task is to ensure compliance and implementation of the Convention by all





participating states. After ratification by the 20th state, it came into force on June 26, 1987. The committee first convened in Geneva in April 1988.

How does it protect people?

The Convention absolutely prohibits torture and other cruel, inhuman or degrading treatment or punishment. Participating states agree to prevent torture in connection with the following actions:

- return, expel or extradite someone to another state where there are grounds to believe that they will face torture;
- arrest, imprisonment and deprivation of liberty;
- interrogation;
- police (civilian or military), health officials, the arrest of state officials, detention and appointment of anyone else who may participate in interrogation.

7. Resolutions of the General Assembly on the rights of children, including 51/77 and 52/107 and subsequent resolutions:

- calls on countries to fully respect the Geneva Conventions of August 12, 1949, and their additional protocols of 1977, as well as the rules of the Convention on the Rights of the Child, which provides special protection for children affected by armed conflict;
- recognizes the particular weakness of refugees and internally displaced children and calls on countries and UN bodies to protect their safety and development needs;
- acknowledges the call of the World Congress against the commercial exploitation of children, which took place in Stockholm on August 27-31, 1996;
- calls on governments to take all necessary measures first to eliminate all extreme forms of child labor, such as forced labor, forced labor and other forms of slavery;
- calls on governments to continue actively looking for comprehensive solutions to solve the problems of children living or working on the street, taking steps to ensure their reinvestment into society.

8. Regional Human Rights Documentation, including the African Charter on The Rights and Welfare of the Child (1990) - The Children's Charter appeared because African Union member states believed that African countries had missed an important social, cultural and economic phenomenon unique to Africa. He emphasizes the need to add Africa's cultural values and experience on issues related to child rights, such as:

- to oppose traditional Views of Africa, which often contradictions the marriage of children, the rights and obligations of parents towards children and the rights of children born outside of wedlock;
- clearly say that the Children's Charter is above any custom, tradition, cultural or religious practice that does not correspond to the rights, duties and obligations of the Charter;





- the Children's Charter more accurately describes the child as a person under the age of 18;
 - a direct ban on the involvement of children (i.e. under the age of 18) in armed conflicts and an end to cases involving the recruitment of children to the armed forces;
 - ban on marriage involving children;
 - prohibit the use of children as beggars;
 - to give girls the right to return to school after pregnancy;
 - stimulation of positive actions for girls' education;
 - solving specific African problems that affect children; For example, he called for the contradiction and destruction of apartheid and similar systems. Although apartheid has been liquidated, the rule applies to children living under regimes that apply ethnic, religious or other forms of discrimination.
 - protection of internally displaced and refugee children;
 - protection of pregnant mothers, mothers of babies and young children in prison;
 - to provide an opportunity for children to contact the Expert Committee of the Children's Charter on violations of their rights themselves.
- Including special information about the care of the child by large families;
- encourage the state to support parents "in times of need";
 - protection of children with disabilities.

As the main principles of exercise of the above rights, the following are defined:

- preventing discrimination;
- the best interests of the child;
- the life, survival and development of the baby;
- participation of the child;

Ensuring every child's obligations to himself and society, the state and the international community, etc.

9. Rome Statute of the International Criminal Court (1998) - The Regulation adopted in Rome on July 17, 1998 includes the active participation of children under the age of 15 in combat operations or the involvement of them in national armed forces or in other armed forces and other armed groups during a non-international armed conflict (Model 8) . In accordance with the principle of complementarity, the court has jurisdiction in cases where the state is incapable or unwilling to initiate criminal proceedings. To use this provision and ensure repression at the national level, states must adopt laws that allow them to hold accountable persons who commit such crimes.





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