

PROTECTING CHILDREN IN CONFLICT THROUGH A CHILD-SENSITIVE APPLICATION OF INTERNATIONAL HUMANITARIAN LAW



*“Every war is a war
against children.”*



Eglantyne Jebb, founder of Save the Children.

This observation made over a century ago remains incontrovertibly true, but it must not be accepted as an inevitability.



Save the Children

SUMMARY

In armed conflict, children suffer disproportionately - more acutely than adults, sooner, and with harms that persist long after hostilities end. Their smaller, still-developing bodies are uniquely vulnerable to the impacts of explosive weapons, malnutrition, and disease. Their minds, still forming their sense of self, safety and understanding of the world, absorb trauma differently and more deeply. Their survival and development depend on caregivers, specialist services, and functioning civilian systems in ways that go far beyond adult dependency.

These vulnerabilities are the reason children hold a distinct legal status under international law. They are entitled not only to the protections afforded to all civilians under International Humanitarian Law (IHL), but to *special respect and protection*, a deliberately higher standard, enshrined in the Geneva Conventions and their Additional Protocols and reinforced by the Convention on the Rights of the Child, ratified by 196 States.

Yet by every available measure, warfare is becoming more dangerous for children, not less - in part as their special protections are not being given effect. In short, the gap between the *promise* and the *performance* of international law is widening, and children are paying the highest price.

The Problem: Children Treated as ‘Mini-Civilians’

The challenge does not lie in the law itself. IHL's existing framework is sufficient, when properly applied, to afford children meaningful and differentiated protection. The problem lies in how the law is being interpreted and implemented. Children are routinely treated as generic members of the civilian population, as just ‘*mini-civilians*’, without adequate consideration of their unique rights, risks, or needs. Civilian harm mitigation frameworks are calculated on and calibrated to the most robust members of the civilian population, rather than the most vulnerable. This is a fundamental inversion of the protective logic of international law.

When the tools used to protect civilians are designed around adults, children fall through the gaps. That is not just a moral failure, rather it means children are being denied the protection the law already guarantees them.

The Solution: Closing the Gap

Addressing this does not require new treaties or new codification. It requires existing law to be applied consistently, in full, and through a child-sensitive lens. Children's distinct vulnerabilities should be accounted at every stage of conflict: from operational planning and the design, use, and legal review of weapons, through conduct of hostilities, to efforts to secure justice.

If implemented, this could prevent immeasurable harm, and its benefits would extend beyond children. **Civilian harm mitigation frameworks modelled on the most vulnerable members of the population will raise the floor of protection for all civilians. Protecting children is therefore not a narrow ask - it is a path to preventing more civilian harm overall.**

This paper documents the distinct harms children face in conflict, outlines the legal obligations that already exist to address them, explores what meaningful protection for children looks like in practice, and sets out recommendations for action.

CHILDREN'S UNIQUE VULNERABILITIES & DISPROPORTIONATE HARMS

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The evidence of children's distinct harms in conflict is extensive, with some key examples outlined below. However, it is worth noting that gaps of disaggregated data remain in some areas. Those gaps are themselves part of the problem: children's invisibility in harm assessments and datasets both reflects and reinforces their invisibility in military operations. Closing them requires sustained investment in child-specific data collection and research.

Children suffer disproportionately from both the direct and reverberating impact of conflict. Though often under-prioritised, the reverberating effects of conflict are not peripheral — they are often the harms that kill, maim, or permanently alter the trajectory of a child's life.

Smaller Bodies Built Differently

Children's unique physiology places them at disproportionate risk from explosive weapons. They are seven times more likely to die from blast injuries than adults. Their smaller size and weight mean they are thrown further by blast forces and sustain head and torso injuries at significantly higher rates — one review found that 80 percent of child blast patients experienced penetrating head injuries, compared to 31 percent of adults. Children have less blood to lose, thinner abdominal walls, and proportionally larger organs, all of which increase both the risk of internal trauma and reduce their capacity to survive it.

Burns tell a similar story. Children under two have thinner skin, making full-thickness burns more likely, with rapid loss of heat, fluid, and protein — consequences that can permanently affect growth and development. Children are also at greater risk of toxicity from chemical weapons: they breathe faster, have thinner airways, and possess less resilient cardiovascular systems. These are not marginal differences. They are, in many cases, the difference between life and death, and between recovery and permanent disability.

When conflict disrupts food supply, children deteriorate faster than adults. They have greater nutritional needs relative to their body size, lower fat and energy reserves, and immature immune systems that are more susceptible to the infections that malnutrition accelerates. A child experiencing severe wasting is eleven times more likely to die from an otherwise treatable disease. For a child, just two weeks without adequate food will weaken the heart, liver, and kidneys. After three weeks, common illnesses become potentially fatal. For adults, with larger reserves and slower metabolic rates, the same process typically takes weeks longer to unfold — time that can mean the difference between life and death, and that children simply do not have.

Minds Still in Formation

The evidence base on psychological harm is less developed than on physical harm, in part because it has attracted far less research investment. That gap is itself telling. But what the existing literature shows is consistent and compelling.

Conflict takes a distinct toll on children because they are still developing - psychologically, emotionally, and neurologically. Their identities, coping strategies, and understanding of the world are still in formation. Exposure to conflict draws heavily on psychological resources, diverting energy away from typical

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[developmental tasks toward survival and processing fear, and the resulting disruption to age-typical growth can be permanent](#). The psychological impact also varies by developmental stage: younger children are more likely to [experience avoidance and dissociation](#), while adolescents are more prone to [intrusive thoughts and hypervigilance](#). Chronic stress in early life can alter neurological and immune systems in ways that [predispose children to poor mental and physical health outcomes](#) for decades. This can affect emotional regulation, learning and reasoning, and increase the risk of conditions including cardiovascular and metabolic disease.

These consequences can span generations. Children of parents who developed PTSD following the Rwandan genocide exhibited [significantly higher levels of trauma and lower resilience](#) than peers whose parents had not. The harm does not end with the individual child - it can be passed to the next generation.

Dependent on Systems That Disappear

Children require specialist services that adults do not, including neonatal and paediatric care, nutritional rehabilitation, weight-specific medications, and age-specific diagnostic tools. These services are often among the first to be destroyed, interrupted, or rendered inaccessible during hostilities — and when they disappear, children are [often treated with adult protocols and medicines, increasing the risk of dosing errors, misdiagnosis, and preventable complications](#).

The destruction of essential infrastructure, including healthcare, does not only cause immediate harm. Children miss routine vaccinations, lose access to treatment for chronic conditions, and are cut off from care for common childhood illnesses that can become fatal in the absence of treatment.

Harm That Endures

These harms do not stop when the fighting does. Post-conflict, [elevated infant mortality rates can persist for up to eight years, and children under five face heightened morbidity for up to five years](#). Children are also disproportionately affected by landmines and explosive remnants of war long after hostilities end — [their natural curiosity makes them more likely to handle or play with unexploded ordnance](#), and studies in some contexts found that children accounted for approximately [half of all injuries](#) caused by explosive remnants of war.

The long-term consequences of malnutrition also endure. Stunting in childhood is linked to a [seven-month delay](#) in starting school and significantly reduced likelihood of completing grades at age-appropriate times. Malnourished children face a [22 to 45 percent reduction in lifetime earnings](#), a consequence that scales up: endemic malnutrition can [reduce a country's GDP](#) by two to three percent or more.

An Early Warning the World Should Heed

Children's lower threshold of harm is not only a measure of their vulnerability. It is an early warning of wider civilian harm. [As UN experts have observed](#), a child dying from malnutrition or dehydration is a signal that health and social structures have been attacked and critically weakened. A system capable of meeting children's urgent timelines is, by definition, a system that better protects all civilians. The inverse is equally true: when children are being harmed at scale, the civilian population as a whole is at grave risk.

This is why children's harm should be integrated into harm assessments, access monitoring systems, and operational planning — not as an afterthought, but as a reliable indicator of whether civilian protection is working overall.

Children are among the most protected groups in international law. Yet *formal* protection and *effective* protection are not the same thing — and the distance between them is, at present, unconscionably wide.

IHL protects children through two complementary frameworks. The first is the general protection afforded to all civilians under the Geneva Conventions and Additional Protocols. The second is a set of child-specific provisions that go further, reflecting explicit recognition that children are not simply a subset of the civilian population but a distinct and more vulnerable group, entitled to *special respect and protection*.

The phrase “*special respect and protection*” is not rhetoric. It means that States cannot fulfil their obligations to children simply by applying the same standards they apply to all civilians and assuming children are covered. An operation that assesses civilian harm without specifically accounting for children — their greater vulnerability, their dependence on essential services, the places they congregate and the ways they move — has not met either the higher legal bar the law sets for them or the standard protection afforded all civilians.

A Precedent for Change: Sexual Violence and IHL

For much of the twentieth century, rape committed in armed conflict was treated as a lesser harm - something separate from, and less serious than, torture. The law had not been written this way, but it was being applied as though it had.

No new treaty was required to change this. Through the sustained advocacy of lawyers, scholars, practitioners, judges, and landmark rulings in particular by the International Criminal Tribunals for the former Yugoslavia and Rwanda, that changed. Existing IHL was applied with a clearer understanding of what wartime sexual violence is: a weapon of war and a form of torture in its own right. The change required evidence, advocacy, and the willingness of judges and States to read the law as its purpose demanded.

The case for a child-sensitive application of IHL follows the same logic. Children have formal legal protections that are not being given effect. The law does not need to change — the way it is interpreted and implemented does.

From principle to practice: two examples

- **Proportionality:** Under IHL, an attack is unlawful if the harm it causes to civilians is excessive relative to the military advantage it achieves. This is known as the proportionality principle and it is only as good as the harm assessment that underpins it. The critical question that should be asked is: whose harm is being assessed? If the answer is a generic civilian population modelled on adult parameters — adult physiology, resilience, patterns of life — then the assessment is incomplete. The same explosion, the same loss of access to services, the same displacement will affect a child more severely, more immediately, and more permanently than an adult. A harm assessment that does not account for this is not capturing the full picture, but rather systematically undercounting the harm the law is designed to prevent.
- **Precautions:** The precautionary principle requires militaries to act on the information available to them. While there is an urgent need to invest in further disaggregated data, there is available information on children’s distinct vulnerabilities — and even basic population figures indicate how many children live in an area. Information on children carries direct implications for how precautions should be designed and applied. For example, when militaries calculate the ‘safe’ distance from a weapon’s blast, those calculations are typically based on adult bodies. A distance that limits harm to an adult may be fatal to a child. Using models that do not account for this is not a technical oversight — it is a foreseeable and avoidable failure to protect those most at risk.

Children’s accelerated harm and the implications for accountability

Children’s unique vulnerabilities also have implications for accountability. Because children are harmed more severely and more quickly than adults, an act that would not constitute a violation if committed against adults may cross the legal threshold when children are the victims, or may do so at an earlier stage.

This argument has already been made successfully before the International Court of Justice. In two recent cases — *The Gambia vs. Myanmar* and *South Africa vs. Israel* — multiple States, including Ireland, the United Kingdom, Canada, and Germany, argued that harm to children must be assessed differently, referencing their specific vulnerabilities and developmental situation. The cases arose under different legal frameworks, but the underlying logic is the same: the same act causes greater harm to a child than to an adult, and the law and efforts to secure justice must reflect that reality.

ENHANCED PROTECTIONS CHILD-SENSITIVE IHL IN PRACTICE

The value of a child-sensitive application of IHL lies in what it produces: concrete, immediate protections for children at every stage of conflict. The following examples illustrate what giving children's special status genuine effect could look like.

A Moment to Build Back Better

The rules-based international order is under unprecedented strain. Multilateral institutions are weakened and respect for international law is eroding. For children, the consequences have been devastating.

But moments of rupture are also moments of opportunity. As states consider what they want to rebuild and recommit to, there is an opportunity not simply to restore the international order, but to make it genuinely fit for purpose for those it was always meant to protect.

IHL was not designed to be child-blind. Its foundational purpose — to limit the effects of armed conflict on those who are not fighting — demands that the most vulnerable are centred, not sidelined.

The choice is not between the old order and no order. It is between restoring what existed and building something more robust. Children offer the clearest possible test of whether that ambition is real.

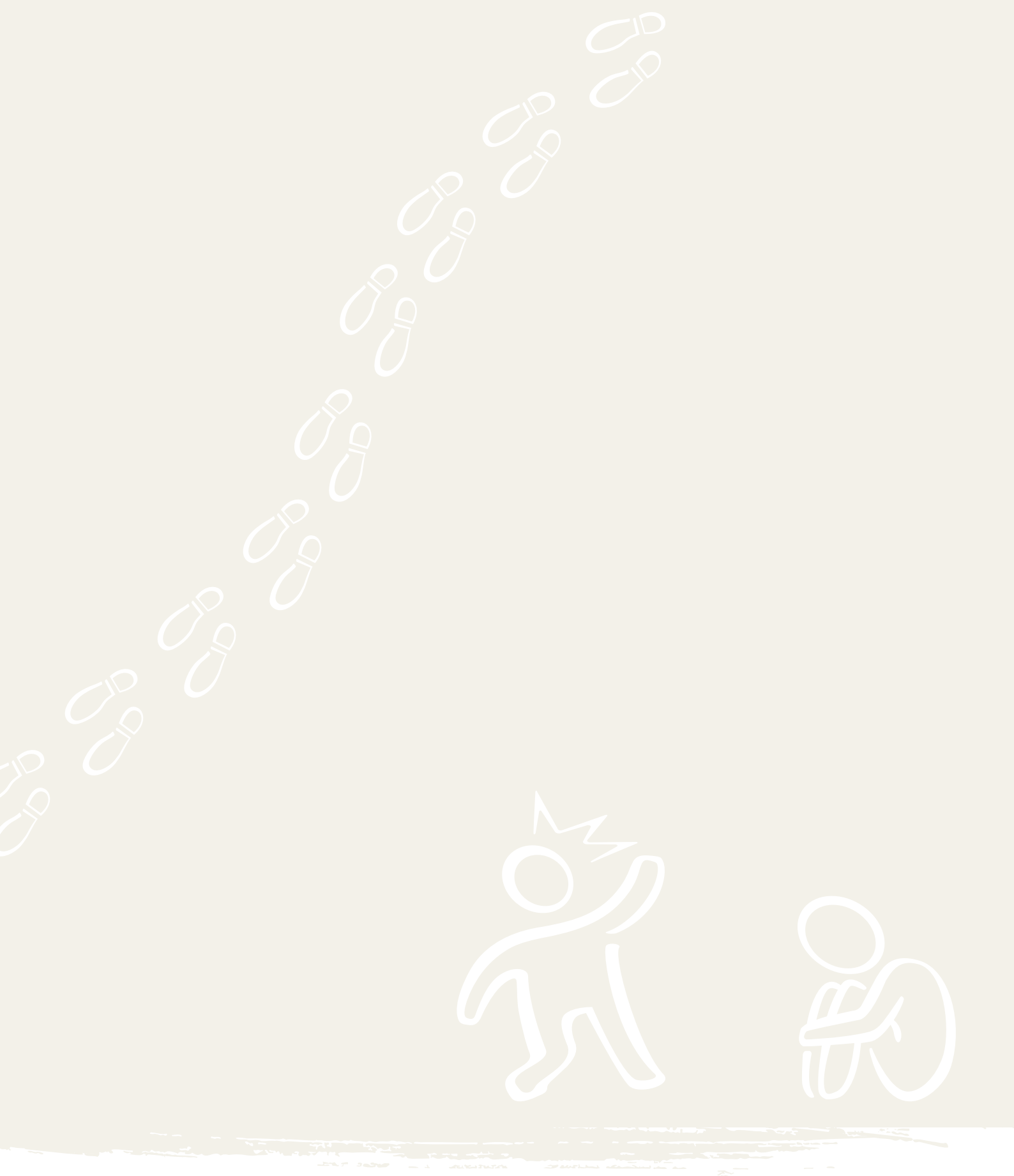
- **Warnings:** Warnings ahead of attacks are often geared towards adults - delivered through channels children may not access, in language they may not understand. A child who does not receive or understand a warning cannot get to safety. Warnings issued in accessible language, through channels that reach families, with instructions that account for the time it takes to move with a child, translate directly into lives saved.
- **Proportionality assessments:** When commanders explicitly account for children in harm assessments - their greater physiological vulnerability, the speed at which they deteriorate, the long-term consequences of injury or displacement - attacks that would have appeared lawful only factoring adult harm may be suspended or called off entirely. A single accurate assessment that prevents an attack on a building where children are sheltering saves lives that an adult-calibrated model would not have counted.
- **Intelligence gathering:** Child-specific intelligence - capturing the location of schools and paediatric facilities, the times children are most present, the routes they use - gives commanders a more complete and accurate picture of the civilian environment. Integrating this information into operational planning is essential to ensuring that the obligation to take all feasible precautions is applied with children genuinely in view. A targeting process that knows a building is used as an informal classroom at certain hours of the day may mean the difference between life and death.
- **Weapons design & review:** Legal reviews are one of the key moments at which harm can be prevented before it occurs. A system cleared without child-specific scrutiny or safeguard carries those blind spots into every deployment that follows. Conducting legal reviews of weapons with children explicitly assessed — their physiology, their presence near schools and hospitals, their patterns of movement — could help prevent foreseeable harm to children.
- **Military training:** Armed forces trained to recognise children's patterns — their movement, their physiological responses to threat, their behaviour under stress — are less likely to misidentify a frightened child as a combatant. Training that builds in that distinction saves lives.
- **Justice:** Accountability mechanisms that accurately investigate and document the distinct harm done to children send a clear signal: that violence against children carries legal weight. Justice for children already harmed matters in its own right. But accountability that reflects children's lower threshold of harm also acts as a deterrent, changing what is considered acceptable before the next conflict begins.

RECOMMENDATIONS

The law does not need to change — the way it is interpreted and implemented does.

Children's special status exists in law. What is needed is for it to be given meaningful effect. Save the Children recommends the following steps for Member States.

- **Ensure children are systematically recognised** — embedding children's distinct rights, risks, and needs in peace and security frameworks, relevant policies and norms at national and global levels, and ensuring that commitments made on paper are reflected in practice on the ground.
- **Apply a child-sensitive lens to IHL in all phases of conflict** — ensuring children's distinct vulnerabilities are explicitly accounted for in targeting, operational planning, and civilian harm mitigation frameworks. Protection should be modelled on the most vulnerable, not the most resilient. All parties to conflict — state and non-state — should be held to this standard.
- **Update military manuals and doctrine to reflect children's lower threshold of harm** — ensuring that child-specific guidance is embedded in the rules, instructions, and training materials that govern how armed forces plan and conduct operations. Manuals that treat children as generic civilians, without differentiation, fail to translate legal obligations into operational practice.
- **Adopt a child-sensitive access approach** — building children's harm timelines into access negotiations and mechanisms, and treating deterioration in children's conditions as an early warning of wider civilian harm and a trigger for urgent diplomatic action.
- **Adopt a child-sensitive approach to humanitarian diplomacy** that consistently foregrounds children's distinct rights, risks, and needs in access negotiations, multilateral engagements, resolutions and statements. The universality of children's rights is a rare space where interests can align to strengthen community-wide access.
- **Dedicated child protection training** — for military personnel, peacekeepers, government officials, and security partners on children's distinct vulnerabilities and needs in conflict.
- **Invest in disaggregated evidence** — supporting child-specific data collection and research, including age-disaggregated casualty tracking, as a foundation for better protection, planning, and accountability.
- **Strengthen child-rights approach in accountability** - ensuring that all accountability mechanisms fully and accurately document and investigate distinct harms to children and all related violations affecting children, including with support of child rights dedicated expertise.
- **Integrate child-specific criteria into weapons design and legal review** — explicitly assessing the differential impact of new and modified weapons on children before deployment.



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