

## **ARMED CONFLICT LAWS: PROTECTING CHILDREN ISLAMIC PERSPECTIVE**

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### **ABSTRACT**

*Armed conflicts are as old as humanity itself. In past, regular armies were not established. The individuals, ordinarily the adults of hostile tribes, were used to participate in armed conflicts. However, the participation of children was also common in certain situations. Although children would not have been active participants, they were engaged as a strategic tool in armed conflicts and proved to be the most vulnerable segment in such a situation. With the passage of time, regular armies have been established including children. However, the recruitment of children is restricted below a particular age. In Islamic law, primarily adult members are considered combatants, and children have been given immunity. However, in the case of their engagement in armed conflicts, certain principles have been established to deal with them. This paper identifies the principles and rules of Islamic law protecting children in armed conflict matters.*

**Keywords:** Armed, Conflicts, Children, Islamic, Law, Protection, Right

### **INTRODUCTION**

Mankind has been engaged in conflicts since early human history. However, with the passage of time, the nature of armed conflict has undergone changes. Previously, wars were fought between two different armies. However, in the modern era, the previous practices of armed conflicts have been switched with new trends and strategies. It has not only increased the number of conflicts but rather intensity is augmented as well. In addition to adult worriers, children remained engaged in armed conflicts since the start of human hostilities. In new strategies, they are also being employed particularly by non-state actors for armed conflict purposes.

Children are the vulnerable class of the community. They are frequent sufferers of armed conflicts. This happened not only because of being trapped in situations of armed conflicts but because they are also often involved directly as child soldiers. Therefore, children are always in need of protection for their rights as a child in armed situations. Child protection is indeed a human right issue, and as such, this right is recognized by all civilized nations. In this regard, though international legal instruments and national laws have been framed for regulating the protection of children's rights, their scope and nature are not satisfactory (Rachael, 2012). This failure seems to happen because of certain lacunas in contemporary legal provisions for addressing armed conflicts and disasters concerning children.

Furthermore, Muslim countries are almost 1/4 of the world, having their own system featured with Islamic spirit. They are curious to interact with other countries both for peace and war. So, there are ongoing deliberations on the nexus of Islamic law with contemporary law and the development of Islamic protective norms for the protection of children. Accordingly, this situation has created a space for the study undertaken. This study will encourage international institutions' engagements with Muslim scholars regarding humanitarian laws, principles, and actions. This study will also practically

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influence the thinking of combatants believing in it. Therefore, it may contribute alongside other international instruments in alleviating children's sufferings during armed conflicts. The research methodology for this purpose is doctrinal-based discussion.

### **Armed Conflicts: Growing Trend of Children's Participation**

The early history of wars witnessed the involvement of children in armed conflicts. They have been used for military expeditions, since the Greek era, in different roles, both at home and abroad. Though, the main text of Greek writings mentions adult warriors, some literature is available on the issue of children (Loman, 2004).

There is a growing trend of children both male and female participating in armed conflicts. This inclination is because of different factors. In most cases, the recruitment of children appears not voluntary but forced. Such type of Children's participation is reported by one of the child soldiers as *"Without the cyanide we don't go to war...I feel sad when I think of what happened to me. I had the cyanide and I didn't take it and when I go back I'll have to face death"* (Tiefenbrun, 2007).

The other common reasons for such military employment include poverty, illiteracy, abduction and influences by children's own tribes. They, according to the traditions of their respective clans, are supposed to defend their clan even if they are young. Families of these children are warned of their boycott if they resisted their recruitment. Children's recruitments in some countries are by coercion. Child soldiering is also prevalent due to wars and civil unrest. In some countries, children have been employed and used as soldiers on the pretext of money or force. However, in some cases, children are willing participants (Hart, 2004).

The participation of children as a soldier in armed conflicts has become most alarming. Most of these children are minors working in every region of the world. The recruitment of children into armed conflicts has claimed lives, permanent disability, orphanages, serious psychological trauma and abduction. However, these children are primarily protestors, and not active combatants taking part in armed conflicts. But in particular circumstances, they are used as combatants and supporters. These children are used as cooks, partners and messengers for espionage or for taking information and intelligence. Besides boys, the recruitment of girls as child soldiers has also become very common (Tiefenbrun, 2007). These children both boys and girls are often treated inhumanly and brutally (Ibid).

Children's military recruitment constitutes violations of general principles of International Humanitarian Law (IHL) and Human Rights Law (HRL). Such violation, indeed, results in abuse and maltreatment of the vulnerable child community. Such a situation must be addressed by the states involved and the international bodies. But unfortunately, no active contribution has been paid by the international community including the United Nations Organization (UNO) in this regard (Rachael, 2012). This failure may be because of certain lacunas in provisions of IHL, HRL, and other related instruments. Accordingly, the study undertaken focuses that how these deficits may be circumvented, and in this regard, what may be the possible protection tendered by principles of Islamic law.

### **Children: A Vulnerable Community**

Children are vulnerable members of the community. This feature is often mentioned in the context of children's rights. However, it has neither been well-determined nor evaluated (Schweiger, 2019). This characteristic of a child is, indeed, the outcome of individual and ecological factors that became complex dynamically with the passage of time. (Gurría, et al, 2019). Among others, the age factor outlines children's necessities while exposing them to potential new risks. Children who entirely depend on entail receptive care, are predominantly sensitive to security and peace. The armed conflicts make them more vulnerable to risks in the community.

The UN Convention on the Rights of the Child, 1989 (UNCRC) acknowledges children's vulnerability which underlines the need of protecting children on grounds of physical as well as mental immaturity. Organization for Economic Co-operation and Development, 1961(OECD) and non-OECD countries proclaim the exceptional vulnerability of children.

This objective has been attempted through particular legislation and policies regarding education, health, labour, juvenile justice, and child protection. However, the approaches adopted, differ according to the countries' backgrounds and the concepts of the issue. Islam also confirms the special position of children. Though it asserts the respect of collective humanity, it especially emphasizes taking care of children. All this is because of their vulnerability and communal significance.

### **Protecting Children: International Legal Responsibility and Response**

It is the social and political responsibility of the International community to ensure the protection of children's rights, particularly concerning armed conflicts. This collective obligation, from a legal standpoint, is the responsibility of each country to guarantee the pursuance of humanitarian principles. (Bloed, et al, 1993). Of course, it is not limited only to the state party to these treaties, the other states are also bound. The collective responsibility of respecting humanitarian principles has received vibrant recognition at the international level (Resolution, 1990; Menno, 1992).

It is admitted fact that children become most vulnerable in armed conflicts crisis. Therefore, the protection of children's rights has become one the major subject of International Law in the last few decades. So, protecting children's rights has become a major issue for the international community.

As of international responsibility, children are protected by humanitarian principles. These principles include humanity, neutrality, and universality, and these principles are recognized by international organizations (Additional Protocol, 1977; UN, 1991). The expression humanitarian principle is used to include both HRL and IHL (Barcelona, 1970). These are codified laws, asserting children's protection from the suffering of armed conflicts. Furthermore, international institutions are actively engaged in making and enforcing their rights in different adversities, particularly in armed conflict situations. Among others, the International Committee of the Red Cross (ICRC), the International Criminal Court (ICC), and the UNO are worth mentioning. Governmental and Non-governmental organizations have specifically addressed the rights of children. This struggle for the rights of children has surfaced in the international response in terms of the UNCRC and CEDAW. These instruments stipulate the responsibility of the government to take protective measures against all practices of child ill-treatment.

The attempts have been made as well for developing an effective mechanism for the implementation of these laws. In this regard, reference may be made to the Optional Protocol 2000 to the UNCRC. Its main concern is children's involvement in armed conflicts. It was adopted for prohibiting the involvement of children in armed conflicts. United Nations International Children's Emergency Fund, 1946 (UNICEF) has also embarked on many pledges for child protection. However, certain challenges still exist while protecting children in armed conflicts context. These problems embrace the dearth of humanitarian access, a growing disregard for international law, and child protection capacity of the state concerned.

The most common concern is about the recruitment of children for military service. For his purpose, Article 38 of the UNCRC puts a restriction on the age limit. But such limitation is not being pursued in the true sense. There is a need for concrete measures. So, international law inflicts certain responsibilities on the states as well as combatant groups. In this context, Article 4 (1) of the Optional Protocol asserts that "*armed groups that are distinct from the State's armed forces should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years*" (Optional Protocol, 2000). This protocol further puts obligations on the states by proclaiming that the states are under a duty to "*take all feasible measures to prevent such recruitment and use, including the adoption of legal measures to prohibit and criminalize such practices*" (Ibid., Article 4(2)).

While protecting children in military battles international law must have the capacity to meet with the changing nature of wars. But the international legal instruments seem to have no such capacity. Therefore, the protection of children's rights, particularly in armed conflicts, is needed to be focused on and to be made more effective. This purpose may be served if Islamic law is given due weightage in this regard.

### **Children Protection: National Responsibility-Case of Pakistan**

Pakistan is a sovereign state enjoying the membership of UNO, and other international organizations and agencies. It is a signatory of various international documents binding on it for protecting the rights of children. The same is the constitutional mandate and purpose of other laws. These rights also include the children's protection in armed conflicts context.

Pakistan is a signatory to major instruments relating to humanitarian law and human rights. It acknowledges different obligations enforced for children's protection. In this regard, reference may be made to the fourth Geneva Conventions of 1949 (GCs), two Additional Protocols of 1977, and one of 2005. For these instruments, Pakistan is a party to the fourth GCs, 1949 and API, which is a major portion of IHL. Therefore, humanitarian principles are adopted in these international instruments

concerning children's protection, are binding on Pakistan.

Pakistan, therefore, has taken certain measures to integrate the provisions of these instruments into its municipal law. It has promulgated certain statutory laws in accordance with the HRL, IHL, and Refugee Laws. The essence of these rules has been embodied either directly or indirectly in the Constitution of the Islamic Republic of Pakistan, 1973 (The Constitution, 1973). Accordingly, International Law has been ratified, and thus Pakistan is bound to follow its provisions of it.

The Constitution, 1973 also speaks for children's protection. In this regard constitutional provisions under Articles, 11(3) and 35 of the Constitution are worth mentioning. Article 35 goes as "*The State shall protect the marriage, the family, the mother, and the child*" (The Constitution, 1973). Article 11(3) asserts as "*No child below the age of fourteen years shall be engaged in any factory or mine or any other hazardous employment*" (Ibid.).

Pakistan has also promulgated various laws in the perception of international obligations. In this context, the Pakistan National Service Ordinance 1970 is worth mentioning. This statute fixes the age limit of 18 years for recruitment in the Army with two years prior training. So, the recruitment policy in the armed forces of Pakistan is in conformity with the UNCRC and the Optional Protocol on Children in Armed Conflict. However, it is reported that certain armed groups are indulged in recruiting children below the said slandered age. So, the applicability of international instruments and even local laws is not satisfactory.

#### **Islamic Law: Case of Children's Protection**

During the pre-Islamic era, Arab tribes were used to fighting for petty matters that lasted for generations. This was a critical situation in human history on the issue of armed conflicts. Society was suffering inhuman practices of armed conflicts as prevailing in the pre-Islamic era (See, Abul A'la Mawdudi, 1927). During this period non-combatants, prisoners, women, and even children were not immune from the atrocities of armed conflicts (See, Munir, 2010). Children were used for target practices with arrows (See, Nomani, & Nadvi, 1914), and were burnt in fire (See, Al-Nisapuri, 1959).

The Holy Prophet Muhammad (SAW) raised his voice against the then inhuman practices exercised for armed conflicts. So, Islam introduced far-reaching reforms for conducting armed conflicts. It asserts explicit affirmation of the necessity for combining all efforts in order to relieve the sufferings of armed conflict disasters. It requires that the individuals, the state, and the civil society each should respect humanity. The Islamic guidelines are very defined and constructive for military forces while dealing with civilians including children in armed conflicts context.

The Islamic conception of children's rights in fighting conflict is based on the authoritative texts of Islam, namely, the Quran and the Sunnah as well as other principles derived thereof. Accordingly, while pondering the children's protection in armed conflicts in an Islamic perspective, our study will emphasize the primary sources of Islamic law, i.e., the Quran and the Sunnah. In addition to the military conduct of the Caliphs and the then military commanders will also be focused.

Islamic law develops sets of principles and rules determining the rights and duties of citizens and the state. These rules are both for the days of peace and war. Among others, one of these sets is the rules protecting children's rights. These rules are demonstrated in the above-mentioned sources and in all other Islamic-law related documents (See, The Preamble, 1969; The Covenant, 2005; UN, 1989; Islamic, 2005). Islamic Law, indeed, affirms that protecting children from any sort of disaster is the responsibility of parents and the state. Such protection, indeed, is in the context of their vulnerability, and inevitability for the societal existence.

The Islamic law of armed conflict pledges the protection for all segments of the society. However, the status of these protected persons extends to the children as well (See, Al-Tirmidhi, 1569; Abu Daowud, 2668; Imam Malik, 969, 970, 971 and 972). Children come within the specially protected category of civilians. Children are provided with special protection as they usually are non-combatants and vulnerable class of the community. This strategy is based on the rationale of their civilian status and exposure to different threats during fighting situations. Such protection includes particularly their right to life, infinity, dignity, education, health, and safety of family, etc. Islamic law, while addressing armed conflict matters, also covers humanitarian principles, namely, humanity, neutrality, impartiality, and universality.

The Holy Quran is *the sacred scripture of Islam*. It is revealed by Allah, Almighty, as instructions for the whole of humanity. It provides guidelines for all spheres of life including the days of the war as well. For conducting armed conflicts, the Holy Quran provides the basic principle of

restraint and asserts a defensive war. (See, the Holy Quran, Al-Hajj, 39; Al-Baqarah, 190-194. Trans., Al-Hilali, 1431). This code of conduct affirms that peace and security is the priority of Islamic law. Hence, the Holy Quran says (translation), “*And Fight in the way of Allah those who fight you, but transgress not the limits*” (The Holy Quran, Al-Baqarah, 190, Trans. Ibid.). Islam discards the aggressive behaviour of warriors as the Holy Quran warns the Muslims (translation), “*Truly Allah likes not the transgressors*” (Ibid). The Holy Quran expressly recommends the Muslim warriors from avoiding the atrocities against the non-combatants. It says (translation) “*Allah does not forbid you to deal justly and kindly with those who fought not against you on account of religion nor drove you out of your homes*” (The Holy Quran, Al-Mumtahanah, 8. Trans. Ibid.). Islam expressly regards the right to life of every individual (See, The Holy Quran, Al-Maidah32, Trans. Ibid.). It reiterates that non-combatants (See, The Holy Quran, Al-Maidah 28, Trans. Ibid.), non-transgressor (See, The Holy Quran, Al-Mumtahanah, 8 Trans. Ibid.), and peace seekers (See, The Holy Quran, Al-Anfal 61. Trans. Ibid) should not be killed. Given that all these guidelines as are applicable to adults, these are also germane in the case of children during armed conflicts.

Next to the Holy Quran, Sunnah is the second most important source of Islamic law. It includes the traditions of the Holy Prophet Muhammad (SAW) consisting of things said, did, and approved by him (See Ali, 1976). Sunnah is known to us from his statements called Hadiths. Sunnah in this sense explains the Quranic version, and also provides additional rules and guidance. Sunnah, the Islamic legal compendia, constitutes a model for Muslims to follow.

The Holy Prophet Muhammad (SAW) is the messenger of Allah Almighty, having the spirit of kindness for mankind. So, the Quranic principle of restraint regarding armed conflicts was practiced by the Holy Prophet Muhammad (SAW). He clearly directed his followers that an attack should not be made without prior alarming (See, Al-Tirmidhi, 1550). Further, his teachings prohibit targeting five kinds of civilians during battling conflicts, and one of them is children (See, Al-Dawoody, 2011). Children have long been provided with special protection. The reason behind such favour is that usually are non-fighters and a vulnerable class of the community.

The same as the Holy Quran, Hadith speaks about the general principles for protecting children. The Holy Prophet Muhammad (SAW) asserted to take care of children (See, Al-Bukhari, 2409). He put the incentive message for Muslims for protecting their children’s legitimate rights and satisfying their needs (See, Al-Bukhari, 893; Ibn Majah, 1829; Abu Dawud, 2928; Al-Tirmidhi,1921). In the context of the armed conflict, he said that children must not be deliberately attacked or harmed during the battle. He did expressly assert that non-combatants including children, must not be attacked (See, Al-Tirmidhi, 1569; Abu Dawud, 2668 and 2670). In another saying, the Holy Prophet Muhammad (SAW) prohibited to kill children (See, Ibid; Imam Malik, 970, 971, and 972). On another occasion, he directed for fighting in the name of Allah, the Almighty, and not to murder a child (See, Abu Dawud, 2613). Yet, in another saying, the Holy Prophet Muhammad (SAW) prohibited from, killing an infant and a child (Ibid.).

“*The age of child for law full military recruitment is also addressed quite explicitly in the Islamic law of armed conflict*” (Al-Dawoody, 2019, p.561). For such age limitation reference may be made to the matter as considered by the Holy Prophet Muhammad (SAW) regarding the age status of the combatant (See, Al-Bukhari, 2664). Hence, as indicated in this Hadith, the proper age limit is 15 years or above for lawful recruitment for fighting forces. Thus, a Harbi (enemy warrior) may be attacked accordingly. This provides a guideline for recruitment of child soldiering and prohibition of underage forced recruitment. This principle is affirmed in the Rabat Declaration on Child Issues which “*strongly condemns any recruitment and use of children in armed conflict contrary to international law...*” (Rabat, 2005).

Armed conflicts usually bring the phenomenon of the Prisoners of War (POWs). Islam respects for the rights of all civilians as well as combatants and POWs including the captured children. In the early days of Islam, such children were not detained in prisoners’ camps. They, indeed, were combined with Islamic society as slaves. Sometimes, they were exchanged for POWs in the custody of the opponent combatants. This was because at that time the POW’s status was merely applicable to the male adult combatants, and captured children were not confined by Muslim individual authorities.

In Islamic Law, various protections have been granted to POWs. They are treated with respect in all types of basic human requirements. The Holy Prophet (SAW) ordered his Companions to treat POWs well. The one who captures a prisoner is specifically bound to look after him. (See, Abu Dawud, 2687). As a result, the Companions provided POWs with better food than they consumed by

themselves. Allah Almighty praised this behavior of Companions in the Quran as, (translation) “*They (are those who) fulfill (their) vows and they fear a Day whose evil will be wide- spreading. And they give food, inspite their love for it (or for the love of Him), to the Miskin (the need), the orphan, and the captive.*” (The Holy Quran, Al-Nisan, 7-8, Trans. Ibid).

The Holy Prophet Muhammad (SAW) established certain standards for the treatment of captured children at the Battle of Badr. In the history of Islamic Law, the event of the Battle of Badr, indeed, formed the practical basis for protecting children during armed conflicts. On this occasion, the conduct of the Holy Prophet Muhammad (SAW) demonstrates that children should be protected in all viewpoints. The decisions made on this occasion proved that the children deserve the right to life, family, religion, education, finance, and human treatment including all other necessities of life.

Genocide is one of the critical sufferings of armed conflicts. Genocide includes transferring the children of one group to another (The Convention, 1948). Genocide is so strictly prohibited in Islam, and it does not approve of it even of animals. While animal genocide is prohibited in Islam, then how it may be approved for a human being (See, Munir, 2010, p.213) who is conferred dignity by Allah, Almighty (See, The Holy Quran, Al-Isra, 70).

Next to Holy Prophet Muhammad (SAW), his Companions established the record of his perusal in each walk of life including the days of the war. On the basis of Sunnah, they followed his practices. Abu Bakr, the first Caliph always directed his commanders as (translation), “*Do not kill a child...*” (Abdullah, 1995, p. 478). While dispatching an army towards Syria that was commanded by Yazid b. Abi Sufyan, he passed certain instructions, and among those one goes as (translation), “*...nor to slay...children...*” (Ibn Khaldun, 1988, p. 489). Such a mind-set of Companions reflects the respect for the right to life of children engaged in any way in the armed conflicts. A similar approach has been followed by the subsequent Caliphs as well.

Family system is of great importance in Islamic society. The protection and preservation of family values are the prime focus of Islamic culture. Islam emphasizes establishing the integrity of family both in the days of peace and war. So, the Holy Prophet Muhammad (SAW) warned the combatants from the consequences of separating the children from their families (See, Al-Tirmidhi, 1566). He prohibited the separation among the captives, who have close relations and should be together (See, Abu Jafar, 8935). On another occasion, the Holy Prophet Muhammad (SAW) did strictly forbid the separation of a mother and her child (See, Al-Tirmidhi, 1566; Abu Jafar, 8934). So, he proved by his conduct that the POWs should be kept with their own family (See Al-Zayd, 2004, pp. 39, 77).

The classical Muslim jurists have also the consensus that during the confinement of POWs, they must not be separated from their families. So, separating children from their parents, and even from other persons in the family, has no approval in Islamic law of war (See, Ibn Qayyim, 2000, p. 70.) Such Islamic guidelines have been followed by the succeeding Muslim worriers (See Marsoof, 2003, p. 26; Weeramantry, 1988, p. 135; Troy, 1997, p. 50).

Islamic law is deeply concerned with the right to religion of children, and respect for parents’ role. While enslaving such captured children, their religion is protected. So, in case of separation from their family either because of the death or disappeared parents, they are raised as Muslims. However, in the case of having parental association, the majority of Muslim jurists agreed that they should continue the religion of their parents (See, Ibn Qudamah, 1984, p. 215).

Islamic sources assert emphatically the importance of education. (See, Ibn Majah, 224). The Holy Prophet Muhammad (SAW) said (translation), “*The seeking of knowledge is obligatory upon every Muslim male and Muslim female*” (Ibid). A leading case in Islam, confirming the significance of education, was established on the occasion of the Battle of Bader. The Holy Prophet Muhammad (SAW) set on liberty seventy POWs captured at the said event. They were released, indeed, for teaching ten children of Muslims. The right to education of children has also been recognized by the modern-day legal instruments having an Islamic spirit. (See, The Cairo, 1990; See, The Covenant, 2005; See, The Rabat Declaration, 2005).

Under the Islamic law of combating, civilian objects like buildings and houses are not allowed to be harmed and destroyed deliberately. This rule was established by Abu Bakr al-Siddiq while dispatching an army toward Syria. He directed as (translation), “*...Don’t destroy any building...*” (Al-Shoukani, 1957, p. 249) According to Islamic law, attacking the civilian property of the opponent during hostilities, amount to the crime of terrorism (ḥirabah). Deliberate or excessive damage of enemy property constitutes destruction. Consequently, assaults on civilian objects during the war are not

allowed in Islam. So, Islamic law of war does not allow damaging schools and other institutions of like nature as civilian objects, and as such children's right to education has been protected indirectly.

Islamic law provides a defined agenda of fiscal rights and duties of the families for taking care of their children. In addition to this, Islamic law imposes a responsibility on the state and society as well to take care of children. All this is because of their susceptibility, and the moral obligation of a warring party to support an unaided child in its control.

The humane treatment standard as established in the early days of Islam has been followed by the later Muslim combatants. A reference may be made to the practice of Salah al-Din al-Ayyubi who at the time of the reclamation of Al-Aqsā Mosque set a good example of releasing the detainees. He decided to set them on liberty when he became incapable to support the war captives. A similar practice is reported about other Muslim commanders of recent times who preferred to let free detainees when they could not support them. These criteria of humanitarian treatment in the Islamic law of warfare are both for adults and children. Furthermore, Islamic law asserts that the protection must also be from any type of torture intended to extract information about the opponent.

Contemporary Islamic laws have also been designed in light of the above Islamic guidelines and code of conduct. The commands as instructed by the Holy Quran, Sunnah, and the practices of Companions have been reaffirmed on different occasions while addressing the issues of the armed conflict, particularly about children. The reference may be made to the Cairo Declaration on Human Rights in Islam. This valuable instrument reiterated that, "*In the event of the use of force and in case of armed conflict, it is not permissible to kill non-belligerents such as ...children*" (The Cairo, 1990). This is, indeed, the endorsement of Islamic rules of war regarding the protection of children.

Off and on, attempts have also been made to correct the wrongful ways of some of the contemporary warriors whenever they conducted fights contrary to the Islamic code of armed conflicts. Thus, Muslim commanders have honestly recognized that "*...causing innocent casualties, be they Muslims or non-Muslims: this is not our method...*" (Anne, 2007, p. 268).

## **CONCLUSION AND SUGGESTIONS**

Children are the vulnerable class of the community, and as such, they are either trapped or directly involved as child soldiers. The common reasons for such employment are of socio-economic nature. They are frequent sufferers of armed conflicts, irrespective of the fact that they are combatants or not. So, children's protection has become a Human Rights issue, recognized by all civilized nations. The International community has pledged the responsibility to ensure the protection of children's rights through different laws concerning armed conflict. Pakistan has also become a party to legal documents concerning human rights and humanitarian principles.

While protecting children in the context of war, international law is missing a comprehensive approach. There are, indeed, still certain flaws influencing the effective protection of children's rights. These issues need to be addressed and developed more. Off course, these flaws may be removed, if the Islamic principles are given due weightage while addressing the children-related armed conflict issues. For this purpose, Muslim countries are already curious about the nexus of Islamic law with contemporary legal instruments. Accordingly, it is suggested that deliberations should be made to develop armed conflict laws in the light of Islamic guidelines for the larger interest of the children, and the future of the community.

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