



Beirut Declaration

Prohibition of Harm to Children in Armed Conflict

International Society for Social Pediatrics and Child Health

In collaboration with national and international child health and advocacy organizations

Preamble

Whereas, the Charter of the United Nations (Charter) recognizes the equal and inalienable rights of all members of the human family to freedom, justice, and peace; and

Whereas, the obligation of States under the Charter (Article 55), in concert with obligations delineated in the Universal Declaration of Human Rights (Article 5) and International Covenant on Civil and Political Rights (Article 7), is to promote universal respect for and observance of human rights and fundamental freedoms; and

Whereas, States under the Geneva Conventions and their Additional Protocols have legal responsibilities to treat civilians and persons *hors de combat* humanely; to treat children, the elderly, and persons with disabilities affected by armed conflict with special respect and protection; to respect the specific protection, health, and assistance needs of women affected by armed conflict; and to respect the prohibition of attacks on civilians and places where civilian objects are sited, including hospitals and schools; and

Whereas, the Convention on the Rights of the Child (CRC) and Optional Protocol to the CRC on the Involvement of Children in Armed Conflict specifically address the rights of children to rehabilitation from the impact of violence when it occurs; and to be protected from recruitment by armed forces and armed groups, all forms of violence, unlawful separation from family; and;

Whereas, the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction, and the Chemical and Biological Weapons Convention, address the need to protect civilians, including children, against becoming victims to these forms of violence; and

Whereas, modern warfare includes the deliberate threat or harm to children as an integral strategy of warfare, in violation of the above Conventions, Charters and Protocols—with the knowing participation of United Nations Security Council (UNSC) member states, allies, militaries, and procurers of armaments; and

Whereas, children in armed conflicts are injured or killed — from explosions involving air attacks,

shelling, mine and other types of ordinances, with resulting harm from blasts, penetrating objects, fire, collapsing buildings; and

Whereas, children in armed conflicts are injured or killed — from shooting, stabbing, rape, beating, incarceration, torture and other forms of violence; and

Whereas, children in armed conflicts are injured or killed —from chemical agents through the release of hazardous toxins from explosions, destruction of property and spent munition; and

Whereas, such attacks on children cause severe physical trauma to the brain, head, and neck, as well as severe burns, blinding, abdominal and chest injuries, amputations, sepsis, long-term injuries, and mental health trauma; and

Whereas, children in armed conflicts are injured or killed —through destruction of agriculture, shelter, water systems, sanitation, hygiene infrastructure, with resulting malnourishment, spread of life-threatening infectious diseases; and

Whereas, children in armed conflicts are injured or killed —through destruction of health care facilities and vaccine delivery systems, resulting in the inability to prevent and treat diseases; and provide immediate and advanced trauma care, general and specialized health care, care to children with physical, emotional trauma and those with chronic illnesses and;

Whereas, children in armed conflicts are injured or killed —through attacks and destruction of schools; and for those that survive, deprivation of their right to education and a future potential; and

Taking due account of the importance of safe-guarding the lives and welfare of all children at all times—irrespective of evolving warfare technologies, strategies, state and international legal frameworks—and that deliberate attacks that target children are war crimes and when widespread or systematic, may also constitute crimes against humanity;

Parties to this Declaration, with allied institutions, agencies and organizations, agree as follows:

Article 1. Targeting children

- a) All parties to an armed conflict must fully comply with international humanitarian law in letter and spirit.
- b) Civilians, including children, must never be targets of attack.
- c) As civilian objects, including areas where children live and frequent—houses, schools, school buses, marketplaces, hospitals and clinics, water wells, places of worship—must never be targeted. Attacks, including air bombardments and shelling, on civilian objects as stipulated in international humanitarian law are forbidden.
- d) Civilians, including children must never be used as human shields.
- e) Civilian objects, including areas where children live and frequent, should not serve as cover for combatants and their weapons.

Article 2. Children and families on the move

- a) Children must not be separated from parents, legal guardians or families without the voluntary consent of parents, for the safety of their children, in compliance with Article 9 of the Convention of the Rights of the Child.

- b) Children with parents should not be prevented from moving freely to seek refuge internally or across borders.
- c) During evacuations adhering to international legal norms, sufficient warning should be provided to ensure complete evacuation without incidents. Otherwise, all displacement should be voluntary, within existing international humanitarian law.
- d) Displaced children and their families should be able to return home and/or if separated, be reunited with their families as soon as safely possible.

Article 3. Safe Neutral Zones

- a) Safe neutral zones for displaced persons should be established through negotiations— for displaced persons, for children, their families, and other vulnerable groups—with iron clad security guarantees from the UNSC.
- b) Safe neutral zones for displaced persons should provide secure refuge, clean water, food, education, medical care (see also medical care provisions), employment for parents/guardians, and areas for play.
- c) All decision-making affecting the lives of children should: a) ensure their survival and optimal development; b) be without discrimination; c) be free from violence and exploitation; d) provide for the basic needs: shelter, food, clothing; d) provide education, health care, and related services; e) ensure the voices of children are heard and listened to; and f) ensure parents have the capacity to fulfill the rights of their children.
- d) Displaced persons should distribute and manage funds themselves to the extent possible, with children having a voice in decision-making.
- e) UNSC and concerned countries should guarantee safe refuge for children impacted by armed conflict, such that, displaced person safe neutral zones should be monitored with the continued physical presence of independent international observers that report to the UNSC. If at risk for aerial or other attacks, proper independent UN sanctioned state of the art surveillance systems should be deployed.
- f) All attacks causing one or more deaths among civilians, and in particular of a child/vulnerable person, should be recorded and investigated as soon as possible. Those that caused harm should be held accountable.

Article 4. Health Care

- a) Health care for children during armed conflict should meet at least the standards of care existing in an equivalent area at peace. This includes standards for preventive, primary, secondary, and tertiary care, as well as appropriate care for children with a chronic illness, disability, and those in need of emotional support.
- b) In accordance with international humanitarian law, health care facilities shall always be respected and protected and shall not be the object of attack. Under no circumstances should health care facilities be used in an attempt to shield military objectives from attack. Health care facilities should not serve as a marker of territorial claim.
- c) Health care personnel must not be threatened, extorted, kidnapped, or put in unnecessary danger.
- d) Transport of medical equipment and medication should be free of attacks, protected and uninterrupted.

Article 5. Care of wounded and sick children

- a) Wounded and sick children should be treated according to the highest quality standards available, including advanced trauma care, according to principles of humanity, neutrality, impartiality and independence. This includes:
 - i. Immediate rescue from armed conflict areas and first aid.
 - ii. Prompt prehospital emergency medical services (EMS) to stabilize vital functions and provide appropriate transportation.
 - iii. Definitive hospital level 1 trauma care.
 - iv. Comprehensive physical and psychological rehabilitation and social reintegration.
- b) Local medical personnel should be voluntarily integrated, supported, and trained for the above, to the extent possible without putting anyone at undue risk, while maintaining the highest possible standards.
- c) Local health facilities, equipment, medication, and services should be upgraded to ensure the optimal response to children's injuries, with attention paid to the special needs of infants, children, and youth. Definitive care of severely wounded children should be provided at the nearest regional quaternary care trauma facility that meets the highest international standards for medical expertise. Professionals capable of caring for the special needs of children should be available. Existing regional centers of excellence should be supported, and care for children with chronic illnesses provided.
- d) Medically accurate and epidemiologically sound data should be collected on injured and sick children as witness to harm done to children, and to help improve prevention and care delivery of children in conflicts, in compliance with data protection standards. The implemented methodology should take into account the difficult circumstances under which healthcare is delivered and the primacy of protecting health care workers.

Article 6. Schools

- a) Schools in armed conflict zones should meet the standards existing in regional schools at peace.
- b) As civilian objects, schools must never be attacked.
- c) Establishment of schools should not serve as a marker of territorial claim.
- d) Combatants should not use the cover of schools to hide themselves and/or their weapons or force children into combat.
- e) Teachers must not be extorted, kidnapped, or put in unnecessary danger.

Article 7. State and non-State actor responsibilities

- a) Funding for displaced persons safe neutral zones and health care should be adequate, accountable and shared by UNSC member States, allied State and/or non-State actors, and industries and investors whose arms are party to an armed conflict.
- b) Humanitarian organizations serving in combat zones should be properly supported by the parties mentioned above, and should operate according to principals of humanity, neutrality, impartiality and independence, such that:
 - i. Humanitarian organizations should not serve as public relation arms of non-State or State actors, arm industries and/or related institutional investors.
 - ii. Funding and expenditures of humanitarian organizations should be independently audited.

- iii. Humanitarian activities related to wounded children should be transparent, measured, and reported using currently accepted trauma and rehabilitation medicine standards.
- iv. Humanitarian organizations should collaborate in medical and epidemiological data collection, in line with the principles of humanitarian action as stated above.
- c) States, industries, and investors party to an armed conflict where civilians, in particular children, are/were targeted, should be financially accountable for the reconstruction and rehabilitation of destroyed civilian areas, including health care facilities, schools, markets, etc.
- d) Media, including social media, should stop deceptive practices, including assisting in the recruitment of vulnerable youth to become non-State combatants. Those involved in such practices should be held accountable, including defraying costs stated above.
- e) That UNSC permanent members should strive to seek common ground to implement agreements that protect all children in all armed conflicts. States, groups, and individuals who commit war crimes must be held to account in national and international courts of law.

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Parties that drafted this document have no conflicts of interest to declare. This is not a legal document. This is a call to action to protect children during conflicts, in full support of existing humanitarian laws and

